



**United States
Environmental Protection Agency**

FISCAL YEAR 2023

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

Tab 17: Appendix

EPA-190-R-22-001

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

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

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Coordination with Other Federal Agencies

Air and Radiation Programs

National Ambient Air Quality Standards (NAAQS) Implementation

EPA cooperates with other agencies to achieve goals related to ground level ozone and particulate matter (PM), and to ensure the actions of other agencies are compatible with state plans for attaining and maintaining the National Ambient Air Quality Standards (NAAQS). The Agency works closely with the U.S. Department of Agriculture (USDA), Department of the Interior (DOI), and Department of Defense (DOD) on issues such as prescribed burning at silviculture and agricultural operations. EPA, the U.S. Department of Transportation (DOT), and the U.S. Army Corps of Engineers (USACE) also work with state and local agencies to integrate transportation and air quality plans, reduce traffic congestion, and promote livable communities.

Air Quality in the Agricultural Sector

To improve EPA's understanding of environmental issues in the agricultural sector, the Agency works with USDA and others to improve air quality while supporting sustainable agriculture. The collaborative approach to the agriculture sector includes scientific assessment, outreach and education, and implementation/compliance.

Regional Haze

EPA works with the National Park Service (NPS), and U.S. Forest Service (USFS) and DOI in implementing its regional haze program and operating the Interagency Monitoring of Protected Visual Environments (IMPROVE) visibility monitoring network. The operation and analysis of data produced by this air monitoring system is an example of the close coordination of efforts between EPA and state and tribal governments.

Air Quality Assessment, Modeling, and Forecasting

For pollution assessments and transport, EPA works with the National Aeronautics and Space Administration (NASA) on technology transfer using satellite imagery. EPA further distributes NASA satellite products and National Oceanographic and Atmospheric Administration (NOAA) air quality forecast products to states, local agencies, and tribes to provide a better understanding of daily air quality and to assist with air quality forecasting. EPA works with NASA to develop a better understanding of PM formation using satellite data. EPA also works with the Department of the Army on advancing emission measurement technology and with NOAA for meteorological support for our modeling and monitoring efforts. EPA collects real-time ozone and PM measurements from state and local agencies, which are used by both NOAA and EPA to improve and verify Air Quality Forecast models.

EPA's *AirNow* Program (the national real-time Air Quality Index reporting and forecasting system) works with the National Weather Service (NWS) to coordinate NOAA air quality forecast

guidance with state and local agencies for air quality forecasting efforts and to render the NOAA model output in EPA's Air Quality Index (AQI), which helps people determine appropriate air quality protective behaviors. In wildfire situations, EPA and USFS work closely with states to deploy monitors and report monitoring information and other conditions on *AirNow*. The *AirNow* Program also collaborates with NPS and USFS in collecting air quality monitoring observations, in addition to over 130 state, local, and tribal air agency observations, and with NASA in a project to incorporate satellite data with air quality observations.

EPA, USDA, and DOI established a collaborative framework to address issues pertaining to wildland fire and air quality. The agreement recognizes the key roles of each agency, as well as opportunities for collaboration. For example, the partnership explains that the agencies seek to reduce the impact of emissions from wildfires, especially catastrophic wildfires, and the impact of those emissions on air quality. In addition, the partnership highlights opportunities for enhancing coordination among the agencies through information sharing and consultation, collaboration on tools and information resources, and working together to collaborate with state and other partners, among others on strategic goals.

Mobile Sources

EPA works with DOT's National Highway Traffic Safety Administration (NHTSA) on the coordinated national program establishing standards to improve fuel efficiency for light-duty vehicles. Specifically, EPA, in coordination with DOT's fuel economy and fuel consumption standards programs, implements vehicle and commercial truck greenhouse gas standards.

To address criteria pollutant emissions from marine and aircraft sources, EPA works collaboratively with the International Maritime Organization (IMO) and International Civil Aviation Organization (ICAO), as well as with other federal agencies, such as the U.S. Coast Guard (USCG) and the Federal Aviation Administration (FAA). EPA also collaborates with the USCG in the implementation of Emission Control Area (ECA) around the U.S., and with Mexico and Canada in the North American Commission for Environmental Cooperation (CEC) to evaluate the benefits of establishing a Mexican ECA.

To better understand the sources and causes of mobile source pollution, EPA works with the Department of Energy (DOE) and DOT to fund applied research projects including transportation modeling projects. EPA also works closely with DOE on refinery cost modeling analyses to support clean fuel programs, and coordinates with DOE regarding fuel supply during emergency situations.

For mobile sources program outreach, the Agency participates in a collaborative effort with DOT's Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), and the Centers for Disease Control and Prevention (CDC) to educate the public and communities about the impacts of transportation choices on traffic congestion, air quality, climate change, and human health. These partnerships can involve policy assessments and toxic emission reduction strategies in different regions of the country. EPA works with DOE, DOT, and other agencies, as needed, on the requirements of the Energy Policy Act of 2005 and the Energy Independence and Security Act

of 2007, such as the Renewable Fuel Standard. EPA also has worked with other agencies on biofuel topics through the Biomass Research and Development Institute.

To develop air pollutant emission factors and emission estimation algorithms for military aircraft, ground equipment, and vehicles, EPA partners with the DOD. This partnership provides for the joint undertaking of air-monitoring/emission factor research and regulatory implementation.

Air Toxics

EPA works closely with other health agencies such as the CDC, National Institute of Environmental Health Sciences (NIEHS), and National Institute for Occupational Safety and Health (NIOSH) on health risk characterization for both toxic and criteria air pollutants. The Agency also contributes air quality data to CDC's Environmental Public Health Tracking Program, which is made publicly available and used by various public health agencies.

Addressing Transboundary Air Pollution

In developing regional and international air quality projects, and in working on regional agreements, EPA works with the Department of State (DOS), NOAA, NASA, DOE, USDA, U.S. Agency for International Development (USAID), and the Office of Management and Budget (OMB), and with regional organizations. In addition, EPA has partnered with other organizations and countries worldwide, including the United Nations Environment Programme (UNEP), the European Union (EU), the Organization for Economic Cooperation and Development (OECD), the United Nations Economic Commission for Europe (UNECE), CEC, Canada, Mexico, China, and Japan. EPA also partners with environment and public health officials and provides technical assistance through UNEP to facilitate the development of air quality management strategies to other major emitters and/or to key regional or sub-regional groupings of countries.

Stratospheric Ozone

EPA works closely with DOS and other federal agencies in international negotiations among Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer, with the goal of protecting the ozone layer and through managing ozone depleting substances (ODS) it controls. EPA also supports several multilateral environmental agreements to simultaneously protect the ozone layer and climate system working closely with the DOS and other federal agencies, including but not limited to the Office of Science Technology and Policy (OSTP), Council on Environmental Quality (CEQ), Department of Commerce (DOC), OMB, USDA NOAA, and NASA.

EPA works with other agencies, including the Office of the United States Trade Representative (USTR) and DOC, to analyze potential trade implications in stratospheric protection regulations that affect imports and exports. EPA has coordinated efforts with the Department of Justice (DOJ), Department of Homeland Security (DHS), Department of Treasury (U.S. Treasury), and other agencies to curb the illegal importation of ODS.

Radiation and Radiation Preparedness and Response

EPA works primarily with the Nuclear Regulatory Commission (NRC), DOE, and DHS on multiple radiation-related issues. EPA has ongoing planning and guidance discussions with DHS on emergency response activities, including exercises responding to nuclear related incidents. As the regulator of DOE's Waste Isolation Pilot Plant (WIPP), EPA is charged with coordinating with DOE to ensure the facility is operating in compliance with EPA regulations. EPA is a member of the Interagency Radiation Source Protection and Security Task Force, established in the Energy Policy Act, to improve the security of domestic radioactive sources. EPA also is a working member of the interagency Nuclear Government Coordinating Council (NGCC), which coordinates across government and the private sector on issues related to security, communications and emergency management within the nuclear sector.

For emergency preparedness, EPA coordinates with other federal agencies through the Federal Radiological Preparedness Coordinating Committee and the Advisory Team for Environment, Food and Health which provides federal scientific advice and recommendations to state and local decision makers, such as governors and mayors, during a radiological emergency. EPA participates in planning and implementing exercises including radiological anti-terrorism activities with the Department of Health and Human Services (DHHS), NRC, DOE, DOD, and DHS.

EPA is a charter member and co-chairs the Interagency Steering Committee on Radiation Standards (ISCORS), which was created at the direction of Congress. Through its activities, member agencies are kept informed of cross-cutting issues related to radiation protection, radioactive waste management, and emergency preparedness and response. ISCORS also helps coordinate U.S. responses to radiation-related issues internationally.

During radiological emergencies, EPA works with expert members of the International Atomic Energy Agency (IAEA). EPA also works with OECD's Nuclear Energy Agency (NEA) on two committees: the Radioactive Waste Management Committee (RWMC) and the Committee on Radiation Protection and Public Health (CRPPH). Through participation on the CRPPH, EPA is successful in bringing U.S. perspectives to international radiation protection policy.

Climate Change

To carry out a diverse range of regulatory and partnership programs to help tackle the climate crisis, EPA works with a number of other federal agencies, including the Department of Housing and Urban Development (HUD), Federal Energy Regulatory Commission (FERC), DOE, USDA, DOS, USAID, DOI, and DOT.

Climate protection partnership programs, government-wide, stimulate the development and use of renewable energy technologies, energy efficient products, and other strategies that will help reduce greenhouse gas (GHG) emissions. The effort is led by EPA and DOE with significant involvement from the USDA, HUD, and the National Institute of Standards and Technology (NIST).

The Global Methane Initiative (GMI) is a U.S.-led, international public-private partnership that brings together over 40 partner governments and over 1,000 public and private sector organizations

to advance methane recovery and use methane as a clean energy source. EPA works with DOS on the GMI, building on the success of EPA's domestic methane programs and focusing on advancing methane reductions from agriculture, coal mines, landfills, oil and gas systems, and municipal wastewater.

EPA also will support DOS as the technical lead in developing projections and compiling information on GHG mitigation policies and measures as part of the upcoming U.S. Biennial Report and National Communication as required by the U.N. Framework Convention on Climate Change. EPA will support the State Department and National Science Foundation with applying applicable goals and GHG mitigation policies in the review of environmental evaluations for non-Governmental activities in Antarctica consistent with Antarctica Treaty Commission commitments.

Research Supporting the Air and Radiation Program

EPA continues to coordinate with other agencies, such as the National Institutes of Health (NIH), NOAA, DOE, USDA, and FHWA to develop sustainable approaches to manage air pollution risks.

Water Programs

Collaboration with Public and Private Partners on Water Infrastructure Preparedness, Response and Recovery

EPA coordinates with other federal agencies, primarily DHS, CDC, FDA, and DOD, on biological, chemical, and radiological contaminants of high concern, and how to detect and respond to their presence in drinking water and wastewater systems. EPA maintains a close linkage with the Federal Bureau of Investigation (FBI) and DHS, particularly with respect to ensuring the timely dissemination of threat information through existing communication networks. Additionally, throughout the pandemic, EPA worked with DHS and other federal agencies to coordinate aspects of information sharing, disseminate personal protective equipment, address shortages of treatment chemicals, provide for equipment and qualified water system operators, and recognize water system operators and associated contract personnel as critical workers.

EPA works with USACE and the Federal Emergency Management Agency (FEMA) to refine coordination processes among federal partners engaged in providing emergency response support to the water sector, including maintaining clear roles and responsibilities under the National Disaster Recovery Framework. In addition, EPA continues to work with FEMA, USACE, and other agencies, on the Federal Interagency Floodplain Management Task Force regarding water resources and floodplain management.

As the agency in charge of water sector security, EPA works with DHS Cyber and Infrastructure Security Agency (CISA) and other government agencies on the Industrial Control System (ICS) working group to develop an ICS interagency Strategy and Implementation Plan. EPA also collaborates with CISA on various working groups and cybersecurity issues such as roles and responsibilities, ICS supply chain, cyber workforce, cybersecurity standards, and cyber response.

Drinking Water Programs

EPA and the U.S. Geological Survey (USGS) established an Interagency Agreement to coordinate activities and information exchange in the areas of unregulated contaminants occurrence, the environmental relationships affecting contaminant occurrence, protection area delineation methodology, and analytical methods. This effort improves the quality of information to support risk management decision-making at all levels of government, generates valuable new data, and eliminates potential redundancies. EPA also collaborates with HUD to develop strategies to decrease drinking water lead exposure in homes. The partnership promotes the exchange of information, leverages funding, and reviews processes to facilitate better-informed and coordinated decisions and investments.

In addition, EPA collaborates with DHHS to better understand, characterize, and manage public health risks from Contaminants of Emerging Concern (CECs), with activities spanning from assessing CDC's waterborne disease surveillance data related to *legionella* and other biofilm-related pathogens to partnering with FDA on antibiotic resistance-related issues. EPA collaborates with multiple federal agencies to address Per- and Polyfluoroalkyl Substances (PFAS) issues including DOD, DOE, USDA, FDA, DHHS, the NIH, the Consumer Product Safety Commission, the Small Business Administration (SBA), NASA, FAA, and OMB.

Infrastructure Support for Tribal Water Systems

EPA coordinates the multi-agency tribal Infrastructure Task Force (ITF), created to develop and coordinate federal activities in delivering water infrastructure, wastewater infrastructure and solid waste management services to tribal communities. The ITF is the formal mechanism for interagency coordination among EPA, DHHS's Indian Health Service (IHS), HUD, USDA, and the Bureau of Indian Affairs (BIA).

Bipartisan Infrastructure Law (BIL) / Infrastructure Investment and Jobs Act (IIJA)

Coordination work with other federal agencies also will support EPA's BIL/IIJA implementation priorities.

Sustainable Rural Drinking and Wastewater Systems

EPA and USDA work together to increase the sustainability of rural drinking water and wastewater systems to ensure the protection of public health, water quality, and sustainable communities. The two agencies facilitate coordinated funding for infrastructure projects that aid in the compliance of national drinking water and clean water regulations.

