



**United States  
Environmental Protection Agency**

**FISCAL YEAR 2023**

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

**Tab 03: Goal and Objective Overview**

**EPA-190-R-22-001**

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**GOAL, APPROPRIATION SUMMARY**

Budget Authority  
(Dollars in Thousands)

	<u>FY 2021 Final Actuals</u>	<u>FY 2022 Annualized CR</u>	<u>FY 2023 President's Budget</u>
<b>Tackle the Climate Crisis</b>	\$501,653	\$541,168	\$773,133
<b>Science &amp; Technology</b>	\$155,337	\$170,475	\$245,459
<b>Environmental Programs &amp; Management</b>	\$231,353	\$249,597	\$335,338
<b>State and Tribal Assistance Grants</b>	\$114,963	\$121,095	\$192,335
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	\$237,375	\$251,714	\$615,435
<b>Environmental Programs &amp; Management</b>	\$132,229	\$148,682	\$481,508
<b>Hazardous Substance Superfund</b>	\$806	\$982	\$7,325
<b>State and Tribal Assistance Grants</b>	\$104,339	\$102,050	\$126,602
<b>Enforce Environmental Laws and Ensure Compliance</b>	\$695,737	\$706,099	\$852,193
<b>Science &amp; Technology</b>	\$18,726	\$21,771	\$22,720
<b>Environmental Programs &amp; Management</b>	\$416,386	\$435,386	\$553,101
<b>Inland Oil Spill Programs</b>	\$3,249	\$3,040	\$5,579
<b>Hazardous Substance Superfund</b>	\$217,389	\$207,736	\$229,006
<b>Leaking Underground Storage Tanks</b>	\$696	\$690	\$734
<b>State and Tribal Assistance Grants</b>	\$39,291	\$37,476	\$41,053
<b>Ensure Clean and Healthy Air for All Communities</b>	\$694,283	\$714,963	\$1,113,916
<b>Science &amp; Technology</b>	\$32,302	\$33,066	\$41,209
<b>Environmental Programs &amp; Management</b>	\$272,095	\$292,214	\$566,277
<b>Hazardous Substance Superfund</b>	\$2,343	\$2,366	\$3,513
<b>State and Tribal Assistance Grants</b>	\$387,543	\$387,317	\$502,917
<b>Ensure Clean and Safe Water for All Communities</b>	\$4,960,117	\$4,862,891	\$6,171,872
<b>Science &amp; Technology</b>	\$6,092	\$16,996	\$9,264
<b>Environmental Programs &amp; Management</b>	\$918,180	\$1,035,828	\$1,125,908

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>
<b>State and Tribal Assistance Grants</b>	\$3,951,186	\$3,741,148	\$4,951,583
<b>Water Infrastructure Finance and Innovation Fund</b>	\$84,617	\$68,919	\$85,117
<b>Deepwater Horizon Natural Resource Damage Assessment</b>	\$26	\$0	\$0
<b>UIC Injection Well Permit BLM</b>	\$15	\$0	\$0
<b>Safeguard and Revitalize Communities</b>	\$1,900,731	\$1,788,656	\$1,836,960
<b>Science &amp; Technology</b>	\$61,853	\$68,560	\$73,285
<b>Environmental Programs &amp; Management</b>	\$242,977	\$280,016	\$327,556
<b>Building and Facilities</b>	\$14,934	\$14,865	\$13,634
<b>Inland Oil Spill Programs</b>	\$20,143	\$20,978	\$26,410
<b>Hazardous Substance Superfund</b>	\$1,124,550	\$1,010,060	\$932,119
<b>Leaking Underground Storage Tanks</b>	\$97,947	\$97,184	\$99,750
<b>State and Tribal Assistance Grants</b>	\$316,674	\$296,994	\$364,206
<b>Hazardous Waste Electronic Manifest System Fund</b>	\$21,652	\$0	\$0
<b>Ensure Safety of Chemicals for People and the Environment</b>	\$388,626	\$399,652	\$517,332
<b>Science &amp; Technology</b>	\$8,546	\$10,162	\$9,857
<b>Environmental Programs &amp; Management</b>	\$333,495	\$345,604	\$447,834
<b>State and Tribal Assistance Grants</b>	\$46,038	\$43,886	\$59,641
<b>Pesticide Registration Fund</b>	\$547	\$0	\$0
<b><i>Sub-Total</i></b>	<b><i>\$9,378,522</i></b>	<b><i>\$9,265,144</i></b>	<b><i>\$11,880,841</i></b>
<b>Cancellation of Funds</b>	\$0	-\$27,991	\$0
<b>TOTAL, EPA</b>	<b>\$9,378,522</b>	<b>\$9,237,153</b>	<b>\$11,880,841</b>

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**GOAL, APPROPRIATION SUMMARY  
Authorized Full-time Equivalents (FTE)**

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>
<b>Tackle the Climate Crisis</b>	1,184.6	1,198.3	1,376.1
<b>Science &amp; Technology</b>	442.2	443.4	509.9
<b>Environmental Programs &amp; Management</b>	659.6	673.8	766.5
<b>State and Tribal Assistance Grants</b>	82.8	81.2	99.7
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	598.2	616.2	947.9
<b>Environmental Programs &amp; Management</b>	490.8	515.4	832.3
<b>Hazardous Substance Superfund</b>	4.1	4.3	9.5
<b>State and Tribal Assistance Grants</b>	103.3	96.5	106.2
<b>Enforce Environmental Laws and Ensure Compliance</b>	2,925.1	3,021.3	3,219.3
<b>Science &amp; Technology</b>	66.2	76.3	77.3
<b>Environmental Programs &amp; Management</b>	1,922.8	1,972.0	2,148.6
<b>Inland Oil Spill Programs</b>	14.0	14.8	16.0
<b>Hazardous Substance Superfund</b>	890.8	931.7	952.6
<b>Leaking Underground Storage Tanks</b>	3.2	3.4	3.4
<b>State and Tribal Assistance Grants</b>	25.3	23.1	21.4
<b>Rereg. &amp; Exped. Proc. Rev Fund</b>	2.8	0.0	0.0
<b>Ensure Clean and Healthy Air for All Communities</b>	1,670.4	1,665.4	1,988.9
<b>Science &amp; Technology</b>	78.8	79.2	96.6
<b>Environmental Programs &amp; Management</b>	1,353.6	1,362.8	1,672.3
<b>Hazardous Substance Superfund</b>	12.7	11.9	14.7
<b>State and Tribal Assistance Grants</b>	225.4	211.6	205.3
<b>Ensure Clean and Safe Water for All Communities</b>	2,842.1	2,828.8	3,205.0
<b>Science &amp; Technology</b>	25.1	25.0	28.9
<b>Environmental Programs &amp; Management</b>	2,037.8	2,088.4	2,244.8
<b>State and Tribal Assistance Grants</b>	722.2	673.7	877.0

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>
<b>Water Infrastructure Finance and Innovation Fund</b>	50.3	41.8	54.3
<b>Deepwater Horizon Natural Resource Damage Assessment</b>	4.3	0.0	0.0
<b>UIC Injection Well Permit BLM</b>	2.4	0.0	0.0
<b>Safeguard and Revitalize Communities</b>	3,385.8	3,337.5	3,558.1
<b>Science &amp; Technology</b>	156.7	158.0	165.5
<b>Environmental Programs &amp; Management</b>	1,029.1	1,064.6	1,212.8
<b>Building and Facilities</b>	20.8	19.0	15.9
<b>Inland Oil Spill Programs</b>	82.8	89.8	107.4
<b>Hazardous Substance Superfund</b>	1,850.7	1,766.9	1,803.7
<b>Leaking Underground Storage Tanks</b>	63.6	66.9	66.3
<b>State and Tribal Assistance Grants</b>	161.2	152.1	166.2
<b>Hazardous Waste Electronic Manifest System Fund</b>	11.7	11.0	11.0
<b>WCF-Reimbursable</b>	9.2	9.2	9.2
<b>Ensure Safety of Chemicals for People and the Environment</b>	1,665.9	1,629.7	1,908.7
<b>Science &amp; Technology</b>	27.8	29.2	28.3
<b>Environmental Programs &amp; Management</b>	1,340.0	1,431.0	1,706.6
<b>State and Tribal Assistance Grants</b>	37.9	34.2	38.5
<b>Rereg. &amp; Exped. Proc. Rev Fund</b>	185.1	135.3	135.3
<b>Pesticide Registration Fund</b>	75.2	0.0	0.0
<b><i>Sub-Total</i></b>	<b><i>14,272.1</i></b>	<b><i>14,297.3</i></b>	<b><i>16,204.1</i></b>
<b>TOTAL, EPA</b>	<b>14,272.1</b>	<b>14,297.3</b>	<b>16,204.1</b>

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**Tackle the Climate Crisis**

Goal 1: Tackle the Climate Crisis—Cut pollution that causes climate change and increase the adaptive capacity of Tribes, states, territories, and communities.

**STRATEGIC OBJECTIVES:**

- Objective 1.1: Reduce Emissions that Cause Climate Change—Aggressively reduce the emissions of greenhouse gases from all sectors while increasing energy and resource efficiency and the use of renewable energy.
- Objective 1.2: Accelerate Resilience and Adaptation to Climate Change Impacts—Deliver targeted assistance to increase the resilience of Tribes, states, territories, and communities to the impacts of climate change.
- Objective 1.3: Advance International and Subnational Climate Efforts—Collaborate with Tribal, state, local, and international partners and provide leadership on the global stage to address climate change.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
<b>Tackle the Climate Crisis</b>	<b>\$501,653</b>	<b>\$541,168</b>	<b>\$773,133</b>	<b>\$231,965</b>
Reduce Emissions that Cause Climate Change	\$393,819	\$425,556	\$602,559	\$177,004
Accelerate Resilience and Adaptation to Climate Change Impacts	\$50,941	\$54,855	\$97,228	\$42,373
Advance International and Subnational Climate Efforts	\$56,893	\$60,757	\$73,345	\$12,588
Total Authorized Workyears	1,184.6	1,198.3	1,376.1	177.7

## **Goal 1: Tackle the Climate Crisis**

*Cut pollution that causes climate change and increase the adaptive capacity of Tribes, states, territories, and communities.*

### **Introduction**

The impacts of climate change are affecting people in every region of the country, threatening lives and livelihoods and damaging infrastructure, ecosystems, and social systems in communities across the Nation. Recent years have seen record-breaking, climate-related weather extremes; worsening droughts, flooding, and wildfires; rising surface, atmospheric, and oceanic temperatures; melting glaciers; diminishing snow cover; shrinking sea ice; rising sea levels; acidifying oceans; and increasing atmospheric water vapor. Certain communities and individuals are particularly vulnerable to these impacts, including low-income communities and communities of color, children, the elderly, Tribes, and indigenous people. Climate change also can exacerbate existing pollution problems and environmental stressors.

Climate change and its impacts challenge EPA's ability to accomplish its mission of protecting human health and the environment. EPA is taking the actions necessary to ensure it continues to fulfill its mission even as the climate changes. EPA is working with other federal agencies to reduce greenhouse gas (GHG) emissions and increase the climate resilience of the Nation, with a particular focus on advancing environmental justice (EJ). Climate change is a global issue, and domestic action must go hand in hand with international leadership. EPA will continue to extend its expertise internationally, while learning from the expertise of others, to help shape and advance international agreements and solutions.

In FY 2023, EPA will drive reductions in emissions that significantly contribute to climate change through regulations on GHGs, climate partnership programs, and support to Tribal, state, and local governments. In addition, the Agency will ensure its programs, policies, regulations, enforcement and compliance assurance activities, and internal business operations consider current and future impacts of climate change and how those impacts disproportionately affect certain communities. EPA will consult and partner with Tribes, states, territories, local governments and communities, businesses, and other federal agencies to strengthen adaptive capacity and increase resilience. By engaging with organizations representing overburdened and underserved communities, EPA will ensure its GHG mitigation and adaptation activities support EJ and equity. Finally, EPA plans to implement international climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, and improve resilience in a manner that promotes equity. The FY 2023 Budget includes \$773.1 million and 1,376.1 FTE for *Goal 1: Tackle the Climate Crisis*.

*Goal 1, Tackle the Climate Crisis* is directly supported by the following FY 2022 – 2023 Agency Priority Goal:

- **Phase down the production and consumption of hydrofluorocarbons (HFCs).** By September 30, 2023, annual U.S. consumption of HFCs will be 10% below the baseline<sup>1</sup> of 303.9 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) consistent with the HFC phasedown schedule in the American Innovation and Manufacturing (AIM) Act and codified in the implementing regulations. A 10% reduction would decrease the U.S. consumption limit to less than 273.5 MMTCO<sub>2e</sub> in 2023.

**Objective 1.1: Reduce Emissions that Cause Climate Change** – *Aggressively reduce the emissions of greenhouse gases from all sectors while increasing energy and resource efficiency and the use of renewable energy.*

Objective 1.1, *Reduce Emissions that Cause Climate Change* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, promulgate final rules to reduce greenhouse gas (GHG) emissions from light duty, medium-duty, and heavy-duty vehicles; electric utility generating units; and the oil and gas industry.
- By September 30, 2026, EPA’s climate partnership programs will reduce expected annual greenhouse gas (GHG) emissions by 545 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>). EPA’s climate partnership programs reduced 518.6 MMTCO<sub>2e</sub> of annual GHG emissions in 2019.

