



**United States
Environmental Protection Agency**

FISCAL YEAR 2023

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

Tab 07: Buildings and Facilities

EPA-190-R-22-001

**April 2022
www.epa.gov/cj**

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

Table of Contents – Buildings and Facilities

Program Projects in B&F	555
Homeland Security.....	556
Homeland Security: Protection of EPA Personnel and Infrastructure	557
Operations and Administration.....	559
Facilities Infrastructure and Operations	560

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

**APPROPRIATION: Building and Facilities
Resource Summary Table
(Dollars in Thousands)**

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Building and Facilities				
Budget Authority	\$43,076	\$33,752	\$80,570	\$46,818
Total Workyears	0.0	0.0	0.0	0.0

Bill Language: Buildings and Facilities

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, \$80,570,000, to remain available until expended.

Note.—A full- year 2022 appropriation for this account was not enacted at the time the Budget was prepared; therefore, the Budget assumes this account is operating under the Continuing Appropriations Act, 2022 (Division A of Public Law 117-43, as amended). The amounts included for 2022 reflect the annualized level provided by the continuing resolution.

**Program Projects in B&F
(Dollars in Thousands)**

Program Project	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Homeland Security				
Homeland Security: Protection of EPA Personnel and Infrastructure	\$7,006	\$6,676	\$6,676	\$0
Operations and Administration				
Facilities Infrastructure and Operations	\$36,071	\$27,076	\$73,894	\$46,818
TOTAL B&F	\$43,076	\$33,752	\$80,570	\$46,818

Homeland Security

Homeland Security: Protection of EPA Personnel and Infrastructure

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

Objective(s): Prepare for and Respond to Environmental Emergencies

(Dollars in Thousands)

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Environmental Programs & Management	\$4,915	\$4,959	\$5,139	\$180
Science & Technology	\$500	\$501	\$501	\$0
<i>Building and Facilities</i>	<i>\$7,006</i>	<i>\$6,676</i>	<i>\$6,676</i>	<i>\$0</i>
Hazardous Substance Superfund	\$845	\$1,030	\$1,530	\$500
Total Budget Authority	\$13,266	\$13,166	\$13,846	\$680
Total Workyears	9.2	9.2	9.2	0.0

Total workyears in FY 2023 include 9.2 FTE to support Homeland Security Working Capital Fund (WCF) services.

Program Project Description:

EPA’s Buildings and Facilities resources in the Homeland Security: Protection of EPA Personnel and Infrastructure Program support the protection of federal employees, contractors, grantees, and private citizens (occupants) who work within or visit EPA facilities nationwide. EPA’s buildings are a combination of headquarters and regional administrative offices, program and research laboratories, and support facilities/warehouses. These facilities are either EPA owned/leased or General Services Administration (GSA) owned/leased. This funding ensures federal mandates are met as they relate to physical security and local emergency preparedness for all Agency locations. These funds support the physical security protection equipment and mechanisms required to protect occupants, for facility relocation (e.g., moves, new leases, consolidations, etc.), physical equipment upgrades/modernization, or corrective actions required to address security vulnerabilities identified during security assessments.

FY 2023 Activities and Performance Plan:

Work in this program directly supports Goal 6/Objective 6.3, Prepare for and Respond to Environmental Emergencies in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2023, EPA will continue to partner with GSA on the Enterprise Physical Access Control System (ePACS). ePACS supports the Agency’s modernization of its security infrastructure in compliance with Homeland Security Presidential Directive-12 (HSPD-12)¹ and ensures that the Agency is undertaking every effort to enhance safety, security, and efficiency by more effectively controlling access into all EPA-controlled physical space and networks.

¹ For additional information, please see: <https://www.dhs.gov/homeland-security-presidential-directive-12>.

In FY 2023, EPA will complete security projects to ensure the protection of occupants and compliance with federal mandates for physical security, including:

- Migration to ePACS at the Research Triangle Park, NC Laboratory, the Ann Arbor, MI Laboratory, the Newport, OR Environmental Laboratory, and the EPA Headquarters facilities in Washington, DC.
- Upgrading closed-circuit television and physical security in response to vulnerabilities identified from previously conducted physical security assessments.