National Water Sector Workforce Development: Department of Veterans Affairs

EPA and the Departments of Education, Interior, Agriculture, and Veterans Affairs (VA) are building on existing collaborations, exploring new opportunities and actions, and identifying potential additional federal programs and partners to support the Nation's water sector professionals.

Coordination with Department of Defense on Analytical Methods for Detecting PFAS

EPA's Clean Water Act (CWA) analytical methods program is collaborating with DOD on their efforts to develop an analytical method for detecting certain PFAS compounds in wastewater.

Source Water Protection and Harmful Algal Blooms (HABs)

To combat HABs and hypoxia, the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2014 (HABHRCA 2014, P.L. 113-124, reauthorized through the National Integrated Drought Information System [HABHRCA 2017, Public Law 115-423]) emphasizes the mandate to advance the scientific understanding and ability to detect, predict, control, mitigate, and respond to HABs and hypoxia. This legislation established the Interagency Working Group on HABHRCA (IWG-HABHRCA). It tasked the group with coordinating and convening federal agencies to discuss HAB and hypoxia events in the U.S., and to develop action plans, reports, and assessments of these situations. The IWG-HABHRCA is co-chaired by representatives from EPA, NOAA, and the OSTP, and it is composed of the following member agencies and departments: CDC, FDA, NIEHS, USACE, USGS, BOEM, NPS, FWS, NASA, USDA, DOS, and the National Science Foundation (NSF).

2018 Farm Bill Source Water Protection Provisions

EPA collaborates with the USDA Natural Resources Conservation Service (NRCS), state and utility partners to develop implementation strategies and guidance to comply with the 2018 Farm Bill provisions. These provisions dedicate at least 10 percent of total funds available for conservation programs (with the exception of the Conservation Reserve Program) to be used for source water protection. In addition, the Agency partners with NRCS to foster collaboration at the state and local levels to identify priority source water protection areas in each state to address agriculture-related impacts to drinking water sources. EPA also is collaborating with USFS in developing strategies to implement the 2018 Farm Bill (Title VIII, Subtitle D, Section 8404) Source Water Protection provisions requiring a "Water Source Protection Program" on National Forest Service (NFS) lands. EPA is supporting USFS by fostering partnerships with state, utilities, and other water stakeholders.

Source Water Collaborative

EPA participates in the Source Water Collaborative along with USDA (NRCS, Farm Service Agency (FSA), USFS), USGS, and 25 other national organizations. The goal of the collaborative is to protect sources of drinking water by combining the strengths and tools of its member organizations. EPA provides funding to support these efforts.

Carbon Capture, Utilization, and Storage (CCUS)

EPA participates in quarterly and ad hoc meetings with the Internal Revenue Service (IRS), DOE, DOI, DOT, and DOJ to share information on carbon capture and storage developments. In addition, EPA serves as a liaison to DOE's National Risk Assessment Partnership to advance its work in developing tools to improve collective understanding of risk at CO₂ storage projects and

inform science and risk-based decision-making at geologic sequestration projects; and to explore opportunities to integrate the partnership work into EPA's Class VI permitting process. EPA also will collaborate with DOE and CEQ on several reports and other initiatives related to carbon sequestration requested by Congress, including developing a report on UIC Class VI permitting. Through the CAA §309 review program, EPA is collaborating with DOE and other agencies as needed to assist with identifying potential impacts and ways to avoid and minimize those impacts from CO₂ storage projects.

Drinking Water and Wastewater Work in Indian Country

EPA works under a five-federal agency MOU to better coordinate the federal government's efforts in providing access to safe drinking water and basic wastewater facilities for tribal communities. EPA, DOI, DHHS, USDA, and HUD work as the Federal Tribal Infrastructure Task Force (TITF) to use their combined authorities to maintain a framework to enhance interagency efficiency and coordination, and to cultivate greater cooperation in carrying out their tribal infrastructure responsibilities. Since 2007, the TITF has: maintained procedures necessary for a common understanding of the programs pertaining to funding infrastructure construction, solid waste management efforts, and technical assistance to tribes; worked together to improve the capacity of tribal communities to operate and maintain sustainable infrastructure; enhanced the efficient leveraging of funds; worked directly with tribes to promote an understanding of federal programs; identified ways to improve construction, operation, and maintenance of sustainable infrastructure; and worked to allow and facilitate the exchange of data and information amongst partners.¹

Research to Support Water Programs

While EPA is the federal agency mandated to ensure safe drinking water, other federal and non-federal entities conduct research that complements EPA's research on priority contaminants in drinking water. Cooperative research efforts have been ongoing with the American Water Works Association, Water Research Foundation, and other stakeholders to coordinate drinking water research where the private sector is conducting research in areas such as analytical methods, treatment technologies, and the development and maintenance of water resources. EPA also has worked with the USGS to evaluate performance of newly developed methods for measuring microbes in potential drinking water sources.

Interagency coordination in research also is occurring in developing sediment criteria. Here, EPA has joint research initiatives with NOAA and USGS for linking monitoring data and field study information with available toxicity data and assessment models for developing sediment criteria.

EPA also conducts studies with the USGS to monitor the occurrence of CECs. Research efforts to monitor the effects of chemical mixtures continue, increasing our understanding of wastewater effluent impacts to human and aquatic health and prioritizing future research on developing solutions for the removal of CECs in wastewater treatment operations.

¹ For additional information, please visit: <https://www.epa.gov/tribal/federal-infrastructure-task-force-improve-access-safe-drinking-water-and-basic-sanitation>.

Land and Emergency Management Programs

Brownfields

EPA's Brownfields and Land Revitalization Programs partner with the NPS's River, Trails and Conservation Assistance Program to support *Groundwork USA* and individual Groundwork Trust organizations in their efforts to engage youth in brownfields redevelopment and community revitalization.

Superfund Remedial Program

The Superfund Remedial Program maintains ongoing coordination and collaboration with ATSDR, NIEHS, HUD, and USACE as well as with the Federal Mining Dialogue and the Federal Remediation Technologies Roundtable, two multi-agency consortia. Interaction with these entities enhances program implementation through activities that are mutually beneficial, such as information sharing and resource leveraging. For example, ATSDR has a statutory mandate to complete health assessments on sites listed on EPA's National Priorities List while EPA conducts site characterization and remediation. Moreover, EPA site managers work with their ATSDR counterparts to coordinate public human health messaging. For NIEHS, EPA collaborates and coordinates academic research related to contaminant toxicities, site characterization and remediation and risk communication. EPA collaborates with HUD on residential risk evaluation and mitigation, while the Agency's work with USACE spans a wide range of technical, management and acquisition support functions to implement or oversee responsible party Superfund project implementation for the remedial and removal programs. EPA's participation in the Federal Mining Dialogue has established the Agency's role in a multi-agency (*e.g.*, DOE, DOI, etc.) partnership to address mining sites on federal and mixed ownership lands. Membership in the Federal Remediation Technologies Roundtable facilitates EPA's collaboration with multiple federal entities, such as DOD, NASA, DOT, to advance the use of innovative technologies to clean up hazardous waste contamination.

Superfund Federal Facilities Restoration and Reuse Program

EPA's Superfund Federal Facilities Restoration and Reuse Program coordinates with other Federal Agencies (OFAs); state, tribal, and local governments; and communities to implement its statutory responsibilities to ensure protective and efficient cleanup and reuse of federally contaminated land on the Federal Agency Hazardous Waste Compliance Docket and the NPL. Successful coordination requires strong partnerships and enhanced engagement by having regularly scheduled and ad hoc meetings that target and resolve critical programmatic issues, emphasize selection and implementation of protective cleanups, and recognize site reuse opportunities and successes. EPA has committed to early engagement with our partners that focus on issues with a problem-solving and action-oriented approach.

The Program also coordinates with national organizations that help to improve engagement such as the Association of State and Territorial Solid Waste Management Officials (ASTSWMO), the Interstate Technology and Regulatory Council (ITRC), and the Environmental Council of the States (ECOS). ASTSWMO has a Federal Facilities Research Center Subcommittee that promotes

and enhances state and territory involvement in the cleanup and reuse of contaminated federal facilities and fosters information exchange by and between states, territories, and OFAs. This includes identifying and researching emerging issues related to state and federal cleanup programs at federal facility sites, producing and disseminating resource documents and tools, and working with EPA and OFAs on a variety of federal facility issues and forums. Current topics of interest include addressing contaminants of emerging concern like PFAS; ensuring Applicable or Relevant and Appropriate Requirements (ARARs) are identified and implemented; coordination with civilian federal agencies; Performance-Based Contracting; and participating in the implementation and oversight of the Munitions Response Program. ITRC is a state-led coalition working to reduce barriers to the use of innovative air, water, waste, and remediation environmental technologies and processes. ITRC produces documents and training that broaden and deepen technical knowledge and expedite quality regulatory decision making while protecting human health and the environment. EPA, along with OFAs and industry representatives, works through ITRC in defining continuing research needs through its teams including on topics of relevance and benefit to federal facility sites, like PFAS, chemicals of emerging concern, and performance-based optimization of pump and treat systems.

Through the establishment of a national cleanup dialogue with the DOE and the states in coordination with ECOS, EPA supports special emphasis engagement for nuclear weapons sites, the largest and costliest portfolio of remaining federal facilities cleanup work. The Dialogue enhances ongoing working relationships in the cleanup of DOE Environmental Management sites and focuses on topics of mutual relevance and highest priority to ensure timely advancement of protective cleanups. The Dialogue exemplifies how collaboration can advance DOE sites and foster an understanding of challenges and successes nationally.

EPA also participates with OFAs and states on the Munitions Response Dialogue (MRD), partners with DOD research and development programs on munitions management and environmental restoration. Current MRD activities include EPA, DOD, Federal Land Management Agencies, and states updating and harmonizing previous munitions risk/hazard assessment methodologies. The MRD's goal is to achieve consensus on an updated munitions risk/hazard assessment methodology. EPA also co-chairs the Intergovernmental Data Quality Task Force (IDQTF) with DoD and DOE. The IDQTF works to ensure that environmental data are of known and documented quality and suitable for the intended use.

EPA actively participates in the Defense Environmental Restoration Program and Formerly Used Defense Sites (FUDS) forums hosted by the DOD. DOD's gathering of State and Federal regulators offers a unique opportunity to partner, share information, and facilitate more efficient and effective management of DoD's cleanup program. Recent forums focused on emerging issues, best practices, and lessons learned, as well as new policies and technology investments to maximize efficiencies and minimize the time it takes to complete cleanup at active Base Realignment and Closure installations and FUDS. Similar forums hosted by DOD service components provide EPA and states further opportunities for engagement, often focused on topics tailored to the unique aspects of the response programs of the Army, Navy, or Air Force.

EPA coordinates with OFAs on the Federal Mining Dialogue (FMD). The FMD is a cooperative initiative among federal environmental and land management agencies that provide a national-level forum for federal agencies to identify and discuss lessons learned and technical mining impact issues associated with the cleanup and reuse of abandoned and inactive hard rock mine and mineral processing sites across the country. EPA also engages with OFAs in the complementary Abandoned Uranium Mine Work Group, which focuses on investigation and cleanup of legacy uranium ore mining and mill tailing sites in the western U.S. Multiple program and enforcement offices participate for EPA in both venues to ensure coordinated engagement across the Agency.

RCRA Waste Minimization and Recycling: Supporting Sustainable Materials Management

Natural resource extraction and processing make up approximately 50 percent of total GHG emissions. Under RCRA, EPA provides data, information, guidelines, tools, and technical assistance on resource conservation, recycling, and resource recovery. As part of this work, EPA focuses on increasing the conservation and recovery of municipal solid waste (e.g., plastics, aluminum, paper, food waste) and industrial waste (e.g., construction and demolition materials) to advance a circular economy. EPA works closely with other federal agencies to implement EPA's 2021 National Recycling Strategy, the 2020 Save our Seas Act 2.0, and the 2021 Infrastructure Investment and Jobs Act (IIJA), as well as develop additional strategies on plastics, food waste and organics, critical minerals and electronics, textiles, and the built environment.

EPA works collaboratively with USDA, and the U.S. Food and Drug Administration (FDA) to reduce food waste in support of the national goal of reducing food loss and waste by 50 percent by 2030. EPA also is providing national estimates of food waste generation and management; convening, educating, and supporting communities seeking to reduce food waste.

The Save our Seas Act 2.0, passed by Congress in December 2020, demonstrates bipartisan congressional interest and provides EPA with authority to further act on domestic recycling and address plastic waste through new grant programs, studies, and extensive federal coordination. EPA is coordinating with DOE, several offices within the DOC (NIST, NOAA, USTR and ITA); and USAID to implement Save our Seas. EPA also works with federal agencies to implement Save Our Seas 2.0.

The IIJA was enacted on November 15, 2021. The IIJA provides funding for grants under section 302(a) of the Save Our Seas 2.0 Act as well as education and outreach grants focused on improving material recycling, recovery, management. The IIJA also establishes new programs focused on battery recycling and directs EPA to develop a model recycling program toolkit, increase coordination on federal procurement guidelines, and provide assistance to the educational community to incorporate recycling best practices into curriculum. EPA will coordinate closely with DOE on the development of battery recycling best practices and the voluntary labeling program, as DOE also received significant new IIJA funding to advance battery recycling.

Resource Conservation and Recovery Act (RCRA) and Toxic Substances Control Act (TSCA) Polychlorinated Biphenyl (PCB) Programs

The RCRA Corrective Action Program coordinates closely with OFAs, primarily DOD and DOE, which have many corrective action sites. A top Agency priority is to help federal facilities meet the Program's goals of investigating and cleaning up hazardous releases. EPA also coordinates with other agencies on cleanup and disposal issues posed by PCBs under the authority of the Toxic Substances Control Act (TSCA).