In FY 2023, EPA will drive significant reductions in the emissions that cause climate change through developing regulations on GHGs; climate partnership programs such as ENERGY STAR; support for Tribal, state, and local governments; and publication of GHG emissions data. An investment of an additional \$100 million in grants to Tribes and states will support on-the-ground efforts to reduce methane emissions and increase resiliency in the Nation’s infrastructure. EPA regulations will cut GHG pollutants, including carbon dioxide (CO<sub>2</sub>), methane, and hydrofluorocarbons (HFCs). EPA will collaborate closely with stakeholders to promote energy efficiency, renewable energy, and decarbonization of the Nation’s electric grid. By continuing the transition away from reliance on high-emitting fossil fuels, EPA programs will cut GHG emissions from cars, trucks, homes, and businesses. In the FY 2023 Budget, \$135.4 million and 236.9 FTE are provided to the Climate Protection Program to advance this critical work.

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<sup>1</sup> EPA’s final rule, “Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the AIM Act” establishes the HFC production and consumption baselines from which the phasedown steps are measured. Using the equation provided in the AIM Act and based on the data available to the Agency through the Greenhouse Gas Reporting Program (GHGRP) and outreach conducted for this rulemaking, EPA determined that the production baseline is 382.6 million metric tons of exchange value equivalent (MMTEVe) and the consumption baseline is 303.9 MMTEVe. EPA has determined that the exchange values included in subsection (c) of the AIM Act are identical to the GWPs included in IPCC (2007). Therefore, one million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) is numerically equivalent to one MMTEVe. EPA is using the measurement MMTCO<sub>2e</sub> in this document since the public is more familiar with this term than MMTEVe. For more information, see: <https://www.epa.gov/climate-hfcs-reduction/final-rule-phasedown-hydrofluorocarbons-establishing-allowance-allocation>.

In FY 2023 and beyond, EPA regulations will reduce the emissions of GHGs from mobile and stationary sources and phase down HFCs, which are highly potent GHGs. Under the AIM Act of 2020, EPA will phase down the production and import of HFCs, which are commonly used in refrigerators, air conditioners, and many other applications. The AIM Act directs EPA to sharply reduce production and consumption of these harmful GHG pollutants by using an allowance allocation and trading program. This phasedown will decrease the production and import of HFCs in the U. S. by 85 percent over the next 15 years. A global HFC phasedown is expected to avoid up to 0.5°C of global warming by 2100. An additional \$35 million and 28 FTE is provided for regulatory and collaborative enforcement and compliance assurance efforts as required by the AIM Act to facilitate these next phasedown stages for HFCs.

EPA will set robust federal GHG emissions standards for passenger cars and light trucks to secure pollution reductions through Model Year (MY) 2026. EPA also will set standards for MY 2027 and beyond, to speed the transition of the light-duty vehicle fleet toward a zero emissions future, and update air pollution standards for heavy-duty vehicles. In FY 2023, EPA also will implement a substantially expanded “Phase 2” of the heavy-duty vehicle and engine GHG program. EPA will ensure additional GHG and air quality benefits by testing vehicles, engines, and fuels to certify that they comply with federal clean air, GHG, and fuel economy standards.

In meeting the requirements of Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*<sup>2</sup> and as part of the Administration’s comprehensive approach to tackling the climate crisis, EPA will issue rules to reduce CO<sub>2</sub> and methane from power plants and oil and gas facilities. These rules will be informed by robust engagement with Tribes, states, communities, and regulated entities and by any guidance from the judiciary.

Through voluntary partnership programs, EPA will work to incentivize energy efficiency and further decarbonize the transportation, power generation, industrial, and building sectors. Some examples of these programs include ENERGY STAR, Green Power Partnership, Natural Gas STAR, AgSTAR, GreenChill, and SmartWay. In FY 2023, EPA will continue to implement these climate partnership programs to improve delivery of energy efficiency, clean energy, and heat mitigation solutions to historically underserved and overburdened communities. EPA also will continue domestic programs and international collaboration to reduce exposures to harmful emissions from cookstoves.

EPA will facilitate net emission and air quality analyses of increased electric vehicle (EV) use and work with other federal agencies to promote more sustainable and resilient communities. In FY 2023, this includes identifying and pursuing opportunities to reduce barriers to deploying EV charging infrastructure and working with Tribes, states, and communities to ensure equitable distribution and thoughtful community integration of charging infrastructure, including for electric buses and delivery and rideshare vehicles.

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<sup>2</sup> Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

EPA will continue to implement the U.S. GHG Reporting Program, which collects and publishes data from more than 8,100 facilities from 41 large industrial source categories in the United States. EPA will improve models of climate change impacts, including how risks and economic impacts can be reduced under mitigation and adaptation scenarios. EPA also will continue to make the Climate Change Indicators website more accessible through enhanced visualization.

In FY 2023, EPA will work to complete the annual Inventory of U.S. Greenhouse Emissions and Sinks. Focus areas will include continued improvements to inventory methodologies in areas such as oil and gas, land-use, and waste, consistent with Intergovernmental Panel on Climate Change (IPCC) guidelines, and to meet upcoming Paris reporting requirements. EPA also will create a new GHG emission calculator, linked to Portfolio Manager, to develop building GHG inventories that fully comply with accounting protocols and local mandates. The Budget includes \$602.2 million and 923.1 FTE to support Objective 1.1.

**Objective 1.2: Accelerate Resilience and Adaptation to Climate Change Impacts** - *Deliver targeted assistance to increase the resilience of Tribes, states, territories, and communities to the impacts of climate change.*

Objective 1.2, *Accelerate Resilience and Adaptation to Climate Change Impacts* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, implement all priority actions in EPA’s Climate Adaptation Action Plan and the 20 National Program and Regional Climate Adaptation Implementation Plans to account for the impacts of the changing climate on human health and the environment.<sup>3</sup>
- By September 30, 2026, assist at least 400 federally recognized Tribes to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.
- By September 30, 2026, assist at least 450 states, territories, local governments, and communities, especially communities that are underserved and disproportionately at risk from climate change, to take action to anticipate, prepare for, adapt to, or recover from the impacts of climate change.

EPA will take necessary actions to anticipate, prepare for, and adapt to the impacts of climate change through supporting the development of climate adaptation strategies at the local level while advancing the climate resilience of Tribes, states, territories, local governments, and communities across the Nation. The goal is to ensure EPA continues to fulfill its mission of protecting human health and the environment even as the climate changes and disruptive impacts increase. EPA will actively engage organizations representing overburdened and underserved communities that are more vulnerable to climate impacts to ensure the Agency’s adaptation plans reflect the principles of EJ and equity. EPA’s commitments are part of a whole-of-government approach to pursue actions at home and abroad to avoid the most catastrophic impacts of climate change. In addition, EPA will lead through example and prioritize climate resiliency investments across EPA-owned

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<sup>3</sup> These plans are available at: <https://www.epa.gov/climate-adaptation/climate-adaptation-plan>.

facilities. EPA will conduct climate resiliency assessments at five EPA-owned facilities and initiate work on the project within the first year. In FY 2023, EPA will invest \$35 million and 10 FTE to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon-pollution free electricity.

In FY 2023, EPA will continue to implement its 2021 Climate Adaptation Action Plan. It will integrate climate adaptation planning into its programs, policies, rulemaking processes, enforcement and compliance assurance activities, financial mechanisms, and operations to ensure they are effective even as the climate changes. Each Program and Regional Office will implement the individual actions identified in FY 2022 to address the five agency-wide priorities from the 2021 EPA Climate Adaptation Action Plan. The Program and Regional Offices strategies are informed by the best available science and deliver co-benefits for mitigation of GHG and other pollution, public health, economic growth and job creation, national security, and environmental justice—all of which will be central to building a more resilient future.

In FY 2023, EPA will provide targeted assistance to Tribes and indigenous peoples, states, territories, local governments, communities, and businesses to bolster these groups' climate resilience efforts. The Agency will focus resources on communities with EJ concerns to develop new strategies that strengthen adaptive capacity and increase climate resilience across the Nation. The Agency will produce and deliver training, tools, technical assistance, financial incentives, and information the Agency's partners indicate they need to adapt and increase resilience to climate change. The Budget includes \$97.2 million and 235.2 FTE to support Objective 1.2.

**Objective 1.3: Advance International and Subnational Climate Efforts** - *Collaborate with Tribal, state, local, and international partners and provide leadership on the global stage to address climate change.*

*Objective 1.3, Advance International and Subnational Climate Efforts, is directly supported by the following long-term performance goal in the FY 2022 - 2026 EPA Strategic Plan:*

- By September 30, 2026, implement at least 40 international climate engagements that result in an individual partner commitment or action to reduce greenhouse gas (GHG) emissions, adapt to climate change, or improve resilience in a manner that promotes equity.

Climate change is a global issue that has far-reaching human health, social, economic, and biodiversity impacts on our planet, with direct adverse effects in the United States. Climate change is accelerating the frequency and severity of wildfires and extreme weather events such as hurricanes, floods, heat waves, and drought. It also is altering sea temperature, ocean acidity, and sea-level and other global systems that support human life and biodiversity. Climate change impacts include famine, property loss, mass migrations, human conflict, species extinctions, and ecosystem failures, with significant humanitarian and national security implications. Vulnerable and underserved communities are especially affected. Therefore, EPA is prioritizing efforts to help countries respond to the climate crisis as well as reduce domestic climate impacts. This will require both significant short-term global reductions in GHG emissions and net-zero global emissions by mid-century as well as increased and equitable adaptation and resiliency to climate change impacts. Building on EPA's responsibilities for protection of human health and the environment,

EPA plays a critical role internationally in providing technical expertise, guidance, and capacity building to help countries set and meet ambitious GHG reductions, improve adaptive capacity, and strengthen climate governance.

Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad*<sup>4</sup> specifically directs federal agencies to develop plans for integrating climate considerations into their international work, as appropriate and consistent with applicable law. The Order also describes the policy of the Administration to support EJ and spur economic opportunity for communities that have been historically marginalized and overburdened by pollution and underinvestment. This objective supports EPA's role in fulfilling EO 14008 by drawing on EPA expertise to build capacity so countries can set and meet ambitious GHG reduction commitments under the Paris Agreement, while also building resilience to current and future climate impacts. EPA's long-term aim by 2026 is to implement at least 40 international climate engagements that result in an individual partner commitment or action to reduce GHG emissions, adapt to climate change, and/or improve resilience in a manner that promotes equity. In FY 2023 the Budget provides \$73.3 M to advance climate efforts under Objective 1.3.

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<sup>4</sup> Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

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**Take Decisive Action to Advance Environmental Justice and Civil Rights**

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights—Achieve tangible progress for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies.

STRATEGIC OBJECTIVES:

- Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels—Empower and build capacity of underserved and overburdened communities to protect human health and the environment.
- Objective 2.2: Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities—Integrate environmental justice and civil rights in all the Agency’s work to maximize benefits and minimize impacts to underserved and overburdened communities.
- Objective 2.3: Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns—Strengthen enforcement of and compliance with civil rights laws to address the legacy of pollution in overburdened communities.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President’s Budget</b>	<b>FY 2023 President’s Budget v. FY 2022 Annualized CR</b>
<b>Take Decisive Action to Advance Environmental Justice and Civil Rights</b>	<b>\$237,375</b>	<b>\$251,714</b>	<b>\$615,435</b>	<b>\$363,721</b>
Promote Environmental Justice and Civil Rights at the Federal, Tribal, State and Local Levels	\$129,289	\$135,614	\$164,581	\$28,967
Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities	\$66,283	\$70,494	\$383,054	\$312,560

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns	\$41,803	\$45,606	\$67,801	\$22,194
Total Authorized Workyears	598.2	616.2	947.9	331.7

## **Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights**

*Achieve tangible progress for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies.*

### **Introduction**

EPA will center its mission on the integration of justice, equity, and civil rights across the Nation's environmental protection enterprise. We will focus on all American communities, those within the contiguous and non-contiguous states and all other territories and protectorates of the United States. By doing so, EPA will advance the promise of clean air, clean water, and safe land to communities across the country that have not fully benefitted from EPA's decades of progress. Centering its work on justice is especially important in an era when EPA must simultaneously break the cycle of historic environmental injustices while maximizing protection for these same communities that are too often hit worst and first from the impacts of a changing climate. In the *FY 2022 – 2026 EPA Strategic Plan*, EPA is adding "justice and equity" to the Agency's fundamental principles<sup>5</sup>, as originally articulated by Administrator William Ruckelshaus.

EPA's goal is to achieve measurable environmental, public health, and quality of life improvements in the most overburdened, vulnerable, and underserved communities. Achieving this goal will require significant transformation in how EPA understands and implements its work, including how EPA prioritizes program resources, allocates funding, implements statutory authorities, and engages the communities most affected by environmental and public health threats, especially as the climate changes. Critical to achieving this goal is for EPA to proactively engage with Tribes, states, and local governments to discuss and address disproportionate impacts through their implementation of EPA authorities and engage in meaningful joint planning with communities to advance community visions and priorities.