The Agency will continue to utilize GSA's Managed Service Office program, *USAccess*, for Personal Identity Verification card enrollment and issuance. *USAccess* is a GSA managed, shared services solution that provides EPA the ability to produce and maintain secure and reliable forms of identification, as required per HSPD-12, for all EPA employees and contractors.

Performance Measure Targets:

EPA's FY 2023 Annual Performance Plan does not include annual performance goals specific to this program.

FY 2023 Change from FY 2022 Annualized Continuing Resolution (Dollars in Thousands):

- There is no change in program funding.

Statutory Authority:

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

Operations and Administration

Facilities Infrastructure and Operations
 Program Area: Operations and Administration
 Cross-Agency Mission and Science Support

(Dollars in Thousands)

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Environmental Programs & Management	\$257,524	\$285,441	\$288,293	\$2,852
Science & Technology	\$65,093	\$67,500	\$68,912	\$1,412
Building and Facilities	\$36,071	\$27,076	\$73,894	\$46,818
Leaking Underground Storage Tanks	\$932	\$836	\$724	-\$112
Inland Oil Spill Programs	\$628	\$682	\$641	-\$41
Hazardous Substance Superfund	\$81,976	\$68,727	\$71,219	\$2,492
Total Budget Authority	\$442,223	\$450,262	\$503,683	\$53,421
Total Workyears	334.2	315.4	325.4	10.0

Total workyears in FY 2023 include 5.4 FTE to support Facilities Infrastructure and Operations working capital fund (WCF) services.

Program Project Description:

EPA's Buildings and Facilities (B&F) appropriation supports the design, construction, repair, and improvement of EPA's federally owned and leased land and structures in accordance with applicable codes and standards. Since 2013, construction, renovation, and alteration projects costing more than \$150 thousand must use B&F funding. B&F resources ensure that the Agency complies with various mandates and goals including: the Energy Policy Act of 2005; the Energy Act of 2020; the Energy Independence and Security Act of 2007 (EISA); and regulatory mandates associated with soil and water pesticides testing.

FY 2023 Activities and Performance Plan:

Work in this program provides Cross-Agency Mission and Science Support and is allocated across strategic goals and objectives in the *FY 2022 - 2026 EPA Strategic Plan*.

In accordance with the Memorandum on Implementation of Agency-wide Real Property Capital Planning (M-20-03)² and the *Federal Assets Sale and Transfer Act of 2016*,³ the Agency will continue to review its space needs. EPA is implementing a long-term space consolidation plan that aims to reduce the number of occupied facilities, consolidate, and optimize space within remaining facilities, and reduce square footage wherever practical. B&F resources are essential to the implementation of the long-term space consolidation plan. B&F resources also support facility-related construction and the repair and improvement (R&I) of EPA's aging real estate inventory, including the laboratory facilities necessary to support EPA's mission. Good stewardship practices

² For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/11/M-20-03.pdf>.

³ For additional information, please refer to: *Federal Assets Sale and Transfer Act of 2016*, <https://www.congress.gov/114/plaws/publ287/PLAW-114publ287.pdf>.

demand that the physical conditions, functionality, safety and health, security, and research capabilities of the Agency's facilities are adequately maintained to ensure successful completion of EPA's mission requirements and goals.

In FY 2023, EPA proposes an administrative provision to raise the B&F per project threshold from \$150 thousand to \$350 thousand. The B&F threshold was last increased from \$85 thousand to \$150 thousand in FY 2013. Since 2013, costs for construction, material, and labor have increased significantly. Additional information is found in the Proposed FY 2023 Administrative Provisions section.

This program supports EPA's efforts to increase facility resiliency and sustainability to combat the effects of climate change while adapting EPA space to a growing workforce. In FY 2023, EPA will continue to conduct climate resiliency assessments at all EPA-owned facilities and prioritize additional opportunities to reduce climate-related fiscal risks. Assessments will identify potential projects the Agency can undertake to increase facility resiliency against the impacts of climate change, such as roofing stability or seawall construction projects. EPA will initiate all high-priority projects within 24 months of a climate assessment.