Emergency Preparedness and Response

EPA plays a major role in reducing the risks that accidental and intentional releases of harmful substances and oil discharges pose to human health and the environment. EPA's leadership in federal preparedness begins with co-chairing the National Response Team (NRT) and the 13 Regional Response Teams (RRTs) with the USCG. These teams, which have member participation from 15 total federal agencies (EPA, USCG, DOS, DOD, DHS/FEMA, DOE, USDA, DHHS (including CDC, NIOSH, and ATSDR), DOI, DOC, DOT, U.S. Nuclear Regulatory Commission, U.S. General Services Administration (GSA), DOJ, and the U.S. Department of Labor [DOL] [including OSHA]), provide guidance and deliver federal assistance to state, local, and tribal governments to plan for and respond to natural disasters, acts of terrorism, and other major environmental incidents. This requires coordination with many federal, state, and local agencies. The Agency participates with other federal agencies to develop national planning and implementation policies at the operational level.

EPA supports the Weapons of Mass Destruction Strategic Group (WMDSG) crisis-action team intended to coordinate the United States Government's efforts to successfully resolve a WMD threat and support interagency senior leader decision making. The WMDSG is comprised of over 50 SMEs representing over 15 different departments and agencies. The WMDSG is on call 24/7/365 to respond to the FBI's Strategic Information and Operations Center (SIOC) within two hours. The WMDSG – led by the FBI – provides enhanced coordination by focusing on information sharing and operation synchronization. The WMDSG helps maintain situational awareness by working directly with FBI Counterterrorism Division (CTD) regarding investigative activities, and the National Assets Command Post (NACP) regarding crisis operations.

The National Response Framework (NRF), under the direction of DHS, provides for the delivery of federal assistance to states to help them deal with the consequences of terrorist events, acts of malfeasance, as well as natural and other significant disasters. EPA maintains the lead responsibility for the NRF's Emergency Support Function #10 (covering inland hazardous materials and petroleum releases) and participates in the Federal Emergency Support Function Leaders Group which addresses NRF planning and implementation at the operational level.

The National Biodefense Strategy (NBS) provides a single coordinated effort to orchestrate the full range of activity that is carried out across the United States Government to protect the American people from biological threats. With National Security Presidential Memorandum (NSPM)-14, this strategy explains how the United States Government will manage its activities more effectively to assess, prevent, detect, prepare for, respond to, and recover from biological threats, coordinating its biodefense efforts with those of international partners, industry, academia, non-governmental entities, and the private sector. The Biodefense Steering Committee, chaired by the Secretary of Health and Human Services, and comprising the Secretary of State, the Secretary

of Defense, the Attorney General, the Secretary of Agriculture, the Secretary of Veterans Affairs, the Secretary of Homeland Security, and the Administrator of the Environmental Protection Agency, will be responsible for overseeing and coordinating the execution of the strategy and its implementation plan, and ensuring federal coordination with domestic and international government and non-governmental partners.

Chemical Accident Prevention and Response

Under CAA Section 112(r), EPA administers the Oil Spill Risk Management Program (RMP) regulations designed to prevent and respond to chemical accidents at fixed facilities that use or store large quantities of highly toxic or flammable substances in a process. In administering these regulations, EPA collaborates closely with other federal agencies, including DOL, DOT, DHS, and others. An important nexus for this collaboration is the National Working Group on Chemical Safety and Security, which includes participation by EPA, DOL/OSHA, DHS, DOT, and BATF. The Working Group was initially formed as a result of Executive Order 13650 – Improving Chemical Facility Safety and Security – which tasked federal agencies with various actions to further improve chemical facility safety and security in coordination with facility owners and operators. Through the Working Group, EPA works with federal agency partners to share information, develop fact sheets and guidance, and coordinate regulatory and policy actions relating to chemical safety and security. EPA also conducts additional regular coordination with DOL and OSHA, which administer the OSHA Process Safety Management standard, a regulation that shares common provisions with EPA’s RMP regulations.

Under the Emergency Planning and Community Right-to-Know Act, EPA administers regulations that establish the list of extremely hazardous substances for community emergency response planning, as well as regulations that establish chemical inventory and release reporting requirements. In administering these regulations, EPA works closely with DOT, DHS, FEMA, and other agencies that are involved in planning for chemical emergencies. For example, EPA collaborates with the National Oceanic and Atmospheric Administration (NOAA) to develop the Computer Aided Management of Emergency Operations (CAMEO) software suite and Tier II Submit software, which provide free computer software tools to help fire departments, local emergency agencies and other stakeholders manage chemical inventory information and develop and implement emergency response plans.

Oil Spills

EPA is responsible for maintaining the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which sets out the federal government’s blueprint for responding to oil spills. More specifically, the NCP details federal responsibilities and procedures for preparing for and responding to discharges of oil or releases of hazardous substances, pollutants, or contaminants in inland and coastal zones of the U.S. EPA is authorized to amend the NCP in consultation with other federal agencies. Under the NCP, EPA serves as the pre-designated On-Scene Coordinator for oil discharges in the inland zone. As part of its responsibilities, EPA also maintains a list—called the Product Schedule—of dispersants and other chemical and bioremediation products that may be authorized for use during a spill.

EPA helps agencies such as FWS and the USCG and works in coordination to address oil discharges nationwide. EPA also assists agencies with judicial referrals when enforcement of violations becomes necessary. In addition, EPA and the USCG work in coordination to address oil spills nationwide. Under the authorities provided by the Federal Water Pollution Control Act (FWPCA) or Clean Water Act (CWA), EPA develops oil discharge response, prevention, and preparedness regulations. EPA also provides compliance monitoring activities to enforce these regulations and coordinates with USCG, DOT, and BSEE in their implementation.

EPA serves as member of the Interagency Coordinating Committee on Oil Pollution Research (ICCOPR) established under the Oil Pollution Act of 1990. ICCOPR coordinates a comprehensive program of oil pollution research, technology development, and demonstration among federal agencies in cooperation and coordination with external entities, such as industry, universities, research institutions, state governments, and other nations, as appropriate. Comprised of 16 federal agencies, ICCOPR is chaired by USCG, with EPA having served in a rotating Vice Chair capacity. ICCOPR develops priorities for oil spill research across the federal government on a 6-year cycle and prepares biennial reports to Congress on research activities and key interagency committee activities.

Strengthen Human Health and Environmental Protection in Indian Country

EPA, DOI, DHHS, USDA, and HUD work through several MOUs as partners to improve infrastructure on tribal lands. All five federal partners have committed to continue federal coordination in delivering services to tribal communities. The Infrastructure Task Force has built on prior partner successes, including improved access to funding and reduced administrative burden for tribal communities through the review and streamlining of Agency policies, regulations, and directives as well as improved coordination of technical assistance to water service providers and solid waste managers through regular coordination meetings and web-based tools.

Homeland Security

EPA's Homeland Security, Preparedness and Response Program continues to develop and maintain agency assets and capabilities to respond to and support nationally significant incidents with emphasis on those involving chemical warfare agents. The Program implements a broad range of activities for a variety of internal and multi-agency efforts consistent with the NRF and the Homeland Security Presidential Directives that EPA leads or supports. This includes being the lead analytical agency for environmental sampling during a CWA incident. EPA also coordinates its preparedness activities with DHS, FEMA, FBI, and other federal, state, and local agencies.

Research to Support Homeland Security

EPA collaborates with numerous agencies on Homeland Security research to leverage funding across multiple programs and produce synergistic results. EPA's Homeland Security Research Program works with DHS to back decisions made in its role as a lead agency responsible for cleanup during a Stafford Act declaration under ESF-10 and as the lead agency for water infrastructure. EPA also works with the DOD and its sub-organizations in its research work related to biological and chemical warfare agents. Further, EPA participates in a tri-agency research

partnership (Technical Coordination Working Group [TCWG]) with the DOD and DHS that focuses on chemical and biological defense needs and gaps. TCWG activities include: information sharing; joint science and technology research projects; and complementing policies. EPA also collaborates with the CDC in conducting biological agent research.

EPA works with these aforementioned entities and others to address areas of mutual interest and concern related to both homeland security cleanup and water infrastructure protection issues. The Program conducts joint research with USDA and DOI focusing on addressing homeland security threats at the intersection of the environment/public health and agriculture/natural resources. EPA also works with DOE to access and conduct research at the DOE's National Laboratories specialized research facilities, such as to establish the Water Security Test Bed and develop analytical capabilities for biological and chemical agents in environmental matrices.

Research to Support Land and Emergency Management Programs

EPA has complementary and joint programs with the USFS, USGS, USDA, USACE, NOAA, BLM, and many others to minimize duplication, maximize scope, and maintain a real-time information flow for land and emergency management issues. EPA coordinates its research to support a range of environmental priorities at other federal agencies, including work with DOD in its Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program, and works with DOE and its Office of Health and Environmental Research. EPA also conducts collaborative laboratory research with DOD, DOI, and USGS to improve characterization and risk management options for dealing with subsurface contamination. EPA also works through the Interstate Technology Regulatory Council (ITRC) in defining continuing research needs through its teams on topics including PFAS, radionuclides, and brownfields.

Chemical Safety and Pollution Prevention Programs

National Coordination for General Issues Relating to Chemical Safety

EPA established an Interagency Policy Group comprised of other federal agencies with interest and expertise in chemical issues to hold periodic meetings to obtain input on significant actions such as the TSCA Risk Evaluations, rules, and potential existing chemical candidates for Prioritization under TSCA. The agencies on the Interagency Policy Group include: CPSC, DOD, OMB, NASA, DOL, SBA, NIH, FDA, and CDC. EPA has utilized this group to review TSCA materials including, but not limited to, risk evaluations documents related to the scoping of existing chemicals for risk evaluation and associated draft risk evaluations. Additionally, EPA has initiated regular engagement with both NIOSH and OSHA to discuss occupational exposure assessments and risk management.

EPA also engages in biannual meetings with the OMNE² Committee, which includes the Occupational Safety and Health Administration (OSHA), Mining Safety and Health Administration (MSHA), NIOSH, and the NIEHS. The OMNE Committee exists to provide a

² The OMNE Committee is named for the first letter in each participating agency's name.

venue for federal agencies to share information and coordinate activities regarding proposed rules, risk assessments, and risk management strategies for controlling exposure to chemicals.

Federal Lead Action Plan

Established by Executive Order 13045, the President's Task Force on Environmental Health Risks and Safety Risks to Children comprises 17 federal departments and offices and is co-chaired by the Secretary of DHHS and the EPA Administrator. In December 2018, through cross-governmental collaboration, the Task Force unveiled the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts (Federal Lead Action Plan). The Federal Lead Action Plan is a blueprint for reducing lead exposure and associated harms by working with a range of stakeholders, including states, tribes and local communities, along with businesses, property owners and parents. In 2019, EPA released the *Implementation Status Report for EPA Actions under the December 2018 Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts*³ and *Progress Report on the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts*.⁴ In FY 2022 and FY 2023, the Agency will continue to lead those goals and actions, coordinate with federal, state, tribal and community partners to amplify the impacts, and report on activities and implementation, as appropriate.

Participation in International Agreements addressing Chemicals and Pesticide Management

To participate effectively in international agreements addressing chemicals and pesticide management (e.g., the Stockholm Convention on Persistent Organic Pollutants, the Minamata Convention on Mercury, the Rotterdam Convention on the Prior Informed Consent Procedures for Certain Hazardous Chemicals and Pesticides in International Trade, the Strategic Approach to International Chemicals Management, CODEX Alimentarius, and a wide range of multilateral, regional, and bilateral free trade agreements), EPA coordinates with other federal agencies, such as the Office of the U.S. Trade Representative (USTR), DOS, DOC, USDA, DOE, FDA, and DHHS on a regular basis to develop the policy views and positions of the United States.

EPA also coordinates with other parts of the U.S. Government, including the Agency for Toxic Substances and Disease Registry (ATSDR), NIH, and CPSC, on more technical international matters related to the safety and management of chemicals and pesticides. At the regional and global levels, EPA engages in bilateral cooperation and information exchange with a wide range of countries and regional organizations, such as the European Union (EU), Canada, China, Australia, Japan, Brazil, and many others.

In addition to participating in the U.S. Government trade development process, EPA also specifically engages in trilateral cooperation with Canada and Mexico through the U.S.-Mexico-Canada (USMCA) Free Trade Agreement, particularly with respect to the provisions related to agriculture, technical barriers to trade, and environment, among others. Such engagement is designed to promote further trade and regional cooperation among the three governments through

³ For additional information, please visit: https://www.epa.gov/sites/default/files/2019-04/documents/leadimplementationbooklet_april2019.pdf.

⁴ For additional information, please visit: <https://www.epa.gov/leadactionplanimplementation/progress-report-federal-action-plan-reduce-childhood-lead-exposures>.

targeted efforts and technical working groups. In 2022-2024, for example, under OCSPP's leadership, EPA is working within the USMCA's CEC with Canada and Mexico on a project to explore supply chain transparency to identify innovative approaches and digital tools supporting the identification and disclosure of chemical contents in goods and materials. The project is intended to foster best practices for information exchanges and collaboration and to engage different industry sectors, environmental experts, and government and technical authorities.

EPA also works closely with a number of countries in the context of the Organization for Economic Cooperation and Development (OECD) to further coordination amongst the OECD Member countries and observer governments. For example, OCSPP serves as the National Coordinator for the United States in support of the OECD Test Guidelines Program's mutual acceptance of data work, which aims to reduce the need to repeat health effects studies due to incompatible test protocols. Additionally, among others working groups and committees, EPA is engaged in the OECD Working Group on Pesticides (WGP), which shares pesticide registration work and develop tools to monitor and minimize pesticide risk to human health and the environment, and with the Chemicals and Biotechnology Committee, which oversees eleven working groups and other subsidiary bodies in the chemicals and pesticide arenas.

Capacity Building and Technical Assistance

EPA also participates significantly with other Agencies and international organizations in the development, coordination, and delivery of capacity-building and technical assistance. For example, OCSPP is collaborating with USDA's Foreign Agricultural Service and the Inter-American Institute for Cooperation on Agriculture to address the many inquiries from foreign countries on pesticide registrations, standard setting processes, maximum residue level (MRL) harmonization, and risk assessment procedures.