The vigorous enforcement of civil rights laws also is key to addressing historical and systemic barriers and ensuring recipients of EPA funding make more responsible and equitable siting and permitting decisions. EPA's work on environmental justice and civil rights enforcement will be a success if it leads to reductions in longstanding racial and ethnic disparities such as in levels of air pollutants and exposure to toxins; access to clean and reliable water infrastructure, free of lead and other toxins; management of solid waste; and harmful exposures in communities near contaminated sites.

EPA will work to increase its capacity to tackle environmental justice and civil rights issues and embed consideration of these issues in its programs, policies and process, all with the goal of improving outcomes in environmental and health conditions for communities with environmental justice concerns. The FY 2023 Budget includes \$615.4 million and 947.9 FTE to advance *Goal 2, Take Decisive Action to Advance Environmental Justice and Civil Rights*.

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<sup>5</sup> Follow the science, follow the law, and be transparent, and the additional fourth principle: advance justice and equity.

Goal 2, *Take Decisive Action to Advance Environmental Justice and Civil Rights* is directly supported by the following FY 2022 – 2023 Agency Priority Goal:

- **Deliver tools and metrics for EPA and its Tribal, state, local, and community partners to advance environmental justice and external civil rights compliance.** By September 30, 2023, EPA will develop and implement a cumulative impacts framework, issue guidance on external civil rights compliance, establish at least 10 indicators to assess EPA’s performance in eliminating disparities in environmental and public health conditions, and train staff and partners on how to use these resources.

**Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels** – *Empower and build capacity of underserved and overburdened communities to protect human health and the environment.*

Objective 2.1, *Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, all EPA programs that seek feedback and comment from the public will provide capacity-building resources to communities with environmental justice concerns to support their ability to meaningfully engage and provide useful feedback to those programs.<sup>6</sup>
- By September 30, 2026, include commitments to address disproportionate impacts in all written agreements between EPA and Tribes and states (e.g., grant work plans) implementing delegated authorities.<sup>7</sup>
- By September 30, 2026, EPA programs with direct implementation authority will take at least 100 significant actions that will result in measurable improvements in Indian country.
- By September 30, 2026, all state recipients of EPA financial assistance will have foundational civil rights programs in place.<sup>8</sup>
- By September 30, 2026, increase by 40% the number of Office of Research and Development (ORD) activities related to environmental justice that involve or are applicable to Tribes, states, territories, local governments, and communities.<sup>9</sup>

EPA has the potential to make transformative progress on environmental justice and civil rights at the Tribal, state, and local levels through a whole-of-government approach that involves

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<sup>6</sup> First year activities of this LTPG will focus on definition and scope of program participation and what qualifies as capacity-building resources.

<sup>7</sup> First year activities of this LTPG will focus on definition and scope of written agreements and what qualifies as addressing disproportionate impacts.

<sup>8</sup> For reference only, and as an example from a smaller subset of state recipients - EPA’s proactive initiative involving foundational civil rights programs of state agencies in Regions 1, 5, and 7, which consisted of 14 state agencies, the baseline from the proactive initiative in FY 2020 was 6.5%.

<sup>9</sup> Baseline to be developed in FY 2022.

communities as authentic partners. In FY 2023, EPA will continue support for community-led action at new levels by providing unprecedented investments and benefits directly to communities with environmental justice concerns as well as by integrating equity throughout all Agency support programs. EPA will ensure that all relevant programs are actively supporting community efforts to engage and influence program implementation and maximize the benefits from the investment of resources to achieve meaningful change on the ground for the most impacted communities. Supporting communities as they adapt to and recover from climate change also is part of this commitment.

Critical to EPA's success in advancing equity and justice is the responsibility to financially support the efforts of community members and organizations that provide EPA with opportunities to learn from and engage with their communities. To meet this responsibility, EPA commits to establishing the necessary policy and procurement mechanisms so that every program and region is able to financially compensate organizations and individuals who provide EPA with community engagement, input, educational opportunities, and other forms of community expertise. In addition, the Agency must take concrete action within EPA to include the voices, experiences, and passions of the full diversity of the Nation, such as bringing in diverse students on paid internships, fellowships, and clerkships.

In FY 2023, EPA national and regional offices will continue to work proactively to integrate environmental justice and civil rights into policies and activities as a fundamental element of the Agency's relationships with federal, state, and local partners to jointly achieve beneficial changes on the ground for communities. EPA will invest in oversight, guidance, and assistance for states and local governments to embed environmental justice into their programs and enhance civil rights enforcement.

Equity principles and equal protection require that implementation of federal environmental law protections be as robust inside Indian country as EPA requires these protections to be outside of Indian country. EPA directly implements the majority of federal environmental programs in Indian country where EPA seeks to apply key environmental justice principles, such as equity, meaningful involvement, and fair treatment. In FY 2023, EPA will continue to ensure that direct implementation activities are fully protective of communities and will advance environmental justice for federally recognized Tribes in keeping with the federal trust responsibility.

EPA will continue in FY 2023 its longstanding commitment to assist Tribes in building the capacity to receive delegated programs. In those instances when Tribal governments are authorized to implement federal programs, EPA supports Tribal governments' inclusion of environmental justice principles into their programs, community engagement, and decision-making processes. Integration of environmental justice principles into all EPA activities with Tribal governments and in Indian Country is designed to be flexible enough to accommodate EPA Tribal program activities and goals, while meeting EPA environmental justice goals. The FY 2023 Budget includes \$164.6 million and 251.1 FTE to advance Objective 2.1.

**Objective 2.2: Embed Environmental Justice and Civil Rights in EPA Programs, Policies, and Activities** – *Integrate environmental justice and civil rights in all the Agency's work to maximize benefits and minimize impacts to underserved and overburdened communities.*

Objective 2.2, *Embed Environmental Justice and Civil Rights in EPA Programs, Policies, and Activities* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, reduce disparities in environmental and public health conditions represented by the indicators identified through the FY 2022-2023 Agency Priority Goal.<sup>10</sup>
- By September 30, 2026, 80% of significant EPA actions with environmental justice implications will clearly demonstrate how the action is responsive to environmental justice concerns and reduces or addresses disproportionate impacts.<sup>11</sup>
- By September 30, 2026, all EPA programs that work in and with communities will do so in ways that are community-driven, coordinated and collaborative, support equitable and resilient community development, and provide for meaningful involvement and fair treatment of communities with environmental justice concerns.<sup>12</sup>
- By September 30, 2026, all EPA programs and regions will identify and implement areas and opportunities to integrate environmental justice considerations and achieve civil rights compliance in their planning, guidance, policy directives, monitoring, and review activities.
- By September 30, 2026, all EPA programs and regions will implement program and region-specific language assistance plans.
- By September 30, 2026, all EPA programs and regions will implement program and region-specific disability access plans.

Commitments to achieving change on the ground and accountability for such change will be the ultimate measure of the Agency’s success at advancing environmental justice, civil rights, and equity, including the implementation of EO 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and EO 14008, *Tackling the Climate Crisis at Home and Abroad*.<sup>13</sup> These efforts include incorporating feedback from communities with environmental justice concerns while analyzing and addressing disproportionate impacts. EPA must not only better support community efforts to engage with the Agency but also advance

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<sup>10</sup> EPA will monitor progress through a holistic system that tracks the actions and responsibilities individual national programs have identified to support reducing disparities through the implementation of their statutory authorities, coordinated efforts of regulatory partners, support for community action, and other key actions.

<sup>11</sup> First year activities of this LTPG will focus on definition and scope of significant EPA action and what qualifies as environmental justice implications, responsiveness to community concerns, and addressing disproportionate impacts.

<sup>12</sup> First year activities of this LTPG will focus on definition and scope of program participation and what qualifies as adoption of the community-driven approach.

<sup>13</sup> Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/>.

Executive Order 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

the Agency's ability to engage in community-driven work through the regions and across all programs. EPA must follow and implement the Civil Rights Act as equally as environmental statutes.

In FY 2023, EPA will continue progress toward setting ambitious goals of achieving meaningful change on the ground for communities with environmental justice concerns. To do so, EPA will focus on working with programs and regions to set specific objectives, identifying data gaps, building tracking systems, and putting in place any needed policy, guidance, or regulatory changes. EPA also will ensure that Agency plans include responsibility and measurable accountability for advancing environmental justice, including the annual performance plans of key political, senior executive, and general schedule staff. Once these steps have been completed, EPA will develop and commit to at least 10 measures of progress towards achieving meaningful outcomes on the ground.

In FY 2023, EPA will establish policy to ensure that actions with major significance for environmental justice and civil rights are responsive to the needs of communities, consider the results of environmental justice analyses, and reflect recommendations from the National Environmental Justice Advisory Council (NEJAC). EPA also will continue to ensure that all EPA programs develop guidance on the use of environmental justice tools such as EJSCREEN to support decision making.

In FY 2023, EPA will continue to leverage and coordinate its investments in communities and collaborate with partners and other external stakeholders to advance comprehensive and strategic community-driven approaches. EPA will increase the number of programs that have fully integrated the key principles of community work into their program implementation and will continue to build on the number of collaborative partnerships centered on community priorities.

EPA will continue to communicate requirements and expectations related to environmental justice and civil rights to its employees through education, training, outreach, and technical assistance. In particular, EPA will improve employees' awareness and understanding of civil rights enforcement and strengthen intra-agency collaboration to identify whether recipient programs and activities are abiding by civil rights laws or engaging in prohibited discrimination. The FY 2023 Budget includes \$383.1 million and 476.6 FTE to support Objective 2.2.

**Objective 2.3 Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns** - *Strengthen enforcement of and compliance with civil rights laws to address the legacy of pollution in overburdened communities.*

Objective 2.3, *Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, initiate 45 proactive post-award civil rights compliance reviews to address discrimination issues in environmentally overburdened and underserved communities.<sup>14</sup>

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<sup>14</sup> For comparison, EPA did not initiate a civil rights compliance review in FY 2021.

- By September 30, 2026, complete 305 audits to ensure EPA financial assistance recipients are complying with nondiscrimination program procedural requirements.<sup>15</sup>
- By September 30, 2026, complete 84 information sharing sessions and outreach and technical assistance events with overburdened and underserved communities and environmental justice advocacy groups on civil rights and environmental justice issues.<sup>16</sup>

To address the legacy of pollution in overburdened communities that results from discriminatory actions, whether direct or indirect, intentional or unintentional, EPA must use the full extent of its authority and resources to enforce federal civil rights laws. EPA is required to enforce federal civil rights laws that prohibit discrimination on the basis of race, color, national origin (including limited English proficiency), disability, gender, and age, in programs or activities that receive Agency financial assistance. To ensure EPA's financial assistance is not being used in a manner that discriminates and subjects already overburdened communities to further harm, EPA must support and promote a robust and mature external civil rights compliance program for execution of EPA responsibilities and to provide a strong partner to its environmental justice program.

EPA's External Civil Rights Compliance Office (ECRCO) is committed to enforcing compliance with federal civil rights laws to address historical and systemic barriers that contribute to the environmental injustice, overburdening, and vulnerability of communities.

In FY 2023, ECRCO will take actions that will result in responsible and equitable siting and permitting decisions by EPA financial assistance recipients that currently result in racially disparate, adverse, and increased burdens and reduce racial and ethnic disparities in exposure to pollutants and toxins, access to clean air and water, and critical health outcomes. EPA will increase the number of affirmative compliance reviews targeting critical environmental health and quality of life impacts in overburdened communities. The Agency will increase the number of guidances issued and improve the effectiveness through corresponding technical assistance deliveries. Further, EPA will increase the timeliness and effectiveness of complaint investigations and resolutions.

In FY 2023, EPA will increase the number of meaningful engagements with overburdened communities and environmental justice advocacy groups on civil rights and environmental justice issues. The Budget includes \$67.8 million and 220.2 FTE in support of Objective 2.3.

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<sup>15</sup> For comparison, EPA completed no such audits in FY 2021.

<sup>16</sup> For comparison, EPA completed five such sessions and events in FY 2021.

**Environmental Protection Agency  
FY 2023 Annual Performance Plan and Congressional Justification**

**Enforce Environmental Laws and Ensure Compliance**

Goal 3: Enforce Environmental Laws and Ensure Compliance—Improve compliance with the nation’s environmental laws and hold violators accountable.

**STRATEGIC OBJECTIVES:**

- Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable—Use vigorous and targeted civil and criminal enforcement to ensure accountability for violations and to clean up contamination.
- Objective 3.2: Detect Violations and Promote Compliance— Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools -- including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies.