Through master planning and nationwide efforts to use space more efficiently, EPA identifies B&F projects, which support the long-term conditions and efficiency of EPA facilities. Further, B&F resources are necessary for EPA to comply with GSA leasing practices requiring agencies to fund construction initiatives, including sustainable features⁴ as tenant improvements (TI) or up front and ongoing project costs. These requirements significantly increase TI cost for new leases, pulling critical funding from ongoing efforts to consolidate space and reduce the Agency's footprint in accordance with the *Federal Asset Sale and Transfer Act of 2016*.

Space consolidation and reconfiguration enable EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. However, even if modifications are kept to a minimum, each move requires B&F funding. In FY 2023, the Agency requests \$12 million to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and increasingly hybrid workforce while keeping long-term rent costs from increasing. When reconfiguring facilities, EPA will work to increase facility resiliency and sustainability to combat the effects of climate change.

The FY 2023 request includes \$27 million for ongoing projects that provide critical maintenance for aging laboratory facilities and are key to ensuring that the Agency has access to preeminent laboratory science. EPA must invest in structural infrastructure (e.g., architectural and design) and mechanical systems (e.g., electrical, water/steam, HVAC). These projects also will maintain a safe workplace, provide for high quality science, support agency priorities, and advance the Agency's mission. EPA will focus on critical facility repairs and infrastructure upgrades to maintain an acceptable Facility Condition Index (FCI), which measures the current state of EPA owned facilities and informs B&F investment decisions.⁵ Delaying essential repairs results in the deterioration of EPA's facilities, which increases long-term repair costs and presents safety risks.

⁴ Many of these features are required by EISA or executive orders.

⁵ For additional information on the Synthesis Report of the U.S. EPA Laboratory Enterprise Evaluation, please refer to: <https://www.epa.gov/sites/production/files/2015-03/documents/synthesisreportoftheusepalaboratoryenterprise.pdf>.

In FY 2023, EPA requests \$34.8 million to prioritize climate sustainability and resiliency investments in new construction and the rehabilitation of United States Government installations, buildings, and facilities to ensure they are climate ready. Examples of shovel-ready investments include:

- **National Vehicle and Fuel Emission Laboratory (NVFEL), Ann Arbor, Michigan.** NVFEL is an example of a building sustainability project, EPA will invest in the repair, replacement and operations and maintenance (O&M) of NVFEL’s extensive infrastructure to meet energy environmental requirements leading to energy savings and sustainability to meet the challenges of climate change.
- **Gulf Breeze, Narragansett, Edison, and Newport Laboratories.** EPA will invest in climate resiliency-infrastructure protection for these regional and programmatic laboratories, including sea level and storm rise protection and power resiliency.

In FY 2023, the Agency will continue the following space optimization projects with the potential for the greatest long-term cost and energy savings:

- **Co-Locating in the Ada, Oklahoma laboratory.** EPA will continue its work to consolidate employees currently in leased laboratory space into owned space. The Agency is co-locating operations for the regional laboratory in Houston, Texas with the EPA-owned laboratory in Ada, Oklahoma. In FY 2023, EPA will begin Phase 2 and 3 of construction.
- **Optimizing space at the Athens, Georgia laboratory.** In FY 2023, EPA will continue construction in the Main Lab Building (Office of Research and Development - Athens).
- **Co-Locating in the Corvallis, Oregon laboratory.** The Agency is co-locating operations for the Region 9 laboratory in Richmond, California with the EPA-owned laboratory in Corvallis, Oregon. In FY 2023, the Agency will finalize construction of the Region 9 Facilities Support Services Center, which is designed for Region 9 laboratory support. In FY 2023, there will be minor renovations to the Plant Ecology Building to accommodate Region 9 laboratory storage space in Corvallis, Oregon.

Performance Measure Targets:

(PM CRP) Percentage of priority climate resiliency projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and project prioritization.	FY 2022 Target	FY 2023 Target
		100
(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.	FY 2022 Target	FY 2023 Target
	2	5

FY 2023 Change from FY 2022 Annualized Continuing Resolution (Dollars in Thousands):

- (+\$12,000.0) This program change is an increase to modernize and transform EPA workplaces to support a hybrid workforce and to ensure an optimal footprint to support the proposed FTE increase in the FY 2023 Budget request.
- (+\$34,818.0) This program change supports implementation of multiple executive order requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations.

Statutory Authority:

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