Certification and Training, Worker Protection, IPM, and Environmental Stewardship

EPA will continue to coordinate with USDA, DOD, DOI, DOE, tribes, territories, and states to implement Certification Plans for pesticide applicators who use the riskiest pesticides. EPA provides technical guidance and assistance to the states and tribes in the implementation of all pesticide program activities, such as protecting workers, promoting Integrated Pest Management and environmental stewardship. EPA also provides support through grants, cooperative agreements, or interagency agreements with states, tribes, and other partners, including universities, non-profit organizations, other federal agencies, pesticide users, environmental groups, and other entities, as necessary, to assist in strengthening and implementing EPA's pesticide activities, such as worker protection, pollinator protection and certifying pesticide applicators.

Assessing Potential Pesticide Risks with Supplemental Data

EPA relies on data from DHHS and USDA to supplement data from the pesticide industry to assist the Agency in assessing the potential risks of pesticides in the diets of adults and children. Specifically, EPA uses National Health and Nutrition Survey (NHANES) food consumption survey data developed by the DHHS, as well as pesticide residue data in food commodities generated by the USDA in its Pesticide Data Program (PDP) as inputs for dietary risk assessment.

Endangered Species & Pollinator Protection

EPA will continue collaborating with the USDA, FWS, and NMFS on protecting endangered and threatened species and improving methods for assessing potential risks and effects of pesticides to them. EPA, in cooperation with USDA, other federal agencies, state agencies, tribes, territories, and other entities, will continue to address pesticide risks to bees and other pollinators which are critical to our environment and the production of food crops.

Homeland Security – Protecting Food & Agriculture Sectors

EPA collaborates with the agencies such as DOD, DHS, DHHS, USDA, FDA, FEMA, and other federal, tribal, and state organizations on a variety of homeland security issues as part of the Government Coordinating Council (GCC) For Food and Agriculture. The issues focus on protecting the public and food and agriculture sector from various threats (*e.g.*, biological agents, diseases, or natural disasters) which are vital to critical functions of the government and private sector. EPA collaborates with these organizations on many issues such as research pertaining to effective disinfectants for high threat microorganisms, planning for response to various potential incidents, training and development of policies and guidelines. In addition to GCC efforts, EPA continues to partner with the OSHA, NIOSH, and CPSC on risk assessment and risk mitigation activities.

Pesticide Program Dialogue Committee (PPDC) and State and Tribal Stakeholder Groups

One of the Agency's methods for receiving input on pesticide issues has been the Pesticide Program Dialogue Committee (PPDC), a Federal Advisory Committee, that brings together a broad cross-section of knowledgeable stakeholders from organizations that represent divergent views in order to discuss pesticide regulatory, policy, and implementation issues. The PPDC includes members from federal and state governments, industry/trade associations, pesticide user and commodity groups, consumer and environmental/public interest groups, and others. The PPDC provides a structured environment for meaningful information exchanges and discussions, and keeping the public involved in decisions that affect them. Dialogue with outside groups is essential for the Agency to remain responsive to the needs of its many partners. EPA also works extensively with the Association of American Pest Control Officials and the Tribal Pesticide Program Council to maximize communication with states, tribes, and territories on pesticide implementation issues.

General Research to Support Chemical Safety

EPA participates in a multi-agency effort under the *Tox21* Consortium. *Tox21* pools chemical research, data and screening tools from multiple federal agencies including EPA, and the NIH and FDA. EPA has contributed a chemical library, currently exceeding 4,000 chemicals, to the *Tox21*

testing program.^{5,6} Nearly all of this library includes data from EPA's Toxicity Forecaster (*ToxCast*TM), an effort that utilizes existing resources to develop faster, more thorough predictions of how chemicals may affect human and environmental health. The Tox21 Consortium has screened thousands of chemicals with more than 70 assays, resulting in more than 120 million data points which can inform decision making regarding the safety of chemicals. The full Tox21 library comprises approximately equal sized contributions from EPA, National Toxicology Program (NTP), and National Center for Advancing Translational Sciences (NCATS).

PFAS are a large, diverse class of chemicals that have been widely used in industry and consumer products and are ubiquitous in the environment. EPA is committed to working collaboratively with federal, state, tribal and local partners to address the challenges posed by PFAS. Efforts include working with other federal agencies to address scientific challenges such as the lack of published toxicity data for most PFAS chemicals. The results will be used to identify categories of PFAS chemicals having similar structural and toxicological properties that may inform the development and strength of predictive toxicological models. EPA anticipates increased interagency collaboration on PFAS research and development efforts through an OSTP-led interagency working group, established as required by the FY 2021 National Defense Authorization Act. Resources requested in FY 2023 will build upon the research foundation formed from completed work.

Research to Support the Amended Toxic Substances Control Act

EPA collaborates globally with other federal agencies on research to accelerate the pace of chemical risk assessment and to provide greater regulatory certainty for the public. EPA is working with Health Canada and the European Joint Research Center on the development and testing of new non-animal approach methodologies to evaluate chemicals quickly and cost-effectively for safety. These new approach methods are a critical part of implementing the TSCA Strategic Plan to reduce, refine, and replace the use of vertebrates in toxicity testing and evaluation. EPA also commenced work with Health Canada and ECHA to promote sharing of non-confidential chemical safety information with the intent of advancing chemical evaluations across regulatory jurisdictions. This collaborative approach will help EPA and other federal agencies screen, prioritize, and evaluate chemicals, and promote implementation of alternative methods to replace vertebrate animal testing under TSCA. Finally, EPA is engaged in multiple OECD chemical safety groups that share information, expertise, and research results related to chemical safety. Ultimately, these international efforts will work towards creating transparent data requirements for industry and reducing the regulatory uncertainty of multiple regulatory environments globally.

Research to Support Agencywide Risk Assessment Activities

EPA consults and collaborates routinely with other federal agencies about the science of individual Integrated Risk Information System (IRIS) assessments. EPA also coordinates, respectively, with: ATSDR, through an MOU on the development of toxicological reviews and toxicology profiles;

⁵ Collins, F.S., Gray, G.M., and Bucher, J.R. (2008). Transforming environmental health protection. *Science*, 319, 906–907. doi: [10.1126/science.1154619](https://doi.org/10.1126/science.1154619).

⁶ Tice, R.R., Austin, C.P., Kavlock, R.J., and Bucher, J.R. (2013). Improving the human hazard characterization of chemicals: a Tox21 update. *Environmental Health Perspectives*, 121, 756–765. doi: [10.1289/ehp.1205784](https://doi.org/10.1289/ehp.1205784).

NIEHS and the National Toxicology Program, on assessment methodology, software, and assay development platforms; FDA on advisories and reports; and DOD on assessment development methods. In addition, EPA contracts with the National Academy of Sciences' National Research Council (NRC) on very difficult and complex human health assessments through consultation or review. EPA also participates in the Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) to work towards increasing the efficiency and effectiveness of U.S. federal agency test method review, eliminating unnecessary duplication of effort, sharing experience among U.S. federal regulatory agencies, and reducing, refining, and replacing the use of animals in testing.

Enforcement and Compliance Assurance Programs

General Enforcement Coordination

The Enforcement and Compliance Assurance Program coordinates closely with:

- DOJ on all civil and criminal environmental enforcement matters. In addition, the Program has coordinated with other agencies on specific environmental issues as described herein;
- The Chemical Safety and Hazard Investigation Board, OSHA, and ATSDR in preventing and responding to accidental releases and endangerment situations;
- DOI's BIA, and DHHS's IHS on issues relative to compliance with environmental laws in Indian country;
- The DOC and SBA on the implementation of SBREFA. In addition, it has collaborated with the SBA to maintain current environmental compliance information at *Business.gov*, a website initiated as an e-government initiative in 2004, to help small businesses comply with government regulations. The IRS on cases that require defendants to pay civil penalties, thereby assisting the IRS in assuring compliance with tax laws;
- USACE on wetlands issues;
- DOT's Pipeline and Hazardous Materials Safety Administration on pipeline spills; and,
- USDA on the regulation of animal feeding operations and on food safety issues arising from the misuse of pesticides and shares joint jurisdiction with the Federal Trade Commission on pesticide labeling and advertising.

International Trade

EPA works with U.S. Customs and Border Protection (CBP) on implementing the secure International Trade Data System (ITDS) across all federal agencies and on chemical and pesticide imports, hazardous waste and Cathode Ray Tube exports, imports of internal combustion vehicles and engines that do not meet Clean Air Act requirements, as well as on a variety of other import/export issues under the various statutes.

Coordination on Issues Involving Shared Jurisdiction

EPA and FDA share jurisdiction over general-purpose disinfectants used on non-critical surfaces and some dental and medical equipment surfaces. EPA and FDA also collaborate and share information on Good Laboratory Program inspections to avoid duplication of inspections and maximize efficient use of limited resources. EPA, FDA, and FAA jointly regulate drinking water

safety on airlines via the Aircraft Drinking Water Rule. The Agency has entered into an agreement with HUD concerning enforcement of the TSCA lead-based paint notification requirements. The Agency has coordinated with the USCG under the Act to Prevent Pollution from Ships, and on discharges of pollutant from ships and oil spills under the CWA. EPA also works with DOI on CWA permit enforcement on the Outer Continental Shelf, as well as both the Interior and Transportation Departments on enforcement of CWA requirements for offshore facilities.

Criminal Enforcement

EPA's Criminal Enforcement Program coordinates with FBI, CBP, DOL, U.S. Treasury, DHS, DOI, USCG, and DOJ and with international, state, tribal, and local law enforcement organizations in the investigation and prosecution of environmental crimes. EPA also works with DOJ to establish task forces that bring together federal, state, tribal, and local law enforcement organizations to address environmental crimes. EPA has an Interagency Agreement with DOJ's Environment and Natural Resources Division to develop the first federal Environmental Crime Victim Assistance Program. This allows both agencies to meet their statutory obligations under the Crime Victims' Rights Act (CVRA) and the Victims' Rights and Restitution Act (VRRRA), to make sure that environmental crime victims are notified of and accorded their rights under the CVRA and VRRRA. In addition, the Program has an Interagency Agreement with the DHS to provide specialized criminal environmental training to federal, state, local, and tribal law enforcement personnel at the Federal Law Enforcement Center (FLETC) in Glynco, Georgia.

Monitoring the Environmental Compliance of Federal Agencies

Most environmental statutes require departments, agencies, and instrumentalities of the U.S. government to comply with environmental requirements just like any other regulated entity. EPA and states inspect federal facilities and take enforcement actions, as appropriate. In addition, Executive Order 12088 on *Federal Compliance with Pollution Control Standards* directs EPA to monitor compliance by federal agencies with all environmental laws and provide technical assistance. The Federal Facility Enforcement Program coordinates with other federal, state, tribal, and local agencies to ensure compliance by federal agencies with all environmental laws. EPA works with the Federal Facilities Environmental Stewardship and Compliance Assistance Center (*FedCenter*) (www.fedcenter.gov), which is governed by a board of more than a dozen contributing federal agencies. EPA also partners with other federal agencies to identify ways to expedite cleanup of Superfund sites and prevent and address regulatory compliance issues. *FedCenter* works with federal agencies to plan Federal Environmental Symposiums to encourage collaboration, information sharing, stewardship, and improved environmental compliance across the federal government. EPA is working with other Agencies through *FedCenter* to address Administration priorities including PFAS and environmental justice.

EPA has commenced a number of specific collaborative efforts to work one-on-one with other federal agencies to help foster productive relationships through environmental compliance outreach efforts. We have developed partnerships with other federal agency headquarters offices including, for example, HHS, BIA, DOD, DOE, and NASA to discuss EPA's compliance initiatives and explore ways EPA can best help federal agencies remain aware of their environmental compliance status and requirements nationwide. We have instituted a biweekly

dialogue with DOD to help address compliance issues at housing for military personnel with a particular focus on compliance with lead-based paint requirements.

In the context of EPA's compliance initiatives, the Agency proactively addresses potential significant noncompliance by sending letters to federal agencies highlighting facility noncompliance so facilities can expeditiously take the necessary actions to address the compliance issues. EPA also has issued multiple compliance advisories geared to other federal agencies providing information on the Agency's compliance initiatives.

Superfund Enforcement

EPA coordinates with OFAs in their use of CERCLA enforcement authority. This includes the coordinated use of such authority at individual hazardous waste sites that are located on both non-federal land (EPA jurisdiction) and federal lands (other agency jurisdiction). As required by Executive Order 13016, EPA also reviews and concurs on the use of CERCLA Section 106 authority by other departments and agencies.

EPA coordinates closely with Federal Land Management Agencies (FLMAs), such as BLM and USFS, at mixed ownership sites (*i.e.*, those sites located partially on privately-owned land and partially on federally-owned land) pursuant to Executive Order 12580. EPA frequently enters into Memoranda of Understanding (MOUs) with FLMAs designed to provide a framework for agencies to coordinate response actions. Most recently, EPA has completed an MOU with FLMAs to improve the efficient and effective use of federal resources to cleanup at mixed ownership mining sites. EPA meets with DOI and USDA as part of the Federal Mining Dialogue, to discuss developments arising out of the CERCLA work at such sites.

EPA also coordinates with DOI, USDA, DOC, DOE, and DOD to ensure that appropriate and timely notices, required under CERCLA, are sent to the Natural Resource Trustees notifying them of potential damages to natural resources. EPA also coordinates with Natural Resource Trustees on natural resource damage assessments, investigations, and planning of response activities under Section 104 of CERCLA. When an enforcement action is initiated at a site where hazardous substances are found to have caused damages to natural resources, EPA coordinates with the Trustees by including them in negotiations with potentially responsible parties concerning the releases that have caused those damages.

EPA's Superfund Federal Facilities Enforcement Program ensures that: (1) all federal facility sites on the NPL have interagency agreements, also known as Federal Facility Agreements (FFAs) with enforceable cleanup schedules; (2) FFAs are monitored for compliance; (3) federal sites are transferred to new owners in an environmentally responsible manner; and (4) compliance assistance is available to the extent possible. This program also ensures that federal agencies comply with Superfund cleanup obligations "in the same manner and to the same extent" as private entities. To enable the cleanup and reuse of such sites, the Federal Facilities Enforcement Program also has coordinated creative solutions that help restore facilities, so they can once again serve an important role in the economy and welfare of local communities, and the country. EPA also has established a partnership with ECOS and DOE, the DOE Dialogue, to build relationships and tackle enduring challenges at DOE cleanup sites.