GOAL, OBJECTIVE SUMMARY

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
<b>Enforce Environmental Laws and Ensure Compliance</b>	<b>\$695,737</b>	<b>\$706,099</b>	<b>\$852,193</b>	<b>\$146,094</b>
Hold Environmental Violators and Responsible Parties Accountable	\$484,168	\$484,575	\$568,735	\$84,160
Detect Violations and Promote Compliance	\$211,568	\$221,524	\$283,458	\$61,934
Total Authorized Workyears	2,925.1	3,021.3	3,219.3	198.1

### **Goal 3: Enforce Environmental Laws and Ensure Compliance**

*Improve Compliance with the Nation's environmental laws and hold violators accountable.*

#### **Introduction**

A robust compliance monitoring and enforcement program is necessary to ensure communities get the environmental and human health benefits intended by environmental statutes and EPA's regulations. EPA regulates more than 1.2 million facilities subject to a variety of environmental statutes that protect human health and the environment. Likewise, EPA regulates a wide range of products, from automobiles to pesticides. In FY 2023, EPA will continue to work cooperatively with Tribes, states, and territories to improve compliance with environmental laws and statutes. EPA will continue to collaborate with Tribes in Indian country, by both directly implementing compliance monitoring and enforcement programs and supporting and overseeing Tribes' implementation of approved programs. In FY 2023, EPA will provide \$852.2 million and 3,219.4 FTE to strengthen compliance with the Nation's environmental laws and hold violators accountable.

In FY 2023, EPA will collaborate with Tribes, states, and territories to focus federal enforcement resources on the most serious environmental problems where noncompliance with environmental statutes and regulations is a significant contributing factor and where federal enforcement can have a significant impact on the Nation's air, water, and land. The Agency will continue to identify a small number of key areas, called National Compliance Initiatives, where EPA focuses attention on the most significant, widespread environmental problems.

In addition to other core work, EPA will focus on vulnerable communities and those facing substantial burdens from environmental noncompliance. In these areas, EPA will seek to increase inspections, prioritize enforcement cases, identify remedies with tangible benefits for impacted communities, and increase engagement with communities about enforcement cases. In FY 2023, EPA also will target compliance monitoring in communities with environmental justice concerns. EPA will continue to initiate enforcement actions to protect against children's health hazards in areas such as exposure to lead paint, the presence of lead and other contaminants in drinking water, and particulate air emissions that aggravate asthma.

The Agency will address climate change by directing resources to ensure effective enforcement responses for those sources with noncompliant emissions of greenhouse gases (GHGs) and develop remedies that are consistent with GHG mitigation and climate resilience goals. In addition, EPA will enforce against the illegal import, distribution, and use within the United States of hydrofluorocarbons (HFCs), which are chemicals with potent global warming potential, and pursue violators of the Renewable Fuel Standard.

EPA will continue implementing the Foundations for Evidence-Based Policymaking Act,<sup>17</sup> coordinated by EPA's Evidence Act officials. The Agency will expand its evidence-based compliance program through the continued development of OECA's compliance learning agenda, which began in FY 2021. This effort will systematically identify the most important evidence the

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<sup>17</sup> Full-text of the Foundations for Evidence-Based Policymaking Act of 2018: <https://www.congress.gov/bill/115th-congress/house-bill/4174/text>.

Agency needs to gather and generate to advance its compliance goals, and ensure the Agency uses high quality data and other information to inform policy and decision making.

**Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable** – *Use vigorous and targeted civil and criminal enforcement to ensure accountability for violations and to clean up contamination.*

Objective 3.1, *Hold Environmental Violators and Responsible Parties Accountable* is directly supported by the following long-term performance goal in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, reduce to not more than 93 the number of open civil judicial cases more than 2.5 years old without a complaint filed.<sup>18</sup>

Enforcement is essential to ensuring that everyone is protected by the Nation’s environmental laws and regulations. EPA strives to not only return violators to compliance but also obtain timely relief needed to address the underlying causes of the violations, to prevent reoccurrence, and, in appropriate cases, mitigate the harm to the communities impacted by noncompliance. EPA uses Alternative Dispute Resolution (ADR), where appropriate, in the environmental enforcement context.

### ***Civil Enforcement***

The overall goal of EPA’s Civil Enforcement Program is to maximize compliance with the Nation’s environmental laws and regulations to protect human health and the environment. In FY 2023, EPA will encourage regulated entities to correct violations rapidly, ensure that violators do not realize an economic benefit from noncompliance, pursue enforcement to deter future violations, and continue to strengthen environmental partnerships with Tribes and states. Resources will enhance EPA’s ability to incorporate environmental justice and climate change considerations into all phases of case development without displacing other important enforcement and compliance assurance work. EPA also will pursue enforcement actions at federal facilities where significant violations are discovered, ensure that federal facilities are held to the same standards as the private sector, and provide technical and scientific support to Tribes, states, and territories with authorized programs.

EPA has been working to improve the processes associated with enforcement actions to move faster in protecting the environment. In FY 2021, EPA continued to reduce the number of all referred no complaint filed (RNCF) civil judicial cases that are more than 2.5 years old by staying below the target of 99 throughout the fiscal year (and well below the original baseline of 129 RNCF in 2018). EPA will continue to build upon this success to further improve upon our accomplishments. EPA requests \$213.2 million and 1,004.2 FTE for the Civil Enforcement Program in FY 2023.

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<sup>18</sup> For comparison, there were 129 cases more than 2.5 years old without a complaint filed as of June 30, 2018. The number of cases fluctuates and is therefore difficult to predict how many cases will “age in” in a given year. EPA reduces the number of older cases using a number of different tools. For example, sometimes the United States government needs to file a complaint in order to make progress in resolving a case; other times, it needs to drop a claim or shift its injunctive relief or penalty demand because of litigation risk.

### ***Criminal Enforcement***

EPA’s Criminal Enforcement Program enforces the Nation’s environmental laws through targeted investigation of criminal conduct committed by individual and corporate defendants who threaten public health and the environment. EPA’s Criminal Enforcement Program plays a critical role across the country supporting Tribes, states, and territories that may have limited capacity to investigate and prosecute environmental crimes. As a result of the collaborative efforts with our enforcement partners (including the U.S. Department of Justice), in FY 2021, the conviction rate for criminal defendants was 95.9 percent. In FY 2023, the Agency requests \$69.5 million and 291.0 FTE to support the Criminal Enforcement Program by targeting investigations on the most egregious environmental cases.

### ***Superfund Enforcement***

Through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, or Superfund), EPA will facilitate prompt site cleanup. EPA uses an “enforcement first” approach before turning to taxpayer dollars to fund cleanups, by maximizing Principal Responsible Party (PRP) involvement at Superfund sites. The Superfund Enforcement Program works to ensure that viable and liable PRPs pay to clean up sites and seeks to recover costs if EPA expends Superfund-appropriated dollars to clean up sites. These enforcement efforts allow the Trust Fund to be used at those sites that have no funding source other than appropriated resources and have no other means of cleanup. Thus, Superfund enforcement helps to get Superfund sites cleaned up in a timely manner in addition to getting more sites cleaned up than would be possible using only government funds. In 2021, the Superfund Enforcement Program secured private party commitments for cleanup and cost recovery and billed for oversight amounts totaling more than \$2.1 billion. The use of Superfund enforcement tools in 2021 resulted in cleanup and redevelopment at 153 private-party sites. In FY 2023, EPA requests \$166.5 million and 771.8 FTE to support Superfund Enforcement and will focus its resources on the highest priority sites, particularly those that may present an immediate risk to human health or the environment.

**Objective 3.2: Detect Violations and Promote Compliance** – *Ensure high levels of compliance with federal environmental laws and regulations through effective compliance tools – including inspections, other monitoring activities, and technical assistance supported by evidence and advanced technologies.*

Objective 3.2, *Detect Violations and Promote Compliance* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, send 75% of EPA inspection reports to facilities within 70 days of inspection.<sup>19</sup>
- By September 30, 2026, conduct 55% of annual EPA inspections at facilities that affect communities with potential environmental justice concerns.<sup>20</sup>

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<sup>19</sup> For comparison, 46% of inspection reports were sent within 70 days of inspection at the end of FY 2018.

<sup>20</sup> The baseline for this measure is 27% based on average of FY 2017 - FY 2019.

Effective targeting of compliance monitoring, including inspections in communities with environmental justice concerns, plays a critical role in achieving the goals EPA has set forth for protecting health and the environment. Achieving high rates of compliance with environmental laws and regulations requires the use of a wide range of compliance tools, including compliance monitoring. Through its ongoing process of selecting National Compliance Initiatives in collaboration with Tribes, states, and territories, EPA will focus its work on critical areas of noncompliance.

EPA will continue to emphasize the importance of providing facilities with a completed inspection report notifying the facility of any potential compliance issues. Providing these reports in a timely manner allows the facility to address compliance issues more quickly, which would directly benefit the communities affected by the environmental and human health impacts of the alleged violations. In FY 2020, EPA increased the percentage of inspection reports provided to facilities within 70 days of inspection to 85 percent (from a baseline of 46 percent).

In FY 2023, EPA will continue to develop and implement a comprehensive action plan for integrating environmental justice and climate change considerations throughout all aspects of the Program. In addition to increasing the percentage of inspections impacting overburdened communities, EPA will provide greater public access to compliance data to facilitate a community's ability to better understand and manage risks. EPA will advance its efforts to address climate change mitigation and adaptation issues through targeting of inspections, compliance monitoring, and technical assistance directed to sources with the most potential for noncompliant emissions of greenhouse gases which contribute to climate change.

EPA will further expand the Agency's Compliance Advisor Program (formerly called the Circuit Rider Program), which reduces noncompliance at small public water systems (PWSs) and small wastewater treatment facilities (WWTFs) by providing hands-on technical assistance. To date, Compliance Advisors have provided support to approximately 165 small PWSs and 68 WWTFs in under-resourced communities nationwide. Hundreds more small systems and facilities across the Nation need technical support to help them achieve and stay in compliance and provide clean and safe water to the communities they serve.

In FY 2023, EPA will continue its implementation of the Evidence Act by continuing its work on the "Drinking Water Systems Out of Compliance" learning priority area of EPA's Learning Agenda. EPA also will expand its ongoing work with Tribes, states, and academic experts to develop and implement OECA's compliance learning agenda: prioritizing the most pressing programmatic questions; planning evidence-based studies to address these questions; and identifying effective and innovative approaches for improving compliance.

In FY 2023, EPA will continue the data system modernization effort to better support Tribes, states, local governments, and the public's need for information with modernized technology and it will implement EPA's enterprise-wide Digital Strategy with shared IT services. Modernization will facilitate EPA's efforts to better target noncompliance that impacts overburdened and vulnerable communities and will increase the availability of information about environmental conditions in those communities and elsewhere.

FY 2023 funding will allow EPA to expand software solutions for field inspectors to improve the effectiveness and efficiency of compliance inspections conducted by EPA and authorized states. Smart Tools software allows EPA to use its compliance monitoring resources more efficiently, including documenting field inspections, preparing inspection reports, and monitoring for noncompliance that affects overburdened and vulnerable communities or that has climate impacts. It also allows EPA to make inspection reports more available to regulated entities and to the public in affected communities.

Through the State Review Framework, EPA periodically reviews authorized state compliance monitoring and enforcement programs for Clean Air Act Stationary Sources, Resource Conservation and Recovery Act Hazardous Waste facilities, and the Clean Water Act National Pollutant Discharge Elimination System dischargers. This review is conducted using criteria agreed upon by states to evaluate performance against national compliance monitoring or enforcement program standards. When states do not achieve standards, the Agency works with them to make progress. However, EPA may take a lead implementation role when authorized states have a documented history of failure to make progress toward meeting national standards. In total, EPA provides \$147.9 million and 463.4 FTE to detect violations and promote compliance with environmental laws.

**Environmental Protection Agency  
FY 2023 Annual Performance Plan and Congressional Justification**

**Ensure Clean and Healthy Air for All Communities**

Goal 4: Ensure Clean and Healthy Air for All Communities—Protect human health and the environment from the harmful effects of air pollution.

STRATEGIC OBJECTIVES:

- Objective 4.1: Improve Air Quality and Reduce Localized Pollution and Health Impacts—Reduce air pollution on local, regional, and national scales to achieve healthy air quality for people and the environment.
- Objective 4.2: Reduce Exposure to Radiation and Improve Indoor Air—Limit unnecessary radiation exposure and achieve healthier indoor air quality, especially for vulnerable populations.