International and Tribal Affairs Programs

Supporting Global Policy to Reduce Pollution and Harmful Chemicals

EPA has a strong network of partners working to achieve reductions in global mercury use and emissions, particularly when adverse U.S. impacts would be likely. EPA works closely with the DOS in leading the technical and policy engagement for the U.S. in the Minamata Convention on Mercury and the multi-stakeholder Global Mercury Partnership. In addition to the DOS, EPA collaborates with several federal agencies including USGS and USAID to advance robust implementation of the Minamata Convention by other countries. EPA also continues to share information through the Arctic Council on reducing releases of mercury which disproportionately impact indigenous arctic communities.

Similarly, EPA is engaged in a multi-pronged effort to address the growing global problem of marine litter. Here, EPA works with the DOS, NOAA, Peace Corps, and USAID to advance policy and technical solutions for marine litter in global fora. EPA also is working with USDA, OMB, and FDA on the on reducing food waste which includes international cooperation on measuring food waste reductions and pilot activities that can create market opportunities for U.S. technologies and innovation.

Tackling the Climate Crisis, Accelerating Environmental and Economic Justice

EPA works with international partners, such as foreign governments and international organizations, to deploy assistance that can strengthen on the ground action to tackle the climate crisis, reduce transboundary pollution that impacts local communities and travels through the environment to impact other communities across the globe, and that strengthen fundamental environmental rule of law. An important example of this work is EPA's engagement in the Group of Seven (G7) and the Group of Twenty (G20) through environment ministerial meetings which negotiate outcomes on key EPA issues such as climate change, food waste, marine litter, resource efficiency, and air quality. EPA's engagement with international financial institutions, United Nations (UN) entities, and the Organization for Economic Cooperation (OECD).

Supporting Environmental Priorities in Global Trade Policy and Implementation of Environmental Cooperation Agreements

Since the 1972 Trade Act mandated USTR engage in interagency consultations, EPA has played a key role in trade policy development. Specifically, EPA is a member of the Trade Policy Staff Committee, the Trade Policy Review Group and relevant subcommittees – interagency mechanisms that provide advice, guidance, and clearance to USTR in the development of U.S. international trade and investment policy.

EPA continues its participation in the North American Commission for Environmental Cooperation (CEC), which provides regional and international leadership to advance environmental protection, human health, and sustainable economic growth in North America. EPA also will continue work on implementation of the Environment Chapter of the United States-Mexico-Canada Agreement (USMCA) and other free trade agreements. EPA also continues active

participation in the United States Trade Representative (USTR)-led Interagency Environment Committee for Monitoring and Environment (IECME) established to promote Mexican and Canadian compliance with their environmental obligations. In addition, EPA continues to work with partners (including the U.S. Treasury, State Department, USAID, and the U.S. International Development Finance Corporation), to improve environmental governance of U.S. funded international development projects.

Addressing Transboundary Pollution

EPA collaborates with countries around the world to address foreign sources of pollution in coordination with DOS, USAID, DOJ, Treasury, and others. EPA works closely with DHHS to advance recognition of environmental risk factors of non-communicable diseases (NCDs) and how to mitigate the risks, including from lead and mercury. In addition, EPA continues to strengthen its activities in the Arctic by working with Alaska, tribes, federal agencies, and the private sector to build international support for U.S. environmental policy objectives through the Arctic Council. These objectives cover a range of topics, including reducing emissions and exposure to mercury. EPA also plays a leadership role with other agencies including NOAA, DOS, and USAID in crafting sound programs to address marine litter globally, ensuring that sound waste management and recycling strategies are advanced in key source countries. Further, EPA collaborates with DOS, the Government of Canada, tribes, federal agencies, and other stakeholders to address transboundary water pollution caused by historic and current mining practices in the Kootenai watershed.

Working in Indian Country

EPA is an active participant in the White House Council on Native American Affairs (WHCNA). The WHCNA is an interagency Principals-level council established by President Obama's Executive Order 13647 in June 2013, in response to requests from tribal leaders across Indian country for a Cabinet-level council to uphold treaty and trust obligations, support the Nation-to-Nation relationship, and improve tribal engagement and consultation. The Biden-Harris Administration has reconvened the WHCNA and established six sub-committees: Climate Change, Tribal Homelands, and Treaties; Health; Education; Economic Development; Energy and Infrastructure; Public Safety and Justice; and International Indigenous Issues.

EPA serves as the co-lead (with DOI and USDA) of the Climate Change, Tribal Homelands, and Treaties Committee. Within this Committee, EPA is a co-lead and lead on two subcommittees, including the Tribal Treaty Rights MOU Subcommittee and the Climate Adaptation Subcommittee. Both this Committee and the Subcommittees meet on a regular basis.

EPA also serves as the co-lead (with DOI and the DOS) on the International Indigenous Issues Committee. Within this Committee, EPA is co-lead on three subcommittees, including Human Rights and Environmental Justice, Cross Border Issues, and Climate Crisis. Both this Committee and the Subcommittees meet on a regular basis.

Additionally, EPA is involved as a participant in the Health Committee and is an active participant on the Water/Sanitation Subcommittee. Both this Committee and the Subcommittee meet on a regular basis.

EPA continues work as a federal partner under the federal interagency Memorandum of Understanding Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Rights which was signed by the EPA Administrator on August 5, 2021. The signatories to affirm their commitment to protect tribal treaty rights, reserved rights and similar tribal rights to natural and cultural resources and work to demonstrate that commitment through early consideration of treaty and reserved rights in agency decision-making and regulatory processes.

Central Planning, Budgeting and Finance Programs

Working with Federal Partners on Improving Management and Accountability throughout the Federal Government

EPA coordinates appropriately with Congress and other federal agencies, such as the U.S. Treasury, the Government Accountability Office (GAO), and GSA. EPA participates and makes active contributions to standing interagency management committees, including:

- the Chief Financial Officers Council, which focuses on improving resources management and accountability throughout the federal government;
- the Performance Improvement Council, which coordinates and develops strategic plans, performance plans, and performance reports as required by law;
- OMB-led E-Government initiatives, such as the Financial Management and Budget Formulation and Execution Lines of Business;
- the Bureau of Census-maintained Federal Assistance Awards Data System;
- the President's Management Council, which oversees developing and implementing Cross-Agency Priority (CAP) goals; and
- the Evaluation Officer Council, which serves as a forum to exchange information with the broader Federal evaluation community.

Provide Government-to-Government Employee Relocation Services

EPA provides government-to-government employee relocation services via interagency agreements through EPA's Federal Employee Relocation Center (FERC) as a Working Capital Fund (WCF) activity. EPA-FERC provides "one-stop shop" domestic and international relocation services to other federal agencies to increase operational efficiency and save the government money. Relocation services are provided internally to all EPA offices, and externally to the Transportation Security Administration (TSA), Alcohol, Tobacco, Firearms, and Explosives (ATF), DOL, Office of Personnel Management (OPM), United States Patent and Trademark Office (USPTO), Health and Human Services Office of Global Affairs (HHS-OGA), and United States Agency of Global Media (USAGM).

Mission Support Programs

Working with Federal Partners on Improving Management and Accountability throughout the Federal Government

EPA provides leadership and expertise to government-wide activities in various areas of human resources, grants management, contracts management, suspension and debarment, and homeland security. These activities include specific collaboration efforts through:

- The Chief Human Capital Officers Council, a group of senior leaders that discuss human capital initiatives across the federal government.
- The Legislative and Policy Committee, a committee comprised of other federal agency representatives who assist OPM in developing plans and policies for training and development.
- The Chief Acquisition Officers Council, the principal interagency forum for monitoring and improving the federal acquisition system. The Council also is focused on promoting the President's specific initiatives and policies in all aspects of the acquisition system.
- The Award Committee for E-Government (E-Gov) provides strategic vision for the portfolio of systems/federal wide supporting both federal acquisition and financial assistance. Support also is provided to the associated functional community groups, including the Procurement Committee for E-Gov, the Financial Assistance Committee for E-Gov, and the Intergovernmental Transaction Working Group.
- The Grants Quality Service Management Office (QSMO) leads efforts to transform the federal grants management process by focusing on standardization and modernization of grants systems to increase efficiency and reduce burden for grant applicants, recipients, and the federal grants workforce; and better leveraging the buying power of the government to access high-quality shared solutions and reduce costs. The Grants QSMO supports the work of OMB's Office of Federal Financial Management and Office of the Federal Chief Information Officer and GSA's Office of Shared Solutions and Performance Improvement.
- The Interagency Suspension and Debarment Committee (ISDC), a representative committee of federal agency leaders in suspension and debarment. The Committee facilitates lead agency coordination, serves as a forum to discuss current suspension and debarment related issues, and assists in developing unified federal policy. Besides participating in the ISDC, EPA: (1) provides instructors for the National Suspension and Debarment Training Program offered through the Federal Law Enforcement Training Center, and (2) supports the development of coursework and training on the suspension and debarment process for the Inspector General Academy and the Council of the Inspectors General on Integrity and Efficiency.
- The Financial Management Line of Business (FMLoB) has been expanded to also encompass the Grants Management Line of Business. The combined FMLoB, with U.S. Treasury as the managing partner, will more closely align the financial assistance and

financial management communities around effective and efficient management of funds. EPA also participates in the Grants.gov Users' Group, as well as the Federal Demonstration The Interagency Committee on Federal Advisory Committee Management (Committee Management Officer Council) provides leadership and coordination on federal advisory committee issues and promotes effective and efficient committee operations government-wide. In addition to serving on the Council, EPA works with the GSA Committee Management Secretariat to establish and renew advisory committees, conduct annual reviews of advisory committee activities and accomplishments, maintain committee information in a publicly accessible online database, and develop committee management regulations, guidance, and training. Further, EPA participates on the GSA Federal Advisory Committee Act (FACA) Attorney Council Interagency Workgroup to keep abreast of developments in the statutory language, case law, interpretation and implementation of the FACA.

- The Interagency Security Committee (ISC) is the leading organization for nonmilitary federal departments and agencies in establishing policies for the security and protection of federal facilities, developing security standards, and ensuring compliance with those standards. EPA participates in the ISC as a primary member and in sub-committees and workgroups to facilitate EPA's compliance with ISC standards for facilities nationwide.
- The OPM Background Investigations Stakeholder Group (BISG) is a collaborative organization that is derived from the Intelligence Reform and Terrorism Prevention Act of 2004. The BISG is comprised of senior security officials across the federal government who are responsible for the submission, adjudication and/or oversight of personnel security programs. EPA works with this group to discuss topics regarding background investigations, focusing on standardizing and improving the Agency's personnel security program.
- EPA manages the Senior Environmental Employment (SEE) Program's interagency agreements with other federal agencies. The interagency agreements are with the White House/CEQ, the CDC/ATSDR, and the Gulf Coast Ecosystem Restoration Council. SEE enrollees provide administrative, technical, and professional support to these agencies for projects relating to pollution prevention, abatement, and control.
- Partnership which is designed to reduce the administrative burdens associated with research grants.
- EPA's Office of Administrative Law Judges (OALJ) partners with the USPTO, NOAA, the Alcohol and Tobacco Tax and Trade Bureau, the Merit Systems Protection Board, and the Equal Employment Opportunity Commission to serve as Presiding Officers for proceedings to adjudicate complaints brought before the partner organizations. This collaboration allows partner organizations the ability to provide constitutionally guaranteed legal due process and review without staffing and supporting their own Offices of Administrative Law Judges, while EPA's judges expand their experience and knowledge in the area of administrative law. The services OALJ provides to other agencies are reimbursed by the borrowing organization.

Work with the Department of Interior's Interior Business Center

In FY 2023, EPA will continue working with DOI's Interior Business Center (IBC), an OPM- and OMB-approved Human Resources Line of Business shared service center. IBC offers HR transactional processing, compensation management and payroll processing, benefits administration, time and attendance, HR reporting, talent acquisition systems, and talent management systems. EPA also continues its charter membership on the OPM HR Line of Business (LoB) Multi Agency Executive Strategy Committee (MAESC), providing advice and recommendations to the Director of OPM as well as additional government-wide executive leadership, for the implementation of the HR LoB vision, goals, and objectives.

Partnering with GSA on the USAccess Program

EPA is partnering with GSA on the *USAccess* Program for Personal Identity Verification cards and identity credential solutions, which provides an efficient, economical and secure infrastructure to support its credentialing needs, and migrations to the Enterprise Physical Access Control System, allowing the Agency to control access in EPA space, including restricted and secure space.

Environmental Information Programs

To support EPA's overall mission, the Agency collaborates with federal, state, and tribal agencies on a variety of initiatives focused on making government more efficient and transparent in protecting human health and the environment. EPA's Environmental Information programs are primarily involved in the information technology (IT), information management (IM), and information security aspects of the projects on which it collaborates.

The Chief Information Officer (CIO) Council

The CIO Council is the principal interagency forum for improving practices in the design, modernization, use, sharing, and performance of federal information resources. The Council develops recommendations for IT/IM policies, procedures, and standards; identifies opportunities to share information resources; and assesses and addresses the needs of the federal IT workforce.

The Chief Data Officer (CDO) Council

The CDO Council was established by statute in the Foundations for Evidence-Based Policymaking Act of 2018. The Council's vision is to improve government mission achievement and increase the benefits to the Nation through improvement in the management, use, protection, dissemination, and generation of data in government decision-making and operations.

eRulemaking

The eRulemaking Program is a Federal E-Government shared LoB that manages the Federal Docket Management System (FDMS) and Regulations.gov. The Program provides the public with one-stop access to electronic dockets and the ability to electronically comment on proposed rulemakings and de-regulatory actions for multiple federal agencies.

At the beginning of FY 2020, the Program Managing Organization transitioned from EPA to the GSA. EPA will continue working with GSA as a Partner Agency to improve FDMS and provide the public with access to electronic dockets and the ability to electronically comment on proposed rulemaking and de-regulatory actions.

The National Environmental Information Exchange Network (EN)

EPA's EN Program and CBP are coordinating on using the Automated Commercial Environment (ACE) system. This coordination will lead to automated processing of over 8 million EPA-related electronic filings needed to clear legitimate imports and exports. With the move from paper filings to electronic filings combined with automated processing through ACE, filing time can be reduced from weeks/days to minutes/days. This significant processing improvement directly impacts the movement of goods into commerce and the economy while helping to ensure compliance with environmental and CBP laws and regulations. It also helps the U.S. Government keep pace with the speed of business.

Automated Commercial Environment/International Trade Data System (ACE/ITDS)

ITDS is the electronic information exchange capability, or "single window," through which businesses will transmit data required by participating agencies for the import or export of cargo. ACE is the system built by CBP to ensure that its customs officers and other federal agencies have the information they need to decide how to handle goods and merchandise being shipped into or out of the United States. It also will be the way those agencies provide CBP with information about potential imports/exports. ITDS eliminates the need, burden, and cost of paper reporting. It also allows importers and exporters to report the same information to multiple federal agencies with a single submission and facilitates movement of cargo by automating processing of the import and exports. ITDS provides the capability for industry to consolidate reporting for commodities regulated by multiple agencies. For these consolidated reports, the industry filers will receive the appropriate status response when their filings meet each agency's reporting requirements. Once all agency reporting requirements have been met, filers can receive a coordinated single U.S. government response to proceed into the commerce of the United States.

EPA has the responsibility and legal authority to make sure pesticides, toxic chemicals, vehicles and engines, ODS, and other commodities entering and hazardous waste exiting the country meet its human health and environmental standards. EPA's ongoing collaboration with CBP on the ACE/ITDS effort will improve the efficiency of processing these shipments through information exchange between EPA and CBP and automated processing of electronic filings. As resources permit, EPA will continue to work with CBP to automate the manual paper review process for admissibility so that importers and brokers (referred to collectively as Trade) can know before these commodities are loaded onto an airplane, truck, train, or ship if their shipment meets EPA's reporting requirements. Because of this automated review, Trade can greatly lower its cost of doing business and customs officers at our nation's ports will have the information on whether shipments comply with our environmental regulations. EPA will continue to collaborate with CBP to support regulatory changes and integrate with new ACE capabilities for streamlining the import and export processes for America's businesses.

Geospatial Information

EPA works with 31 federal agencies through the activities of the Federal Geographic Data Committee (FGDC) and the OMB Geospatial Line of Business (Geo LoB). EPA also participates in the FGDC Steering Committee. A key component of EPA's work with FGDC is developing and implementing the National Spatial Data Infrastructure (NSDI) and the National *GeoPlatform*. The key objective of the NSDI is to make a comprehensive array of national spatial data – data that portrays features associated with a location or tagged with geographic information and can be attached to and portrayed on maps – easily accessible to both governmental and public stakeholders. Use of this data, in tandem with analytical applications, supports several key EPA and government-wide business areas. These include ensuring that human health and environmental conditions are represented in the appropriate contexts for targeting and decision making; enabling the assessment, protection, and remediation of environmental conditions; and aiding emergency first responders and other homeland security activities. EPA supports geospatial initiatives through efforts such as EPA's *GeoPlatform*, EPA's Environmental Dataset Gateway, the Exchange Network, National Environmental Policy Act (NEPA) Assist, *EJScreen*, the EPA Metadata Editor, Facilities Registry System (FRS) Web Services, and *My Environment*. EPA also works closely with its state, tribal, and international partners in a collaboration that enables consistent implementation of data acquisition and development, standards, and technologies supporting the efficient and cost-effective sharing and use of geographically-based data and services.

Federal Executive Boards

The Federal Executive Boards will be established in FY 2023. This LoB will replace the current *ad hoc* structure and provide more support to regional Federal Executive Board staff members. In line with the Biden Administration's initiatives, the Federal Executive Boards will support and strengthen the Federal Workforce.

The Administrator's Office

Regulatory Management and Economic Analyses

EPA's Policy Office (OP) interacts with federal agencies during its rulemaking activities. Per governing statutes and agency priorities, OP submits "significant" regulatory actions to OMB for interagency review prior to signature and publication in the *Federal Register*. In addition, OP coordinates EPA's review of other agency's regulatory actions submitted to OMB for review. Under the Congressional Review Act, rules are submitted to each chamber of Congress and to the Comptroller General of the United States. For regulations that may have a significant economic impact on a substantial number of small entities, OP collaborates extensively with SBA and OMB. OP also collaborates with other federal regulatory and natural resource agencies to collect data used in economic benefit-cost analyses of environmental regulations and policies and to foster improved interdisciplinary research and reporting. Activities include representing EPA on interagency workgroups or committees tasked with measuring the economic benefits and costs of federal policies and programs. Occasionally, OP also provides technical reviews of other agencies research and analyses. In addition, OP's Office of Federal Activities, engages early with the lead federal agency and supports CEQ for significant regulatory actions that require compliance with

National Environmental Policy Act via an Environmental Impact Statement (EIS). In so doing, EPA provides technical assistance, as needed, to help scope and develop the draft EIS, recommending ways to avoid and minimize impacts to improve environmental outcomes.

Children's Health

The Administrator of EPA and the Secretary of DHHS co-chair the President's Task Force on Environmental Health Risks and Safety Risks to Children. The Task Force comprises 17 federal departments, agencies and White House offices. A senior staff steering committee, co-chaired by the Director of EPA's Office of Children's Health Protection (OCHP), coordinates interagency cooperation on Task Force priority areas, including lead, asthma disparities, climate change, emergencies, and disasters. As part of this effort, OCHP coordinates with other agencies to improve government-wide support in implementing children's health legislative mandates and outreach, including providing children's environmental health expertise on interagency activities and coordinating EPA expertise. OCHP also coordinates with ATSDR to support provision of training and hands on consultations with doctors, nurses, and other medical professionals to address issues of potential exposures of children to environmental contaminants, such as lead and asthma triggers including mold and vermin. OCHP also works the Interagency Policy Council's groups on Maternal Health and Child Development, as well as with other federal agencies to address emerging risks to children's environmental health and supports federal interagency information exchange and cooperation, such as on lead and wildfires. This work supports not only Presidential Executive Order (EO) 13045: *Protection of Children from Environmental Health Risks and Safety Risks*, but also addresses climate change and environmental justice under Presidential EO 14008: *Tackling the Climate Crisis at Home and Abroad*.

Climate Adaptation and Resilience

Presidential EO 14008 on *Tackling the Climate Crisis at Home and Abroad* created the National Climate Task Force which facilitates the organization and deployment of a government-wide approach to combat the climate crisis. A key component of this is to increase resilience to the impacts of climate change and to protect public health; conserve our lands, waters, oceans, and biodiversity. EPA works with FEMA, DOT, DOI, NOAA, HUD, BIA, HHS, and many other agencies to ensure our programs, infrastructure investments, remedies and communities are resilient to the immediate and long-term impacts of the changing climate both within the task force and through the full breadth of partnership EPA has with OFAs. In June 2013, the White House Council on Native American Affairs was established by EO. In June 2021, a subgroup on Tribal Climate Adaptation was created, chaired by EPA, to enable a whole-of-government approach to supporting tribes as they anticipate, prepare for, adapt to, and recover from the devastating impacts of climate change. EPA participates in interagency efforts related to climate change and the Nation's coasts. EPA is engaging the NIST's Climate Resiliency Program to share experiences, expertise, and support areas of mutual interests.

Environmental Justice

Presidential EO 14008 on *Tackling the Climate Crisis at Home and Abroad* enhanced and expanded several important means of interagency coordination and collaboration related to

environmental justice. EO 14008 elevated the existing Interagency Working Group on Environmental Justice, formerly chaired by EPA, to the White House Environmental Justice Interagency Council (IAC), chaired by the CEQ. This executive order also established a White House Environmental Justice Advisory Council (WHEJAC) to provide advice and recommendations to the IAC and CEQ on environmental justice recommendations for the entirety of the executive branch of the federal government. The IAC will be the primary venue for inter-agency coordination of executive branch federal activities related to environmental justice. Through the Justice40 Initiative, also mandated in EO 14008, the IAC will work to achieve the goal that forty percent of federal benefits from certain federal programs flow to disadvantaged communities and will publish an annual public performance scorecard on implementation by federal agencies. The IAC will likewise coordinate recommendations on further updates to EO 12898 and provide leadership to interagency efforts to address current and historic environmental injustices. As stipulated in EO 14008, EPA will provide all support necessary for administration of the WHEJAC and is one of three agencies charged with providing support to CEQ for administration of the IAC. EPA also will play a prominent membership role within the IAC as a participating agency.

National Climate Task Force

The Administrator of EPA is a member of the National Climate Task Force. The Task Force shall facilitate the organization and deployment of a Government-wide approach to combat the climate crisis. This Task Force shall facilitate planning and implementation of key Federal actions to reduce climate pollution; increase resilience to the impacts of climate change; protect public health; conserve our lands, waters, oceans, and biodiversity; deliver environmental justice; and spur well-paying union jobs and economic growth. As necessary and appropriate, members of the Task Force will engage on these matters with state, local, tribal, and territorial governments; workers and communities; and leaders across the various sectors of our economy.

Community Revitalization and Sustainable Communities

OP participates in several Interagency Working Groups (IWG) and Interagency Policy Committees (IPC), including the Rural Prosperity IPC, Food Strategy IPC, and the Coal and Powerplant Communities IWG. These interagency efforts support improving community outcomes on a range of issues including climate resilience, economic transition, diversification, prosperity, and environmental protection. These work groups have grown out of recent executive orders and policy initiatives taken on by the Administration. OP works collaboratively with national program offices and EPA regions to support their involvement in these interagency efforts so that the full range of EPA equities are at the table and engaged to advance Administration priorities.

As part of the Coal and Power Communities Interagency Work group (IWG), OP is working closely with the eleven other federal agencies to support coal, oil and gas, and power plant communities to create good-paying union jobs, spur economic revitalization, remediate environmental degradation, and support energy workers. OP is actively participating in the IWG's working group activities, including community engagement, integration, policy, and investments. OP also is supporting the efforts of the IWG by engaging with EPA's regional offices (particularly

R3 and R5) as well as national programs to support the Administration's efforts to help coal and power plant communities transition their economies.

The EPA Administrator co-chairs a new Extreme Heat IWG and OP's Associate Administrator is co-leading the work group with colleagues from HHS and NOAA with over a dozen federal agencies and White House participation. OP also is working alongside OAR and OEJ to contribute knowledge and experience related to smart growth and green infrastructure on climate adaptation approaches to help communities reduce the occurrence and impact of extreme heat (advancing both climate adaptation and mitigation).

OP is working with EPA's Office of Air and Radiation, DOT, and DOE to explore interagency approaches that advance the Administration's priorities and Presidential commitments on electric vehicles. This work has a specific emphasis on helping communities distribute charging infrastructure equitably, in low-income neighborhoods in both rural and urban areas.

OP has several inter-agency efforts on priority projects funded through the American Rescue Plan. OP is working with DOT and HUD to ensure that infrastructure funding investments advance communities' visions and priorities. OP also is working with federal partners to advance community-level efforts to simultaneously advance community priorities climate goals. Both of these projects model the application of a community-driven approach to efficiently advance agencies' mission. They also demonstrate an effective way to advance the goals outlined in EO 14008 on addressing the climate crisis and environmental justice.

OP is the lead on EPA's Memorandum of Agreement with FEMA, which allows the two agencies to work together to help communities become safer, healthier, and more resilient. The agencies collaborate to help communities hit by disasters rebuild in ways that protect the environment, create long-term economic prosperity, and enhance neighborhoods. FEMA and EPA also help communities incorporate strategies, such as green infrastructure, into their hazard mitigation plans and direct development away from vulnerable areas. EPA and FEMA are using the lessons they learn from working together under this agreement and with other federal agencies to better coordinate assistance to communities on hazard mitigation planning, climate adaptation actions, and post-disaster recovery. OP coordinates closely with all 10 Regions and many National Programs on this partnership.

OP is using an interagency agreement with GSA to update the Smart Location Calculator to give the federal government more information to guide decisions about locating new federal investments. GSA and EPA also are collaborating on development and technical assistance around a new site selection support tool to help GSA and other federal agencies make decisions on where to site new government facilities informed by the cost local and state governments would likely incur to provide infrastructure and services. The tool will be based on known relationships between the built environment and the cost to provide infrastructure for a site and related costs for operation and maintenance over time. EPA also has historically coordinated with GSA on their Good Neighbor Program by helping communities leverage major federal investments, such as courthouses or ports of entry, to focus on downtown revitalization.

OP has in the past and continues to coordinate with agencies and departments that work in communities across the country. This has been through formal and semi-formal arrangements like the HUD-DOT-EPA Partnership for Sustainable Communities (PSC) and Strong Cities, Strong Communities (SC2). Further, OP has a number of Interagency Agreements (IA) and Memoranda of Agreements to partner with other agencies on technical assistance in areas like disaster recovery, capacity building at the community level, and economic revitalization that supports improved environmental and human health results. Partnering agencies include and have included: USDA (Rural Development, Forest Service, Agricultural Marketing Service), DOT, FEMA, GSA, HUD, HHS, Appalachian Regional Commission, Northern Border Regional Commission, Delta Regional Authority, and EDA. These agencies often participate in community workshops that OP offers through technical assistance programs such as: Local Foods, Local Places, Building Blocks, and Recreation Economy for Rural Communities.