GOAL, OBJECTIVE SUMMARY

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
<b>Ensure Clean and Healthy Air for All Communities</b>	<b>\$694,283</b>	<b>\$714,963</b>	<b>\$1,113,916</b>	<b>\$398,953</b>
Improve Air Quality and Reduce Localized Pollution and Health Impacts	\$606,907	\$623,255	\$988,626	\$365,372
Reduce Exposure to Radiation and Improve Indoor Air	\$87,376	\$91,708	\$125,290	\$33,581
Total Authorized Workyears	1,670.4	1,665.4	1,988.9	323.5

## **Goal 4: Ensure Clean and Healthy Air for All Communities**

*Protect human health and the environment from the harmful effects of air pollution.*

### **Introduction**

All people regardless of race, color, national origin, or income deserve to breathe clean air outside and indoors, and it is especially important to protect the health of vulnerable and sensitive populations including children and persons adversely affected by persistent poverty or inequality. Numerous scientific studies have linked air pollution and specific pollutants to a variety of health problems and environmental impacts. Long-term exposure to elevated levels of certain air pollutants is associated with increased risk of cancer, premature mortality, and damage to the immune, neurological, reproductive, cardiovascular, and respiratory systems. Levels of air pollutants linked to health impacts have continued to decline even as the economy has grown significantly over the long term. Between 1970 and 2020, the combined emissions of six key pollutants dropped by 78 percent, while the U.S. economy remained strong – growing 272 percent over the same period. Yet poor air quality still affects millions of people across the country, affecting near and long-term health and quality of life. EPA will continue to build on its historic progress and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

In FY 2023, EPA will ensure clean and healthy air for communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. EPA also will work to address high-risk indoor air quality pollutants in homes, schools, and workplaces. The Agency will rely on proven approaches including regulatory tools, innovative market-based techniques, public and private-sector partnerships, community-based approaches, technical assistance programs that promote environmental stewardship, public education, and programs that encourage adoption of cost-effective technologies and practices. Understanding that many sources of air pollutants also are sources of greenhouse gases, the Agency will look to control strategies that can reduce both air pollution and the impacts of climate change. In the FY 2023 Budget, \$1.114 million and 1,988.9 FTE are allocated to advance EPA efforts in protecting human health and the environment from the harmful effects of air pollution.

**Objective 4.1: Improve Air Quality and Reduce Localized Pollution and Health Impacts – Reduce air pollution on local, regional, and national scales to achieve healthy air quality for people and the environment.**

Objective 4.1, *Improve Air Quality and Reduce Localized Pollution and Health Impacts* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, ensure U.S. consumption of hydrochlorofluorocarbons (HCFCs) is less than 76.2 tons per year of ozone depletion potential.<sup>21</sup>
- By September 30, 2026, reduce ozone season emissions of nitrogen oxides (NO<sub>x</sub>) from electric power generation sources by 21% from the 2019 baseline of 390,354 tons.

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<sup>21</sup> The U.S. HCFC consumption baseline is 15,240 ODP-weighted metric tons effective as of January 1, 1996.

- By September 30, 2026, improve measured air quality in counties not meeting the current National Ambient Air Quality Standards (NAAQS) from the 2016 baseline by 10%.
- By September 30, 2026, strive to ensure all people with low socio-economic status (SES) live in areas where the air quality meets the current fine particle pollution (PM<sub>2.5</sub>) National Ambient Air Quality Standards (NAAQS).

In FY 2023, EPA will work collaboratively with Tribal and state air agencies to maintain and improve the Nation's air quality. EPA will focus particularly on advancing environmental justice by engaging with local communities that have been historically underserved on key activities including technical assistance, regulation development, and financial assistance. In FY 2023, \$988.6 million and 1,636 FTE are allocated to advance efforts to improve air quality and reduce localized pollution and health impacts across the country.

Taking into account the most current research health effects findings and changing conditions from a warming climate, EPA will review the NAAQS and make revisions, as appropriate. Specifically, the President directed EPA to review the 2020 Particulate Matter (PM) NAAQS and the 2020 Ozone NAAQS.<sup>22</sup> EPA will work to improve air quality in areas not in attainment with the NAAQS, including assisting Tribes and states in developing Clean Air Act (CAA)-compliant State Implementation Plans (SIPs). EPA will continue reviewing regional haze SIPs, working closely with states to improve visibility in the country's national parks and wilderness areas.

EPA will reduce air pollution by focusing on the transportation sector's largest contributors to criteria pollutant and GHG emissions: light-duty vehicles (LDVs) and heavy-duty vehicles (HDVs). EPA will continue to work to ensure that Clean Air Act requirements are met for new transportation projects with heavy-duty diesel traffic, such that they do not worsen air quality near communities with environmental justice concerns. The Agency will collaborate with a broad range of stakeholders to develop targeted, sector-based, and place-based strategies for diesel fleets, including school buses, ports, and other goods movement facilities.

In FY 2023, EPA will continue to operate nationwide and multi-state programs, such as the Acid Rain Program and the Cross-State Air Pollution Rules, that address major global, national, and regional air pollutants from the power sector and other large stationary sources. EPA also will work on several regulatory actions related to criteria, air toxics, and GHG pollution from power plants.

As part of a forward-looking air toxics strategy, EPA will address regulatory and emerging issues and improve access to air toxics data. The Agency will share air toxics data faster and more regularly with the public, allowing for increased transparency and the ability to see trends and risks over time. EPA also will enhance risk assessment capabilities to better identify and determine the impacts of exposures to air toxics on communities.

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<sup>22</sup> Executive Order 13990: *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis* (January 20, 2021): <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-public-health-and-environment-and-restoring-science-to-tackle-climate-crisis/>.

EPA will continue to protect and restore the stratospheric ozone layer by reducing the use, emissions, import, and production of ozone-depleting substances (ODS) in the United States. By 2022, U.S. consumption of HCFCs, chemicals that deplete the Earth's protective ozone layer, will be less than 76.2 tons per year of ozone depletion potential compared to the 2015-2019 target of 1,520 tons per year. Under the American Innovation and Manufacturing (AIM) Act, EPA will continue to phase down the production and consumption of hydrofluorocarbons, review and list alternatives that are safer for the ozone layer and facilitate the transition to next-generation technologies.

EPA will seek to address air quality challenges presented by wildfires. Wildfire smoke can make up approximately 30 percent of total PM<sub>2.5</sub> emissions in some regions of the U.S., aggravating heart and lung disease and causing premature death. In the FY 2023 Budget, EPA proposes additional \$12.7 million and 15.7 FTE to support work that will identify, predict, and communicate where smoke events are occurring, especially for overburdened and underserved communities where impact of wildfire issues has not been a priority.

The Agency will continue to develop and make available the necessary technical data and tools to support air quality planning and environmental justice analyses, such as AirNow, the Air Quality System, and the National Emissions Inventory. The Agency also will develop new and enhanced applications of environmental justice analytics to inform how power sector rules can mitigate impacts on overburdened communities. This effort will include modeling of power sector emissions down to the county level as well as improved representation of fine particulate matter that includes toxic heavy metals. EPA also will test, evaluate, and refine draft tools for incorporating environmental justice considerations into EPA-issued permits and ensure opportunities for meaningful public involvement in the permit process.

**Objective 4.2: Reduce Exposure to Radiation and Improve Indoor Air** – *Limit unnecessary radiation exposure and achieve healthier indoor air quality, especially for vulnerable populations.*

Objective 4.2, *Reduce Exposure to Radiation and Improve Indoor Air* is directly supported by the following long-term performance goal in the *FY 2022 – 2026 Strategic Plan*:

- By September 30, 2026, prevent 2,250 lung cancer deaths annually through lower radon exposure as compared to the FY 2020 baseline of 1,684 prevented lung cancer deaths.

To improve indoor air and reduce exposure to radiation, EPA leads programs that educate the public about radiation and indoor air quality concerns, including radon, asthma triggers, and poor ventilation. These programs promote public action to reduce potential risks in homes, schools, and workplaces. Because Americans spend most of their time indoors, where pollutant levels are often significantly higher than outdoors, poor indoor air is a major health concern. For example, radon is the second leading cause of lung cancer, responsible for 21,000 lung cancer deaths annually. As another example, nearly 24 million Americans have asthma. Low-income, communities of color suffer disproportionately from asthma. Indoor allergens and irritants play a significant role in making asthma worse and triggering asthma attacks. These concerns have been heightened during the past two years of the COVID pandemic, when people have had to spend more time indoors

and the importance of effective ventilation has been emphasized. To better address these human health risks from indoor air and radiation, \$125.3 million and 353 FTE are provided in the FY 2023 Budget.

In FY 2023, EPA will continue programs to reduce exposures to radon through home testing and mitigation, promote in-home asthma management, improve air quality in homes and schools, and build capacity for Tribes and communities across the country to comprehensively address indoor air risks.

To reduce the high public health risks from exposure to indoor radon, EPA will co-lead the National Radon Action Plan (NRAP), a multisector public-private coalition committed to eliminating avoidable radon-induced lung cancer in the United States and addressing radon as a health equity challenge. EPA will continue to provide State Indoor Radon Grant funding and technical assistance to Tribes and states, with a focus on increasing access to testing and mitigation in underserved communities.

In-home asthma management is a critical component of asthma care, particularly in low-income populations. EPA, in partnership with CDC and HUD through the Federal Asthma Disparities Action Plan, will support state Medicaid Programs and private health plans to pay for in-home asthma interventions through reimbursement mechanisms. In addition, EPA will reduce asthma disparities for low-income people and communities of color by supporting public health and housing organizations to train community health workers to deliver in-home asthma interventions and care. In FY 2023, EPA is measuring delivery of technical assistance, tools, and grant support to equip community-based programs and the organizations that support them to deliver evidence-based, comprehensive asthma care.

EPA will continue to reduce indoor air quality risks in schools through the Indoor Air Quality Tools for Schools Program. EPA will expand technical assistance to advance best indoor air quality practices through ventilation improvements, operation and preventive maintenance, and appropriate sanitation in school and childcare buildings. EPA also will update the Indoor airPLUS new home construction specifications and expand the program to address indoor air quality protections during home renovations and upgrades.

EPA will review and update the Federal Radiation Protection Guidance, currently based on protecting an adult male, to include protection for all members of the U.S. population, with particular emphasis on the most vulnerable. These updates will address considerations for all ages, both sexes, and the increased sensitivity of pregnant women and children to radiation exposure. In FY 2023, EPA will continue to streamline activities and fill gaps in the expertise that is critical for essential preparedness work, restoring critical capacity to meet EPA's core mission. EPA will maintain personnel expertise, capabilities, and equipment readiness of the radiological emergency response program under the National Response Framework and the National Contingency Plan, including the Agency's Radiological Emergency Response Team. EPA will provide oversight of the Waste Isolation Pilot Plant, including review of the Department of Energy's plans for additional waste panels and surplus plutonium disposal, to ensure safe long-term disposal of radioactive waste and the continued cleanup of nuclear weapons program legacy sites.



**Environmental Protection Agency  
FY 2023 Annual Performance Plan and Congressional Justification**

**Ensure Clean and Safe Water for All Communities**

Goal 5: Ensure Clean and Safe Water for All Communities—Provide clean and safe water for all communities and protect our nation’s waterbodies from degradation.

**STRATEGIC OBJECTIVES:**

- Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure—Protect public health from the risk of exposure to regulated and emerging contaminants in drinking and source waters by improving the reliability, accessibility, and resilience of the nation’s water infrastructure to reduce the impacts of climate change, structural deterioration, and cyber threats.
- Objective 5.2: Protect and Restore Waterbodies and Watersheds—Address sources of water pollution and ensure water quality standards are protective of the health and needs of all people and ecosystems.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President’s Budget</b>	<b>FY 2023 President’s Budget v. FY 2022 Annualized CR</b>
<b>Ensure Clean and Safe Water for All Communities</b>	<b>\$4,960,117</b>	<b>\$4,862,891</b>	<b>\$6,171,872</b>	<b>\$1,308,981</b>
Ensure Safe Drinking Water and Reliable Water Infrastructure	\$3,679,606	\$3,497,574	\$4,588,445	\$1,090,870
Protect and Restore Waterbodies and Watersheds	\$1,280,510	\$1,365,317	\$1,583,428	\$218,111
Total Authorized Workyears	2,842.1	2,828.8	3,205.0	376.2

## Goal 5: Ensure Clean and Safe Water for All Communities

*Provide clean and safe water for all communities and protect our Nation's waterbodies from degradation.*

### **Introduction**

Clean and safe water is a vital resource essential to the protection of human health and is a foundation for supporting healthy communities and a thriving economy. EPA is committed to ensuring clean and safe water for all, especially for overburdened and underserved communities where adequate drinking and wastewater infrastructure has not been a priority. Great progress has been made in the past 50 years protecting and restoring water resources through legislation such as the Clean Water Act (CWA), Safe Drinking Water Act (SDWA), and Marine Protection, Research and Sanctuaries Act (MPRSA). As of January 2022, nearly 93 percent of the population served by community water systems receives water that meets all applicable health-based drinking water standards. However, the Nation still faces significant barriers and challenges such as equity in access to safe and clean water, aging infrastructure, legacy lead pipes, cybersecurity threats, water pollution, climate change, and emerging contaminants of concern. These challenges are distributed unequally, and tens of thousands of homes, primarily in Tribal communities and the territories, lack access to basic sanitation and drinking water and experience higher pollution levels.

In FY 2023, EPA will continue to work with its federal, Tribal, state, and nongovernmental partners to advance science, to provide clean and safe water for all communities, and to protect our Nation's waterbodies from degradation. The FY 2023 Budget includes \$6.172 billion and 3,205 FTE for *Goal 5, Ensure Clean and Safe Water for All Communities*. This investment will complement resources provided in a recently enacted bipartisan Infrastructure Investment and Jobs Act of 2021 (IIJA) and expand the Agency's capacity to protect human health and the environment across the Nation.

Goal 5, *Ensure Clean and Safe Water for All Communities* is directly supported by the following FY 2022 – 2023 Agency Priority Goal:

- **Clean up contaminated sites and invest in water infrastructure to enhance the livability and economic vitality of overburdened and underserved communities.** By September 30, 2023, EPA will provide technical assistance to at least 10 communities to help achieve clean and safe water and reduced exposures to hazardous substances.<sup>23</sup>

**Objective 5.1: Ensure Safe Drinking Water and Reliable Water Infrastructure** – *Protect public health from the risk of exposure to regulated and emerging contaminants in drinking and source waters by improving the reliability, accessibility, and resilience of the Nation's water infrastructure to reduce the impacts of climate change, structural deterioration, and cyber threats.*

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<sup>23</sup> This APG is implemented jointly with Goal 6.

Objective 5.1, *Ensure Safe Drinking Water and Reliable Water Infrastructure* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce the number of community water systems still in noncompliance with health-based standards since March 31, 2021, from 752 to 500.<sup>24</sup>
- By September 30, 2026, reduce the number of community water systems in Indian Country still in noncompliance with health-based standards since March 31, 2021, from 110 to 70.
- By September 30, 2026, leverage an additional \$45 billion in non-federal dollars through EPA’s water infrastructure finance programs (CWSRF, DWSRF, and WIFIA).<sup>25</sup>
- By September 30, 2026, in coordination with other federal agencies, provide access to basic sanitation for an additional 36,500 American Indian and Alaska Native homes.
- By September 30, 2026, provide 2,203 Tribal, small, rural, or underserved communities with technical, managerial, or financial assistance to improve operations of their drinking water or wastewater systems.

### ***Safe and Reliable Water***

Providing safe and reliable drinking and wastewater for all communities is a priority for EPA. While significant progress has been made over the last 50 years, aging infrastructure, climate change, cyber threats, and contaminants such as lead and per- and polyfluoroalkyl substances (PFAS) in drinking water are creating new stresses on the Nation’s water systems. In FY 2023, EPA will work to address these challenges through approximately \$4 billion in water infrastructure spending. This includes \$1.639 billion for the Clean Water State Revolving Fund (CWSRF) Program, \$1.126 billion for the Drinking Water State Revolving Fund (DWSRF) Program, and \$80.3 million for the Water Infrastructure Finance and Innovation Act (WIFIA) Program. Also included is \$1.2 billion for grant programs authorized in the America’s Water Infrastructure Act (AWIA) of 2018, the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), and the Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA). In addition, working collaboratively, EPA and the SRF Programs can make progress toward Justice40, which aims to ensure that federal agencies deliver at least 40 percent of overall benefits of relevant federal investments to overburdened and underserved communities. As of February 2022, EPA has closed 72 WIFIA loans totaling over \$13 billion in credit assistance to help finance more than \$28 billion for water infrastructure projects. In FY 2023, EPA will use the SRF and WIFIA investments to improve the reliability, accessibility, and resilience of the Nation’s water infrastructure. These programs are critical tools for EPA to accelerate water infrastructure investments by leveraging public and private sources of funds, which will maximize the reach of federal funds.

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<sup>24</sup> This baseline is a subset of the 3,508 systems, including systems in Indian country, that have been in long-term noncompliance since September 30, 2017. Technical assistance provided will focus on non-compliant water systems in underserved communities.

<sup>25</sup> The Agency will ensure a focus on climate resiliency and equity by revising loan guidelines, program guidance, and providing technical assistance.

In FY 2023, EPA requests \$140.0 million and 547.2 FTE to support Drinking Water Programs to better protect communities, especially overburdened and underserved communities. This includes efforts to reduce exposure to lead in drinking water by developing a new Lead and Copper Rule Improvements regulation. Resources also will support reducing public health and environmental threats from PFAS by proposing new drinking water standards. The Agency also will continue to support and upgrade management and reporting tools of the Safe Drinking Water Information System (SDWIS), which contains information about public water systems and their violations of EPA's drinking water regulations. EPA also will continue to coordinate and support protection of the Nation's critical water infrastructure from terrorist threats and all-hazard events.

Cyberattacks can compromise the ability of water and wastewater utilities to provide clean and safe water to customers, erode customer confidence, and result in financial and legal liabilities. In FY 2023, EPA will leverage its role as the lead federal agency for cybersecurity in the water sector, working with government partners to close vulnerabilities and mitigate risks to cyberthreats. EPA requests \$25 million to create a new grant program that helps water systems establish and build the necessary cybersecurity infrastructure to address rising threats.

The IIJA of 2021 included DWWIA, which authorized a suite of water programs to help address numerous drinking water and wastewater issues across the country. Implementation of DWWIA will strengthen the federal government's ability to invest in water infrastructure in communities in every state, so that all Americans can continue to have access to safe drinking water and our Nation's waterways can remain clean and free from pollution. DWWIA strengthens many existing programs within EPA while creating new programs to upgrade aging infrastructure, address the threat of climate change, invest in new technologies, and provide assistance to underserved communities. In FY 2023, EPA's request would fully fund new and existing grant programs authorized by DWWIA in support of Objective 5.1.

**Objective 5.2 Protect and Restore Waterbodies and Watersheds** – *Address sources of water pollution and ensure water quality standards are protective of the health and needs of all people and ecosystems.*

The FY 2023 Budget includes \$1.6 billion and 1,806 FTE for Objective 5.2.

Objective 5.2, *Protect and Restore Waterbodies and Watersheds* is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, increase by 41,000 square miles the area of watersheds with surface water meeting standards that previously did not meet standards.<sup>26</sup>

### ***Clean Waterbodies and Watersheds***

Pollution and degradation of lakes, rivers, streams, and wetlands endanger aquatic ecosystems, threaten the safety of drinking water, compromise water quality planning and flood protections, impact commercial and recreational opportunities, and reduce the natural benefits these resources

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<sup>26</sup> Draft July 2021 baseline: 425,198 square miles of watersheds with surface water meeting standards and 652,609 square miles of watersheds with surface water not meeting standards. Final baseline will be available the second half of FY 2022.

provide to communities. Climate change is often the root cause of emerging threats such as drought, sea level rise, and invasive species proliferation. To address these challenges, in FY 2023, EPA will use a suite of CWA core programs to protect and improve water quality and ecosystem health, including the development and implementation of Total Maximum Daily Loads (TMDLs), alternative restoration plans, or other protection approaches for impaired waterbodies; development of technology-based and water-quality based standards; and implementation of effluent or stormwater discharge permit programs.

In addition to strengthening its programs, EPA plans to promulgate and update several rules to support clean and safe water. The Agency also will produce effluent limitation guidelines for chemical manufacturers and metal finishing companies to address PFAS, for steam electric power generators to address toxics and other pollutants, and for meat and poultry products to address nutrient discharges. The Agency will review rules related to improving CWA protections on Tribal reservations and consider Tribal treaty rights when acting on state Water Quality Standards (WQS) that impact those rights.

EPA also will work collaboratively with public and private sector stakeholders to establish innovative, location-appropriate programs to protect and improve water quality. Additionally, in FY 2023, EPA's requests fully funds new grant programs authorized by DWWIA in support of Objective 5.2.

### ***Ensuring clean water through partnerships, including with Tribes and states***

EPA will work with partners and local communities to better safeguard human health and maintain, restore, and improve water quality. In FY 2023, EPA requests \$465.4 million for ongoing categorical grants that support Tribal and state implementation of the CWA.

In FY 2023, funding will support the Agency's work assisting local communities, particularly underserved communities, in their efforts to restore and protect the quality of their waters through programs like the Urban Waters Program. The Marine Pollution Program aims to reduce litter in our waterways and communities and improve trash capture activities across the country.

EPA plays an important role as a convener and facilitator with federal, Tribal, state, and local partners to align resources and authorities within regional, watershed, and basin-scaled collaborative networks. In FY 2023, EPA will invest \$578.6 million and 139.2 FTE in Geographic Programs to maintain, restore, and improve water quality for all communities to enjoy. More specifically, EPA's Geographic Programs will deliver technical and financial assistance to solve problems and support healthy climate resilient ecosystems that address water quality, water infrastructure, nutrient pollution, habitat loss, treaty rights, equity, and environmental justice.

**Environmental Protection Agency  
FY 2023 Annual Performance Plan and Congressional Justification**

**Safeguard and Revitalize Communities**

Goal 6: Safeguard and Revitalize Communities—Restore land to safe and productive uses to improve communities and protect public health.

**STRATEGIC OBJECTIVES:**

- Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities—Clean up and restore contaminated sites to protect human health and the environment and build vibrant communities, especially in underserved and overburdened areas.
- Objective 6.2: Reduce Waste and Prevent Environmental Contamination—Prevent environmental pollution by preventing releases, reducing waste, increasing materials recovery and recycling, and ensuring sustainable materials management practices.
- Objective 6.3: Prepare for and Respond to Environmental Emergencies—Prevent, prepare, and respond to environmental emergencies and support other agencies on nationally significant incidents, working with Tribes, states, and local planning and response organizations.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
<b>Safeguard and Revitalize Communities</b>	<b>\$1,900,731</b>	<b>\$1,788,656</b>	<b>\$1,836,960</b>	<b>\$48,304</b>
Clean Up and Restore Land for Productive Uses and Healthy Communities	\$1,406,085	\$1,290,591	\$1,260,347	-\$30,243
Reduce Waste and Prevent Environmental Contamination	\$300,165	\$290,314	\$326,746	\$36,432
Prepare for and Respond to Environmental Emergencies	\$194,481	\$207,751	\$249,867	\$42,116
Total Authorized Workyears	3,385.8	3,337.5	3,558.1	220.7

## **Goal 6: Safeguard and Revitalize Communities**

*Restore land to safe and productive uses to improve communities and protect public health.*

### **Introduction**

The EPA's mission is to protect human health and the environment. EPA collaborates with Tribal, state, and local partners to improve the livelihood of all residents of the United States by cleaning up and returning contaminated sites, including Superfund, brownfields, underground storage tanks, and other waste sites, to productive use. Cleaning up contaminated land reduces the negative environmental and health effects for neighboring communities and contributes toward the Administration's Justice40 goal. EPA and its partners also work to prevent releases of contaminants, reduce waste by increasing materials recovery and recycling, and support sustainable materials management practices. Through prevention activities, EPA protects groundwater from releases from underground storage tanks. Through reduction and recycling activities, EPA not only prevents future contamination through diversion but supports a less wasteful circular economy. Additionally, EPA prepares for and responds to environmental emergencies as a mission essential function. In FY 2023, EPA requests a total of \$1.837 billion and 3,558.1 FTE for *Goal 6, Safeguard and Revitalize Communities*.

Goal 6, *Safeguard and Revitalize Communities* is directly supported by the following FY 2022 – 2023 Agency Priority Goal:

- **Clean up contaminated sites and invest in water infrastructure to enhance the livability and economic vitality of overburdened and underserved communities.** By September 30, 2023, EPA will provide technical assistance to at least 10 communities to help achieve clean and safe water and reduced exposures to hazardous substances.<sup>27</sup>

**Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities –** *Clean up and restore contaminated sites to protect human health and the environment and build vibrant communities, especially in underserved and overburdened areas.*

Objective 6.1, *Clean Up and Restore Land for Productive Uses and Healthy Communities* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, bring human exposures under control at an additional 60 Superfund sites.
- By September 30, 2026, complete 225 Superfund cleanup projects that address lead as a contaminant.

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<sup>27</sup> This APG is implemented jointly with Goal 5.

- By September 30, 2026, clean up an additional 650 brownfields properties.
- By September 30, 2026, make an additional 425 RCRA corrective action cleanups Ready for Anticipated Use.
- By September 30, 2026, conduct an additional 35,000 cleanups at Leaking Underground Storage Tank facilities.

Nationally, there are thousands of contaminated sites with challenging and complex environmental problems, including soil, sediment, and groundwater contaminated by chemicals such as per- and polyfluoroalkyl substances (PFAS). While there is no single way to characterize communities located near contaminated sites, the legacy of pollution disproportionately affects communities of color, low-income communities, linguistically isolated populations, and those without a high school education. By cleaning up and returning contaminated land to productive use, EPA and its partners will reduce the environmental and health effects of exposure to contamination in communities, especially underserved and overburdened communities. In the FY 2023 Budget, EPA requests \$1.260 billion and 2,273.7 FTE for Objective 6.1 to *Clean Up and Restore Land for Productive Uses and Healthy Communities*.

In FY 2023, EPA will use appropriated funding to continue critical Superfund pre-construction work such as site characterization, construction design, and community outreach/engagement, which supports the Administration's Justice40 Initiative. This work will complement resources received through the Infrastructure Investment and Jobs Act of 2021 (IIJA). Nationwide, EPA will aim to control human exposures at 12 additional Superfund sites supporting the 2022-2026 long-term performance goal of 60 sites. To reduce exposure to lead and associated health impacts, EPA will complete at least 45 Superfund lead cleanup projects supporting the 2022-2026 long-term performance goal of 225 projects. The FY 2023 Budget reduces funding for the Superfund Remedial program below the current level; however, the \$454.6 million provided in the FY 2023 Budget will be supplemented by available Superfund tax revenue that begins to be collected in FY 2022.