Interagency Policy Committees

EPA participates in interagency groups and collaborates with federal partners on the implementation of Executive Orders including EO 14017 on *America's Supply Chains*, Climate Innovation, Climate and Economics, and the US-EU Summit on Trade and Technology Council. EPA is working with NSC, NEC, CEQ, DOC, DOE, DOD, State, and other agencies on supply chain issues associated with semiconductors, critical minerals, EV batteries, and other critical materials. EPA also actively participates on the Federal Permitting Improvement Steering Council, the White House Task Force on Worker Organizing and Empowerment and the Interagency Policy Committee (IPC) on Workforce Development and the White House Gender Policy Council.

Interagency Council on Statistical Policy

The Interagency Council on Statistical Policy (ICSP) is the coordinating body for the Federal Statistical System and plays a leading role in implementing the Evidence Act and advancing the Federal Data Strategy. The ICSP sets strategic goals for modernizing agency statistical practices and products and advances those goals through cross-agency collaborations on strategic initiatives. EPA will continue to work with the ICSP to advance the Federal statistics and availability of robust information to support evidence-based policy.

The Inspector General

Work with the Council of Inspectors General on Integrity and Efficiency (CIGIE)

EPA's Inspector General is a member of the Council of Inspectors General on Integrity and Efficiency (CIGIE), an organization comprised of federal Inspectors General (IGs), GAO, and the FBI. The CIGIE coordinates and improves the way IGs conduct audits, investigations, and internal operations. The CIGIE also promotes joint projects of government-wide interest and reports annually to the President on the collective performance of the IG community.

Activity Coordination, Information Exchange, and Training

EPA's OIG coordinates criminal investigative activities with other law enforcement organizations such as the FBI, Secret Service, and DOJ. In addition, the OIG participates with various inter-governmental audit forums and professional associations to exchange information, share best practices, and obtain or provide training. The OIG also promotes collaboration among EPA's partners and stakeholders in its participation of disaster response and its outreach activities.

Collaborative Work with Inspectors General and Other Partners

EPA's OIG initiates and participates in collaborative audits, program evaluations, and investigations with OIGs of agencies with an environmental mission such as the DOI, USDA, as well as other federal, state, and local law enforcement agencies as prescribed by the IG Act, as amended.

Statutory Duties

As required by the IG Act, EPA's OIG coordinates and shares information with the GAO. EPA's OIG currently serves as the Inspector General of the U.S. Chemical Safety and Hazard Investigations Board (CSB). EPA's OIG will continue to perform its duties with respect to the CSB until otherwise directed.

**Environmental Protection Agency
Acronyms for Statutory Authority**

The following is not an exhaustive list of [U.S.] statutory authorities but includes those commonly referred to by acronym in this document.

ACE: Air, Climate, and Energy

ADA: Americans with Disabilities Act

ADEA: Age Discrimination in Employment Act

AEA: Atomic Energy Act, as amended, and Reorganization Plan #3

AHERA: Asbestos Hazard Emergency Response Act

AHPA: Archaeological and Historic Preservation Act

AIM: American Innovation and Manufacturing Act of 2019

APA: Administrative Procedures Act

ARP: American Rescue Plan

ARRA: American Recovery and Reinvestment Act

ASHAA: Asbestos in Schools Hazard Abatement Act

ASTCA: Antarctic Science, Tourism, and Conservation Act

AWIA: America's Water Infrastructure Act of 2018

BEACH Act of 2000: Beaches Environmental Assessment and Coastal Health Act

BRERA: Brownfields Revitalization and Environmental Restoration Act

BUILD Act: Brownfields Utilization, Investment, and Local Development Act

CAA: Clean Air Act

CAAA: Clean Air Act Amendments (1970 and 1990)

CARES: Coronavirus Aid, Relief, and Economic Security Act

CCA: Clinger Cohen Act

CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act (1980)

CFOA: Chief Financial Officers Act

CICA: Competition in Contracting Act

CRA: Civil Rights Act

CSA: Computer Security Act

CWA: Clean Water Act (1972)

CWPPR: Coastal Wetlands Planning, Protection, and Restoration Act of 1990

CZARA: Coastal Zone Act Reauthorization Amendments

CZMA: Coastal Zone Management Act
DERA: Diesel Emissions Reduction Act
DPA: Deepwater Ports Act
DREAA: Disaster Relief and Emergency Assistance Act
DWWIA: Drinking Water and Wastewater Infrastructure Act of 2021
ECRA: Economic Cleanup Responsibility Act
EFOIA: Electronic Freedom of Information Act
EISA: Energy Independence and Security Act of 2007
EO: Executive Order
EPAct: Energy Policy Act of 2005
EPAA: Environmental Programs Assistance Act
EPCA: Energy Policy and Conservation Act
EPCRA: Emergency Planning and Community Right to Know Act (1986)
ERDDAA: Environmental Research, Development and Demonstration Authorization Act
ESA: Endangered Species Act
ESECA: Energy Supply and Environmental Coordination Act
FACA: Federal Advisory Committee Act
FAIR: Federal Activities Inventory Reform Act
FASA: Federal Acquisition Streamlining Act (1994)
FCMA: Fishery Conservation and Management Act
FEPCA: Federal Environmental Pesticide Control Act of 1972, enacted as amendments to FIFRA
FFATA: Federal Funding Accountability and Transparency Act of 2006
FFDCA: Federal Food, Drug, and Cosmetic Act
FFMIA: Federal Financial Management Improvement Act of 1996
FGCAA: Federal Grant and Cooperative Agreement Act
FIFRA: Federal Insecticide, Fungicide, and Rodenticide Act (1972)
FISMA: Federal Information Security Modernization Act
FITARA: Federal Information Technology Acquisition Reform Act
FLPMA: Federal Land Policy and Management Act
FMFIA: Federal Managers' Financial Integrity Act (1982)
FOIA: Freedom of Information Act
FPA: Federal Pesticide Act
FPAS: Federal Property and Administration Services Act

FQPA: Food Quality Protection Act (1996)
FRA: Federal Register Act
FSA: Food Security Act
FSMA: Food Safety Modernization Act
FTTA: Federal Technology Transfer Act
FUA: Fuel Use Act
FWCA: Fish and Wildlife Coordination Act
FWPCA: Federal Water Pollution and Control Act (also known as the Clean Water Act [CWA])
GISRA: Government Information Security Reform Act
GMRA: Government Management Reform Act
GPRA: Government Performance and Results Act (1993)
GPRAMA: Government Performance and Results Modernization Act of 2010
HMTA: Hazardous Materials Transportation Act
HSWA: Hazardous and Solid Waste Amendments of 1984, enacted as amendments to RCRA
IGA: Inspector General Act
IJA: Infrastructure Investment and Jobs Act
IPA: Intergovernmental Personnel Act
IPIA: Improper Payments Information Act
ISTEA: Intermodal Surface Transportation Efficiency Act
IT: Information Technology
ITMRA: Information Technology Management Reform Act of 1996-aka Clinger/Cohen Act
MCRBMA: Mercury-Containing and Rechargeable Battery Management Act
MGT: Modernizing Government Technology Act
MPPRCA: Marine Plastic Pollution, Research and Control Act of 1987
MPRSA: Marine Protection Research and Sanctuaries Act
NAWCA: North American Wetlands Conservation Act
NEEA: National Environmental Education Act
NEPA: National Environmental Policy Act
NHPA: National Historic Preservation Act
NISA: National Invasive Species Act of 1996
ODA: Ocean Dumping Act
OPA: Oil Pollution Act of 1990
OWBPA: Older Workers Benefit Protection Act

PBA: Public Building Act

PFCRA: Program Fraud Civil Remedies Act

PHSA: Public Health Service Act

PLIRRA: Pollution Liability Insurance and Risk Retention Act

PPA: Pollution Prevention Act

PR: Privacy Act of 1974

PRA: Paperwork Reduction Act

PREA: Pesticide Registration Extension Act of 2012 (also known as PRIA 3)

PRIA: Pesticide Registration Improvement Act of 2003

PRIA 4: Pesticide Registration Improvement Extension Act of 2018

PRIRA: Pesticide Registration Improvement Renewal Act

QCA: Quiet Communities Act

RCRA: Resource Conservation and Recovery Act of 1976, enacted as amendments to SWDA

RFA: Regulatory Flexibility Act

RICO: Racketeer Influenced and Corrupt Organizations Act

RLBPHRA: Residential Lead-Based Paint Hazard Reduction Act

SARA: Superfund Amendments and Reauthorization Act of 1986

SBLRBRERA: Small Business Liability Relief and Brownfields Revitalization and Environmental Restoration Act

SBREFA: Small Business Regulatory Enforcement Fairness Act of 1996

SDWA: Safe Drinking Water Act

SICEA: Steel Industry Compliance Extension Act

SMCRA: Surface Mining Control and Reclamation Act

SOS 2.0: Save Our Seas Act 2.0

SPA: Shore Protection Act of 1988

SWDA: Solid Waste Disposal Act

TSCA: Toxic Substances Control Act

UMRA: Unfunded Mandates Reform Act

UMTRLWA: Uranium Mill Tailings Radiation Land Withdrawal Act

USMCA: United States-Mexico-Canada Agreement Implementation Act

USTCA: Underground Storage Tank Compliance Act

VIDA: Vessel Incidental Discharge Act

WIFIA: Water Infrastructure Finance and Innovation Act

WIIN: Water Infrastructure Improvements for the Nation Act

WQA: Water Quality Act of 1987

WRDA: Water Resources Development Act

WSRA: Wild and Scenic Rivers Act

WWWQA: Wet Weather Water Quality Act of 2000

**Making Litigation Costs Transparent- Equal Access for Justice Act (EAJA)⁷
FY 2021**

Date of final fee agreement or court disposition	Case Name	Court	Case Number	Judge	Amount of Fees and/or Costs Paid	Source of Funds	Was amount negotiated or court ordered?	Recipients	Nature of Case and Findings Basis	Hourly Rate of Attorney⁸	Hourly Rate of Expert Witness
8/13/2021	<i>Californians for Renewable Energy, et al. v. EPA</i>	<i>U.S. District Court for the Northern District of California Oakland Division</i>	4:15-cv-03292-SBA	Judge Saundra B. Armstrong	\$850,000	EPA Appropriations	Negotiated	Earthjustice	Five claims of unreasonable delay/agency action unlawfully withheld for failure to meet the regulatory deadline and one claim alleging a pattern and practice of unreasonable delay/agency action unlawfully withheld under §706(1) of the Administrative Procedures Act (APA). Failure to meet regulatory deadline found to be unreasonable delay/agency action unlawfully withheld.	N/A	None
7/26/2021	<i>Physicians for Social Responsibility, et al. v. EPA</i>	<i>U.S. District Court for the District of Columbia</i>	1:17-cv-02742	Judge Trevor N. McFadden	\$126,916	EPA Appropriations	Negotiated	Earthjustice	Plaintiffs' claimed that the Administrator's October 31, 2017 Directive banning EPA grant recipients from serving on EPA advisory committees is arbitrary and capricious and violates uniform federal ethics requirements issued by the Office of Government Ethics, FACA, and EPA statutes defining membership requirements on EPA federal advisory committees. Directive: (1) is reviewable under the APA because FACA's implementing regulations provide	N/A	None

⁷ In the FY 2019 Explanatory Statement accompanying the Consolidated Appropriations Act, 2019 (P.L. 116-6), the House and Senate Committees on Appropriations requested Department of Interior, EPA, and the Forest Service make publicly available the EAJA fee information as specified in the explanatory statement accompanying Division G of the Consolidated Appropriations Act, 2017 (P.L. 115-31).

⁸ In prior reports, EPA included the hourly rates used in the plaintiffs' fee requests. However, EPA has concluded that it is not accurate to link rates from initial fee applications to the lump-sum amounts when final EAJA fees are the result of negotiated settlements (as is the case with all of the entries in this spreadsheet). In those situations, it is not possible to determine the hourly rates implicated in the final EAJA payments.

Date of final fee agreement or court disposition	Case Name	Court	Case Number	Judge	Amount of Fees and/or Costs Paid	Source of Funds	Was amount negotiated or court ordered?	Recipients	Nature of Case and Findings Basis	Hourly Rate of Attorney ⁸	Hourly Rate of Expert Witness
									law to apply; (2) is not contrary to law merely because it differs from the OGE uniform federal ethics regulations; (3) is arbitrary and capricious because it did not provide a reasoned explanation for EPA's change in policy; and (4) is a supplemental agency ethics regulation and therefore should have undergone the supplementation process outlined in the OGE regulations.		
8/30/2021	<i>Sierra Club v. Pirzadeh</i>	<i>United States District Court, Western District of Washington</i>	2:11-cv-01759	Judge Barbara J. Rothstein	\$89,950	EPA Appropriations	Negotiated	Sierra Club and Center for Environmental Law and Policy	Alleging arbitrary and capricious action in consideration of whether "constructive submission" had occurred with respect to a TMDL for PCBs in the Spokane River. Matter remanded to EPA with instructions to develop a plan and schedule for development of a TMDL.	N/A	None
7/30/2021	<i>San Francisco Baykeeper, et al. v. EPA, et al.</i>	<i>U.S. District Court for the Northern District of California</i>	3:19-cv-05941	Judge William H. Alsup	\$416,913	EPA Appropriations	Negotiated	Cotchett, Pitre & McCarthy, LLP	Plaintiffs challenged EPA's special-case Clean Water Act jurisdictional determination dated March 1, 2019, for the Redwood City Salt Plant site as arbitrary, capricious, or contrary to law under the Administrative Procedure Act. Plaintiffs brought a single claim for relief, challenging EPA's negative jurisdictional determination under the Clean Water Act for the Redwood City salt ponds and asking this Court to vacate and set aside that decision. The district Court granted Plaintiffs' motion for summary judgment on that claim and denied EPA and intervenors' motion. In ruling for Plaintiffs, this Court held that EPA had erroneously applied the	N/A	None