In the FY 2023 Budget, EPA requests \$199.8 million and 250.7 FTE for the Superfund Emergency Response and Removal Program. 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.<sup>28</sup> Funding for this Program includes a total investment of \$3 million and 6 FTE to advance cleanup through removal actions at Navajo Nation abandoned uranium mine sites. These additional resources will assist EPA and Navajo Nation to accelerate actions laid out in the 2020 Ten-Year Plan: *Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation*.<sup>29</sup>

EPA will continue to oversee cleanups at Federal Facility Superfund sites and will work to keep pace with the growing number of PFAS cleanups at Department of Defense (DoD), Department of Energy and other federal agency sites. EPA is currently engaged at 96 Federal Facility National

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<sup>28</sup> For more information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-ncp-overview>.

<sup>29</sup> <https://www.epa.gov/sites/default/files/2021-02/documents/nnaum-ten-year-plan-2021-01.pdf>

Priority List (NPL) sites with PFAS detections, ensuring consistent and protective responses, and DoD is expected to initiate approximately 50 additional PFAS investigations in FY 2023. The Agency will leverage knowledge and best practices developed from Federal Facilities PFAS investigations to aid PFAS cleanups across the country. The FY 2023 Budget Request includes a total investment of \$13.7 million and 3 FTE to enhance EPA's ability to oversee DoD PFAS cleanup under CERCLA and to restore capacity in EPA's Federal Facility Restoration and Reuse Program.

EPA will continue efforts to clean up 3,924 priority contaminated hazardous waste facilities (the Corrective Action Progress Track) under RCRA, which include highly contaminated and technically challenging sites, and assess others to determine whether cleanups are necessary. As of the end of FY 2021, only 40 percent of these facilities have completed final and permanent cleanups, leaving approximately 2,300 facilities still needing oversight and technical support to reach final site-wide cleanup objectives. In FY 2021, EPA approved 146 RCRA corrective action facilities as ready for anticipated use (RAU), bringing the total number of RCRA RAU facilities to 1,789. In FY 2023, EPA will make an additional 100 sites RAU supporting the FY 2022-2026 long-term performance goal of making 425 sites RAU.

Under the Leaking Underground Storage Tank (LUST) Program, EPA provides funding to states to address releases, including in groundwater,<sup>30</sup> to ensure that petroleum contamination is properly assessed and cleaned up. EPA collaborates with states to develop and implement flexible, state-driven strategies to reduce the number of remaining LUST sites that have not reached cleanup completion. Through the cooperative efforts between EPA and states, the backlog was reduced by approximately 40 percent between the end of 2008 and the end of 2021 (from 102,798 to 61,981).<sup>31</sup>

In FY 2023, funding for EPA's Brownfields Program will build on current work to revitalize communities, especially those that are historically overburdened and underserved, by providing financial and technical assistance to assess, clean up, and plan reuse at brownfields sites. In FY 2021, EPA leveraged \$2.1 billion in cleanup and redevelopment funds and made 616 additional brownfields sites RAU. The FY 2023 Budget Request includes an investment of \$11.9 million and 60 FTE for community development specialists to manage land revitalization projects, provide one-on-one financial planning support, and educate Tribal communities, rural communities and communities with environmental justice concerns on how to address brownfields. Activities undertaken in FY 2023 will leverage approximately 13,400 jobs and \$2.6 billion in other funding sources.<sup>32</sup>

**Objective 6.2: Reduce Waste and Prevent Environmental Contamination** – *Prevent environmental pollution by preventing releases, reducing waste, increasing materials recovery, and recycling, and ensuring sustainable materials management practices.*

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<sup>30</sup> Almost half of the Nation's overall population and 99 percent of the population in rural areas rely on groundwater for drinking water. (See *EPA 2000 Water Quality Inventory Report*, [https://archive.epa.gov/water/archive/web/html/2000report\\_index.html](https://archive.epa.gov/water/archive/web/html/2000report_index.html)).

<sup>31</sup> Please see EPA website: <http://www.epa.gov/ust/ust-performance-measures>.

<sup>32</sup> U.S. EPA, Office of Land and Emergency Management Estimate. All estimates of outputs and outcomes are supported by the data that is entered by cooperative agreement recipients via EPA's ACRES database.

Objective 6.2, *Reduce Waste and Prevent Environmental Contamination* is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, increase the percentage of updated permits at RCRA facilities to 80% from the FY 2021 baseline of 72.7%.

Nationwide, EPA and its state partners strive to reach all permitting-related decisions in a timely manner for the approximately 6,700 hazardous waste units (e.g., incinerators, landfills, and tanks) located at 1,300 treatment, storage, and disposal permit facilities. The goal is to ensure that permits reflect the latest technology and standards and remain protective under changing conditions, such as climate change, and that communities, including those that are underserved and overburdened, have an equitable opportunity to engage in the permitting process over time. To measure progress, EPA has set an FY 2023 target of 100 permit renewals at hazardous waste facilities supporting the FY 2022-2026 long-term performance goal. In FY 2023, \$326.7 million and 650.8 FTE are provided for Objective 6.2 to *Reduce Waste and Prevent Environmental Contamination*.

The FY 2023 Budget Request includes an additional \$7 million and 28 FTE to build capacity to implement various aspects of the coal combustion residuals (CCR) program. The Agency has promulgated regulations specifying improved management and disposal practices to ensure people and ecosystems are protected. The Agency will continue to work with our stakeholders as we implement these regulations. Additional regulations will be developed to expand the CCR regulations to cover ‘legacy’ units which are not covered by existing regulations. EPA will continue establishing a federal permit program and work with states that wish to establish state CCR permit programs.

Through its National Recycling Strategy,<sup>33</sup> EPA is working to develop a stronger, more resilient, and cost-effective U.S. municipal solid waste recycling system. Recycling is an important part of a circular economy, which refers to a system of activities that is restorative to the environment, enables resources to maintain their highest values, designs out waste, and reduces greenhouse gas emissions. Recycling helps alleviate burdens on populations that bear the brunt of poorly run waste management facilities. In FY 2023, EPA will focus on efforts to strengthen the U.S. recycling system, address the global issue of plastic waste, engage communities, and prevent and reduce food loss and waste. EPA will work with industry, Tribes, state and local governments, non-profits, communities, and other stakeholders to implement the voluntary actions identified in the National Recycling Strategy and identify additional actions needed to support a circular economy.

To protect groundwater from releases of petroleum from underground storage tanks (UST), EPA works with its Tribal and state partners on prevention. Major FY 2023 activities include inspecting UST facilities to meet the three-year inspection requirement and assisting states in adopting prevention measures such as delivery prohibition, secondary containment, and operator training. EPA also will establish a targeted, national program to improve the compatibility of UST systems with higher blends of ethanol, including E15, in fenceline communities. These activities emphasize bringing UST systems into compliance with release detection and release prevention requirements and minimizing future releases. Due to the increased emphasis on inspections and release

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<sup>33</sup> The National Recycling Strategy is at: <https://www.epa.gov/system/files/documents/2021-11/final-national-recycling-strategy.pdf>.

prevention requirements, the number of confirmed releases has decreased from 6,847 in FY 2014 to 4,991 reported releases in FY 2021.

**Objective 6.3: Prepare for and Respond to Environmental Emergencies** – *Prevent, prepare, and respond to environmental emergencies and support other agencies on nationally significant incidents, working with Tribes, states, and local planning and response organizations.*

Objective 6.3, *Prepare for and Respond to Environmental Emergencies*, is directly supported by the following long-term performance goal in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, ensure that 40% of annual emergency response and removal exercises that EPA conducts or participates in incorporate environmental justice.

Environmental emergencies are growing in frequency and the risks they pose are increasing. EPA strives to prevent such emergencies and be ready to respond to those that occur through the Agency's planning and preparedness efforts, in coordination with and through the support of partner organizations. EPA develops regulations and policies that aim to prevent environmental emergencies and enhance the ability of communities and facilities to prepare for and respond to emergencies that occur. EPA also prepares for the possibility of significant incidents by maintaining a trained corps of federal On-Scene Coordinators, Special Teams, and Response Support Corps, and by providing guidance and technical assistance to Tribal, state, and local planning and response organizations to strengthen their preparedness. EPA carries out its responsibility under multiple statutory authorities and the National Response Framework, which provides the comprehensive federal structure for managing national emergencies. The FY 2023 Budget Request includes \$249.9 million and 633.6 FTE for Objective 6.3 to *Prepare for and Respond to Environmental Emergencies*.

In FY 2023, EPA will continue to chair the U.S. National Response Team<sup>34</sup> and co-chair the 13 Regional Response Teams, which serve as multi-agency coordination groups supporting emergency responders when convened as incident specific teams. EPA will participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities. To measure progress, EPA has set an FY 2023 target of 21 percent for emergency response and removal exercises that EPA conducts or participates in that incorporate environmental justice concerns. For example, EPA may include entities with environmental justice concerns in the exercise or incorporate environmental justice issues into the exercise scenarios, if it's not feasible to include participants. This supports the 2022-2026 long-term performance goal of 40 percent.

EPA will inspect chemical facilities to prevent accidental releases. The FY 2023 Budget Request includes \$22.9 million and 93.1 FTE for this Program, including a total investment of \$8.1 million and 30 FTE to protect fenceline communities. The objective is to ensure compliance with accident prevention and preparedness regulations and to work with chemical facilities to reduce chemical risks and improve safety to populations, especially in fenceline communities. There are approximately 12,000 chemical facilities that are subject to the Risk Management Plan (RMP) regulations. Of these, approximately 1,800 facilities have been designated as high-risk based upon

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<sup>34</sup> For additional information, please refer to: <https://www.nrt.org/>.

their accident history, quantity of on-site dangerous chemicals stored, and proximity to large residential populations.<sup>35</sup> EPA prioritizes inspections at high-risk facilities. Using the additional funding and FTE provided for FY 2023, EPA will increase inspections and compliance assistance at RMP and Emergency Planning and Community Right-to-Know Act (EPCRA)-regulated facilities, checking measures to prevent chemical accidents. EPA will focus on high-risk facilities located in communities with EJ concerns and communities with increased climate-related risks (e.g., extreme weather, flooding, wildfires). In addition, EPA is developing a regulatory action to revise the RMP regulations. The proposed rule would address the administration's priorities, including consideration of communities with environmental justice concerns and those vulnerable to climate risks, and focus on regulatory revisions completed since 2017. The proposed rule would also consider stakeholder feedback received from RMP public listening sessions held in 2021.

In FY 2023, EPA will inspect oil facilities to ensure compliance with prevention and preparedness requirements. Inspections involve reviewing the facility's prevention, preparedness, and response plans and discussing key aspects of these plans with facility staff. EPA will increase inspections, enforcement, and compliance assistance at regulated facilities, focusing on high-risk facilities located in communities with EJ concerns and communities with increased climate-related risks. EPA also will conduct unannounced exercises at facilities subject to Facility Response Plan regulations, a subset of facilities identified as high risk due to their size and location, to test the facility owner's ability to put preparedness and response plans into action. To advance this work in FY 2023, \$20.5 million and 85.6 FTE, including a total of \$3.8 million and 15 FTE to protect fence-line communities, are provided within the Budget.

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<sup>35</sup> Located in the EPA RMP database.

**Environmental Protection Agency  
FY 2023 Annual Performance Plan and Congressional Justification**

**Ensure Safety of Chemicals for People and the Environment**

Goal 7: Ensure Safety of Chemicals for People and the Environment—Increase the safety of chemicals and pesticides and prevent pollution at the source.

**STRATEGIC OBJECTIVES:**

- Objective 7.1: Ensure Chemical and Pesticide Safety—Protect the health of families, communities, and ecosystems from the risks posed by chemicals and pesticides.
- Objective 7.2: Promote Pollution Prevention—Encourage the adoption of pollution prevention and other stewardship practices that conserve natural resources, mitigate climate change, and promote environmental sustainability.

**GOAL, OBJECTIVE SUMMARY**

Budget Authority  
Full-time Equivalents  
(Dollars in Thousands)

	<b>FY 2021 Final Actuals</b>	<b>FY 2022 Annualized CR</b>	<b>FY 2023 President's Budget</b>	<b>FY 2023 President's Budget v. FY 2022 Annualized CR</b>
<b>Ensure Safety of Chemicals for People and the Environment</b>	<b>\$388,626</b>	<b>\$399,652</b>	<b>\$517,332</b>	<b>\$117,679</b>
Ensure Chemical and Pesticide Safety	\$313,770	\$319,009	\$424,394	\$105,385
Promote Pollution Prevention	\$74,856	\$80,644	\$92,938	\$12,294
Total Authorized Workyears	1,665.9	1,629.7	1,908.7	279.0

## **Goal 7: Ensure Safety of Chemicals for People and the Environment**

*Increase the safety of chemicals and pesticides and prevent pollution at the source.*

### **Introduction**

EPA is responsible for ensuring the safety of chemicals and pesticides for people at all life stages and the environment, improving access to chemical safety information, and preventing pollution at the source before it occurs. The Agency focuses on assessing, preventing, and reducing releases and exposures resulting from the manufacture, processing, use, and disposal of chemicals and pesticides and advances the community's right-to-know about these releases and exposures. EPA works to protect the most vulnerable populations from unsafe exposures, especially children, the elderly, and those with environmental justice concerns (including low-income, minority and indigenous populations) who may already be disproportionately harmed by and at risk from other stressors. In addition, EPA works to ensure public access to chemical and pesticide data, analytical tools, and other sources of information and expertise, and promotes source reduction, integrated pest management, and other pollution prevention strategies by organizations and businesses. In total, the FY 2023 Budget includes \$517.3 million and 1,908.7 FTE for *Goal 7: Ensure Safety of Chemicals for People and the Environment*.

In FY 2023, EPA's activities under this goal, as described below, will focus on evaluating/assessing and managing risks from exposure to new and existing industrial chemicals; continuing to address lead-based paint risks; reviewing and registering new pesticides and new uses for existing pesticides; reducing occupational exposure to pesticides, particularly in communities with environmental justice concerns; and addressing potential risks to threatened and endangered species from pesticides. In addition, EPA will continue working with Tribes, state agencies, industry, and communities to implement voluntary efforts to prevent pollution at the source and continue to publish Toxics Release Inventory (TRI) data on chemical releases from industrial facilities for public review and use.

**Objective 7.1: Ensure Chemical and Pesticide Safety** – *Protect the health of families, communities, and ecosystems from the risks posed by chemicals and pesticides.*

The FY 2023 Budget includes \$424.4 million and 1,652.5 FTE for Objective 7.1.

Objective 7.1, *Ensure Chemical and Pesticide Safety* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, complete at least eight High Priority Substance (HPS) TSCA risk evaluations annually within statutory timelines compared to the FY 2020 baseline of one.
- By September 30, 2026, initiate all TSCA risk management actions within 45 days of the completion of a final existing chemical risk evaluation.
- By September 30, 2026, review 90% of risk mitigation requirements for past TSCA new chemical substances decisions compared to the FY 2021 baseline of none.

- By September 30, 2026, recertify before the expiration date 36% of lead-based paint Renovation, Repair, and Painting (RRP) firms whose certifications are scheduled to expire compared to the FY 2021 baseline of 32%.
- By September 30, 2026, complete 78 pesticide registration review cases with statutory due dates that fall after October 1, 2022.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species for new active ingredients in 90% of the risk assessments supporting pesticide registration decisions for new active ingredients compared to the FY 2020 baseline of 50%.
- By September 30, 2026, consider the effects determinations or protections of federally threatened and endangered species in 50% of the risk assessments supporting pesticide registration review decisions compared to the FY 2020 baseline of 27%.
- By September 30, 2026, support Agricultural Worker Protection Standard (WPS) pesticide safety training for 20,000 farmworkers annually compared to the FY 2018-2020 annual average baseline of 11,000.

### ***Toxic Substances Control Act (TSCA)***

Under Section 5 of TSCA, EPA is responsible for reviewing all new chemical submissions before they enter commerce to determine whether the chemicals may pose unreasonable risks to human health or the environment.<sup>36</sup> EPA will conduct risk assessments and make affirmative determinations on risks for more than 500 new chemical notice and exemption submissions annually. EPA also will continue to reduce exposures to lead in paint by establishing standards for inspection, risk assessment, and abatement of lead-based paint hazards, along with training and certification programs, among other efforts.

Under TSCA Section 6,<sup>37</sup> EPA has responsibility for prioritizing and evaluating at least 20 existing chemicals at a time, assessing additional chemicals at manufacturers' request, and managing identified unreasonable risks. In FY 2023, EPA will continue developing draft and final risk evaluations for High-Priority Chemicals and will develop risk management actions in response to unreasonable human health and environmental risks identified in the risk evaluations.

### ***Lead-Based Paint (LBP) Risk Reduction***

Also under TSCA, EPA's Lead-Based Paint Risk Reduction Program contributes to the goal of reducing lead exposure and works toward addressing historic and persistent disproportional

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<sup>36</sup> Actions under TSCA Section 5: <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tsca/actions-under-tsca-section-5>.

<sup>37</sup> Regulation of Chemicals under Section 6(a) of the Toxic Substances Control Act: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/regulation-chemicals-under-section-6a-toxic-substances>.

vulnerabilities of certain communities.<sup>38 39</sup> In FY 2023, EPA will continue to reduce exposure to lead in paint and dust by establishing standards governing lead hazard identification and abatement practices; establishing and maintaining a national pool of certified firms and individuals; and providing information and outreach to housing occupants and the public so they can make informed decisions and take actions on lead hazards in their homes.

### ***Pesticide Programs***

In FY 2023, consistent with statutory responsibilities,<sup>40 41 42</sup> EPA will continue to review and register new pesticides and new uses for existing pesticides, and other covered applications under the Pesticide Registration Improvement Extension Act (PRIA). EPA also will act on other registration requests in accordance with Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act (FFDCA) standards. Many of these registration actions will be for reduced-risk conventional pesticides and biopesticides, which, once registered and used by consumers, will increase benefits to society, including infants and children, and reduce ecological impacts. Additionally, in FY 2023, EPA will continue to reevaluate existing chemicals in the marketplace on a 15-year cycle to ensure the FIFRA standard for registration continues to be met based on current science.

The *Agricultural Worker Protection Standard (WPS)*<sup>43</sup> and the *Certification of Pesticide Applicators (CPA)*<sup>44</sup> revised rules (finalized in FY 2015 and FY 2017, respectively) are key elements of EPA's strategy for reducing occupational exposure to pesticides. In FY 2023, EPA will continue to support the implementation of the regulations through education and outreach, guidance development, and grant programs, with a particular focus on environmental justice issues in rural communities and the health of farmworkers and their families.

Under the Endangered Species Act (ESA),<sup>45</sup> EPA is responsible for ensuring that pesticide regulatory decisions will not destroy or adversely modify designated critical habitat or jeopardize

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<sup>38</sup> Childhood blood lead levels (BLL) have declined substantially since the 1970s, due largely to the phasing out of lead in gasoline and to the reduction in the number of homes with lead-based paint hazards. The median concentration of lead in the blood of children aged 1 to 5 years dropped from 15 micrograms per deciliter in 1976–1980 to 0.7 micrograms per deciliter in 2013–2014, a decrease of 95%. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>39</sup> Among children ages 1 to 5 years in families with incomes below poverty level, the 95<sup>th</sup> percentile blood lead level (BLL) was 3.0 µg/dL, and among those in families at or above the poverty level, it was 2.1 µg/dL, a difference that was statistically significant. The 95<sup>th</sup> percentile BLL among all children ages 1 to 5 years was 2.5 µg/dL. The 95<sup>th</sup> percentile BLL in Black non-Hispanic children ages 1 to 5 years was 3.0 µg/dL, compared with 2.4 µg/dL for White non-Hispanic children, 1.8 µg/dL for Mexican-American children, and 2.7 µg/dL for children of "All Other Races/Ethnicities." The differences in 95<sup>th</sup> percentile BLL between race/ethnicity groups were all statistically significant, after accounting for differences by age, sex, and income. *See, America's Children and the Environment* (EPA, 2019), found at: <https://www.epa.gov/americaschildrenenvironment>.

<sup>40</sup> Summary of Federal Insecticide, Fungicide, and Rodenticide Act: <https://www.epa.gov/laws-regulations/summary-federal-insecticide-fungicide-and-rodenticide-act>.

<sup>41</sup> Summary of the Federal Food, Drug, and Cosmetic Act: <https://www.epa.gov/laws-regulations/summary-federal-food-drug-and-cosmetic-act>.

<sup>42</sup> Pesticide Registration Improvement Extension Act of 2018 (PRIA 4): <https://www.epa.gov/pria-fees>.

<sup>43</sup> Agricultural Worker Protection Standard: <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>.

<sup>44</sup> Revised Certification Standards for Pesticide Applicators: <https://www.epa.gov/pesticide-worker-safety/revised-certification-standards-pesticide-applicators>.

<sup>45</sup> For additional information on the Endangered Species Protection Program, see: <https://www.epa.gov/endangered-species/about-endangered-species-protection-program>.

the continued existence of species listed as threatened or endangered by the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service (NMFS). In FY 2023, EPA will assess in its FIFRA registration and registration review regulatory determinations whether listed endangered or threatened species or their designated critical habitat may be affected. Where risks are identified in a biological evaluation, EPA will work with FWS and NMFS through a consultation<sup>46</sup> process to ensure these new or existing pesticide registrations also will meet the ESA standard.<sup>47</sup> In FY 2023, EPA also will continue to develop processes to protect listed species earlier in the regulatory and consultation processes and pursue other major improvements to its ESA compliance work in coordination with the Services.

**Objective 7.2: Promote Pollution Prevention** – *Encourage the adoption of pollution prevention and other stewardship practices that conserve natural resources, mitigate climate change, and promote environmental sustainability.*

The FY 2023 Budget includes \$92.9 million and 256.2 FTE for Objective 7.2.

Objective 7.2, *Promote Pollution Prevention* is directly supported by the following long-term performance goals in the *FY 2022 – 2026 EPA Strategic Plan*:

- By September 30, 2026, reduce a total of 6 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) released attributed to EPA pollution prevention grants.
- By September 30, 2026, EPA’s Safer Choice Program will certify a total of 2,300 products compared to the FY 2021 baseline of 1,950 total certified products.

### ***Pollution Prevention***

EPA’s implementation of the Pollution Prevention (P2) Program under the Pollution Prevention Act of 1990<sup>48</sup> is one of EPA’s primary tools for advancing environmental stewardship and sustainability by federal, Tribal, and state governments, businesses, communities, and individuals. These practices focus on reducing the amount of any hazardous substance, pollutant, or contaminant entering a waste stream or released into the environment prior to recycling of discarded material, treatment, or disposal, as well as conserving the use of natural resources. P2 grants – a key element of the P2 Program – contributed to the elimination of 16.9 million metric tons of greenhouse gases between 2011 and 2019<sup>49</sup>. In FY 2023, EPA will continue its work to prevent pollution at the source by awarding targeted P2 grants to Tribes, states, and local governments, encouraging the use of products certified by EPA as safer for the environment, encouraging federal procurement of environmentally preferable products, and enhancing the use of Toxics Release Inventory (TRI) data to help prevent pollution and support the Administration’s environmental justice priorities.

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<sup>46</sup> For additional information, see: <https://www.epa.gov/endangered-species/assessing-pesticides-under-endangered-species-act>.

<sup>47</sup> For additional information on how EPA protects endangered species from pesticides, see: <https://www.epa.gov/endangered-species>.

<sup>48</sup> Summary of the Pollution Prevention Act: <https://www.epa.gov/laws-regulations/summary-pollution-prevention-act>.

<sup>49</sup> Pollution Prevention flier: [https://www.epa.gov/system/files/documents/2021-07/p2flier\\_2021\\_0.pdf](https://www.epa.gov/system/files/documents/2021-07/p2flier_2021_0.pdf).

In FY 2023, EPA will focus on carrying out sector-focused P2 National Emphasis Areas<sup>50</sup> and enabling the replication and leveraging of business successes supported by the \$5 million P2 grants awarded annually. The Agency will customize, develop, and deliver training to identify and deploy green chemistry and engineering solutions to companies, consumers, and communities. EPA also will implement training and outreach for communities overburdened with pollution, as well as Tribal, state, and local governments to help with product and service procurement choices that are environmentally sound and promote human and environmental health.

In FY 2023, EPA plans to update and strengthen the standards of the Safer Choice (SC) Program,<sup>51</sup> which advances chemical safety by increasing the availability and identification of products containing ingredients that meet stringent health and environmental criteria, through a notice and comment process after consultation with stakeholders. The Agency will conduct outreach with federal, Tribal, state, and local government procurement officials and institutional and industrial purchasers to communicate the benefits of SC and other environmentally preferable products, and work to make SC-certified products more widely available to people of color and low-income communities. EPA will partner with organizations serving communities with environmental justice concerns to help custodial staff and house cleaning companies fight occupational exposure-related conditions (e.g., asthma) and gain access to SC-certified products. EPA also will update the Safer Chemical Ingredients List to enhance transparency and facilitate expansion of safer chemical choices and products, including increasing the number and volume of SC-certified products.<sup>52</sup>

### ***Toxics Release Inventory (TRI)***

The TRI Program provides data to support partnerships between community groups and companies that has resulted in decreased air emissions.<sup>53</sup> In FY 2023, EPA will continue research on tools that can quickly and accurately identify vulnerable communities near TRI facilities, which would support prioritization of P2 initiatives. In addition, in FY 2023, EPA will continue to publish the TRI and use analyses of toxic chemical releases from industrial facilities located near communities with environmental justice concerns to identify and develop sector specific P2 case studies, best practices, outreach, and training. This will help facilitate adoption of P2 practices in the facilities and in the communities themselves.

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<sup>50</sup> P2 National Emphasis Areas: <https://www.epa.gov/p2/p2-national-emphasis-areas-neas>.

<sup>51</sup> For additional information on Safer Choice, see: <https://www.epa.gov/saferchoice>.

<sup>52</sup> Safer Chemical Ingredients List: <https://www.epa.gov/saferchoice/safer-ingredients>.

<sup>53</sup> TRI for Communities: <https://www.epa.gov/toxics-release-inventory-tri-program/tri-for-communities>.