Date of final fee agreement or court disposition	Case Name	Court	Case Number	Judge	Amount of Fees and/or Costs Paid	Source of Funds	Was amount negotiated or court ordered?	Recipients	Nature of Case and Findings Basis	Hourly Rate of Attorney ⁸	Hourly Rate of Expert Witness
									law and vacated and remanded the jurisdictional determination.		
7/30/2021	<i>San Francisco Baykeeper, et al. v. EPA, et al.</i>	<i>U.S. District Court for the Northern District of California</i>	3:19-cv-05941	Judge William H. Alsup	\$214,980	EPA Appropriations	Negotiated	Earthrise Law Center	Plaintiffs challenged EPA's special-case Clean Water Act jurisdictional determination dated March 1, 2019, for the Redwood City Salt Plant site as arbitrary, capricious, or contrary to law under the Administrative Procedure Act. Plaintiffs brought a single claim for relief, challenging EPA's negative jurisdictional determination under the Clean Water Act for the Redwood City salt ponds and asking this Court to vacate and set aside that decision. The district Court granted Plaintiffs' motion for summary judgment on that claim and denied EPA and intervenors' motion. In ruling for Plaintiffs, this Court held that EPA had erroneously applied the law and vacated and remanded the jurisdictional determination.	N/A	None
7/30/2021	<i>San Francisco Baykeeper, et al. v. EPA, et al.</i>	<i>U.S. District Court for the Northern District of California</i>	3:19-cv-05941	Judge William H. Alsup	\$64,400	EPA Appropriations	Negotiated	San Francisco Baykeeper	Plaintiffs challenged EPA's special-case Clean Water Act jurisdictional determination dated March 1, 2019, for the Redwood City Salt Plant site as arbitrary, capricious, or contrary to law under the Administrative Procedure Act. Plaintiffs brought a single claim for relief, challenging EPA's negative jurisdictional determination under the Clean Water Act for the Redwood City salt ponds and asking this Court to vacate and set aside that decision. The district Court granted Plaintiffs' motion for summary judgment on that claim and denied EPA and	N/A	None

Date of final fee agreement or court disposition	Case Name	Court	Case Number	Judge	Amount of Fees and/or Costs Paid	Source of Funds	Was amount negotiated or court ordered?	Recipients	Nature of Case and Findings Basis	Hourly Rate of Attorney ⁸	Hourly Rate of Expert Witness
									intervenor's motion. In ruling for Plaintiffs, this Court held that EPA had erroneously applied the law and vacated and remanded the jurisdictional determination.		
2/24/2021	<i>Friends of Animals v. Pruitt, et al.</i>	<i>U.S. District Court for the District of Oregon Pendleton Division</i>	2:17-cv-01410	Magistrate Judge Patricia Sullivan	\$87,000	EPA Appropriations	Negotiated	Friends of Animals	Plaintiffs challenged EPA's 2016 denial of their 2015 petition to initiate special review for a horse contraceptive pesticide product (Zona-Stat-H), as arbitrary and capricious. The court found that EPA's petition denial was arbitrary and capricious in that it did not adequately respond to Plaintiff's allegations based on 40 CFR 154.7(a)(6), which permits SR if the pesticide "[m]ay otherwise pose a risk to humans or to the environment which is of sufficient magnitude to merit" SR. The court also found it impermissible for EPA to defer to wild horse managers to determine whether and when to use Zona-Stat-H as a basis for considering the criteria in 40 CFR 154.7(a)(6), and remanded the case back to EPA.	N/A	None

FY 2023 Congressional Justification Estimated Resources and FTE for Environmental Justice Program¹			
Dollar in Thousands			
Appropriation	Program Activities	FY 2023 CJ Estimated Resources²	FY 2023 CJ Estimated FTE
EPM	HQ Environmental Justice (EJ) Program Management and Coordination ³	\$101,537.0	92.3
EPM	EJSCREEN	\$5,900.0	4.0
EPM	White House (WH) EJ Inter-Agency Council (formerly EJ IWG) Support and EJ coordination with Other Federal Agencies	\$3,000.0	3.0
EPM	National EJ Advisory Council/WHEJ Advisory Council Support, and Climate EJ Advisory Council	\$4,000.0	5.0
EPM	Environmental Justice Competitive Grant Program ⁴	\$50,000.0	5.0
EPM	Environmental Justice Community Grant Program ⁵	\$25,000.0	3.0
EPM	Environmental Justice State Grant Program	\$25,000.0	3.0
EPM	Tribal Environmental Justice Grant Program	\$25,000.0	3.0
EPM	Community-based Participatory Research Grant Program	\$15,000.0	2.0
EPM	Environmental Justice Training Program	\$10,000.0	3.0
EPM	Environmental Justice Clearinghouse	\$5,000.0	3.0
EPM	Environmental Justice Legal Support	\$4,000.0	3.0
EPM	Regional Outreach Centers	\$10,000.0	12.0
EPM	Regional Resources for Environmental Justice Program	\$11,501.0	65.1
<i>Subtotal of EPM Environmental Justice Resources and FTE</i>		<i>\$294,938.0</i>	<i>206.4</i>
Superfund	Superfund Environmental Justice Program Coordination	\$5,876.0	5.5
<i>Subtotal of Superfund Environmental Justice Resources and FTE</i>		<i>\$5,876.0</i>	<i>5.5</i>
Total FY 2023 CJ Estimated Resources and FTE for Environmental Justice Program		\$300,814.0	211.9
¹ The Explanatory Statement accompanying the Consolidated Appropriations Act, 2021 instructs EPA to provide "allocations for each component of funding for environmental justice programs". Please see page 228: https://www.govinfo.gov/content/pkg/CREC-2020-12-21/pdf/CREC-2020-12-21-house-bk4.pdf .			
² Estimated program activity resources include both payroll and non-payroll resources.			
³ The former Agency Technical Assistance, Research, Training, Education, and Communication program activity has been incorporated into the HQ Environmental Justice (EJ) Program Management and Coordination program activity.			
⁴ The Environmental Justice Collaborative Problem-Solving Cooperative Agreements has been renamed as the Environmental Justice Competitive Grant Program.			
⁵ The Environmental Justice Small Grants has been renamed as the Environmental Justice Community Grant Program.			

EPA Budget by National Program Manager and Major Office

Dollars in Thousands

		FY 2023 President's Budget			
NPM	Major Office	Pay (\$K)	Non-Pay (\$K)	Total (\$K)	FTE
OA	Immediate Office	\$7,687	\$6,431	\$14,118	46.5
	Office of Congressional and Intergovernmental Relations	\$8,174	\$902	\$9,076	44.2
	Office of Public Affairs	\$5,803	\$322	\$6,124	30.5
	Office of Public Engagement	\$1,201	\$83	\$1,284	8.0
	Office of Policy	\$29,121	\$22,999	\$52,120	160.1
	Children's Health Protection	\$2,678	\$2,454	\$5,131	13.1
	Environmental Education	\$970	\$7,055	\$8,024	5.2
	Office of Civil Rights	\$3,433	\$473	\$3,906	20.9
	Executive Secretariat	\$3,915	\$149	\$4,064	20.1
	Executive Services	\$3,041	\$318	\$3,359	14.9
	Homeland Security	\$2,546	\$508	\$3,054	12.3
	Science Advisory Board	\$3,294	\$736	\$4,030	18.7
	Small and Disadvantaged Business Utilization	\$2,027	\$1,118	\$3,145	9.7
	Regional Resources	\$46,658	\$24,413	\$71,071	259.9
	OA TOTAL		\$120,547	\$67,960	\$188,507
OEJ	Immediate Office	\$476	\$1,220	\$1,696	1.0
	Environmental Justice	\$21,465	\$264,137	\$285,602	133.8
	Civil Rights Compliance	\$5,945	\$2,100	\$8,045	31.9
	Regional Resources	\$20,750	\$2,144	\$22,894	122.9
	OEJ TOTAL		\$48,636	\$269,601	\$318,237
OAR	Immediate Office	\$10,878	\$217,431	\$228,309	57.7
	Office of Air Quality Planning and Standards	\$73,048	\$176,467	\$249,516	411.0
	Office of Atmospheric Programs	\$49,562	\$119,058	\$168,620	272.4
	Office of Transportation and Air Quality	\$72,380	\$236,951	\$309,331	380.3
	Office of Radiation and Indoor Air	\$35,469	\$22,260	\$57,729	195.4
	Regional Resources	\$118,163	\$195,783	\$313,946	676.4
	OAR TOTAL		\$359,501	\$967,951	\$1,327,452
OCFO	Immediate Office	\$2,041	\$5,026	\$7,067	11.0
	Office of Budget	\$7,884	\$2,526	\$10,410	43.0
	Office of Planning, Analysis and Accountability	\$4,638	\$295	\$4,933	25.5
	Office of Technology Solutions	\$9,350	\$25,209	\$34,559	50.5
	Office of Resource and Information Management	\$2,690	\$5,254	\$7,944	14.8
	Office of the Controller	\$25,471	\$2,109	\$27,580	135.4
	OCFO eEnterprise	\$1,211	\$549	\$1,761	5.0
	Office of Continuous Improvement	\$2,241	\$451	\$2,692	10.0
	Regional Resources	\$34,820	\$2,267	\$37,087	206.3
OCFO TOTAL		\$90,346	\$43,687	\$134,033	501.5
OCSPP	Immediate Office	\$2,402	\$1,227	\$3,628	12.0
	Office of Pesticide Programs	\$63,479	\$26,576	\$90,055	349.0
	Office of Pollution Prevention and Toxics	\$82,893	\$53,861	\$136,754	495.5
	Office of Program Support	\$35,604	\$3,271	\$38,875	183.0
	Regional Resources	\$25,090	\$44,868	\$69,958	151.8
	OCSPP TOTAL		\$209,467	\$129,803	\$339,270

		FY 2023 President's Budget			
NPM	Major Office	Pay (\$K)	Non-Pay (\$K)	Total (\$K)	FTE
OECA	Immediate Office	\$7,117	\$2,957	\$10,074	42.9
	Office of Civil Enforcement	\$27,271	\$23,441	\$50,713	131.2
	Office of Criminal Enforcement, Forensics, and Training	\$70,736	\$10,698	\$81,434	336.1
	Office of Compliance	\$22,897	\$57,172	\$80,069	120.2
	Federal Facilities Enforcement Office	\$2,967	\$1,257	\$4,224	15.4
	Office of Site Remediation Enforcement	\$14,301	\$23,139	\$37,440	70.5
	Regional Resources	\$320,116	\$58,576	\$378,692	1,844.4
	OECA TOTAL	\$465,406	\$177,240	\$642,646	2,560.7
OGC	Immediate Office	\$3,920	\$81	\$4,001	17.2
	Air and Radiation Law Office	\$11,769	\$23	\$11,792	48.0
	Pesticides and Toxic Substances Law Office	\$4,710	\$16	\$4,726	22.5
	Solid Waste and Emergency Response Law Office	\$5,438	\$218	\$5,656	23.0
	Water Law Office	\$5,889	\$143	\$6,032	24.0
	Civil Rights - Title VI	\$0	\$0	\$0	0.0
	Other Legal Support	\$20,317	\$10,877	\$31,194	93.5
	Regional Resources	\$35,166	\$762	\$35,928	159.9
OGC TOTAL	\$87,209	\$12,120	\$99,329	388.1	
OIG	Immediate Office	\$836	\$197	\$1,033	5.0
	Office of Chief of Staff	\$2,640	\$623	\$3,263	16.0
	Office of Counsel	\$4,014	\$948	\$4,962	24.0
	Office of Management	\$6,874	\$1,623	\$8,497	41.0
	Office of Audit	\$21,271	\$4,973	\$26,243	113.0
	Office of Evaluations	\$9,514	\$2,246	\$11,760	43.0
	Office of Investigations	\$9,844	\$2,324	\$12,168	59.0
	OIG TOTAL	\$54,992	\$12,935	\$67,927	301.0
OITA	Immediate Office	\$973	\$142	\$1,115	5.0
	Office of International Affairs	\$8,732	\$5,930	\$14,662	44.0
	Office of Management and International Services	\$2,494	\$779	\$3,273	12.8
	American Indian Environmental Office	\$3,741	\$619	\$4,360	19.3
	Regional Resources	\$13,421	\$85,776	\$99,197	78.6
	OITA TOTAL	\$29,361	\$93,246	\$122,607	159.7
OLEM	Immediate Office	\$8,730	\$5,181	\$13,911	40.8
	Federal Facilities Restoration and Reuse Office	\$3,188	\$7,405	\$10,593	16.2
	Office of Communication, Partnership, and Analysis	\$2,538	\$1,555	\$4,093	13.8
	Office of Superfund Remediation and Technology Innovation	\$27,393	\$116,276	\$143,669	144.3
	Office of Resource Conservation and Recovery	\$27,085	\$30,768	\$57,853	147.0
	Office of Underground Storage Tanks	\$4,055	\$3,175	\$7,229	22.6
	Office of Brownfields and Land Revitalization	\$2,939	\$13,215	\$16,154	16.6
	Office of Emergency Management	\$14,301	\$41,542	\$55,842	72.8
	Office of Mountains, Deserts, and Plains	\$886	\$0	\$886	4.0
	Regional Resources	\$303,822	\$704,320	\$1,008,142	1,738.0
OLEM TOTAL	\$394,937	\$923,437	\$1,318,374	2,216.1	

		FY 2023 President's Budget			
NPM	Major Office	Pay (\$K)	Non-Pay (\$K)	Total (\$K)	FTE
OMS	Immediate Office	\$15,797	\$57,760	\$73,558	89.6
	Environmental Appeals Board	\$3,375	\$163	\$3,538	15.0
	Administrative Law Judges	\$2,239	\$161	\$2,400	11.0
	Office of Human Resources	\$30,465	\$9,240	\$39,705	153.7
	OARM - Research Triangle Park	\$15,742	\$27,324	\$43,066	100.0
	Office of Grants and Debarment	\$15,948	\$4,317	\$20,265	87.0
	OARM - Cincinnati	\$10,960	\$8,505	\$19,464	70.0
	Office of Administration	\$21,878	\$351,961	\$373,840	97.5
	Office of Acquisition Solutions	\$43,926	\$6,647	\$50,573	248.1
	Office of Enterprise Information Programs	\$7,973	\$7,867	\$15,841	40.1
	Office of Information Management	\$11,543	\$33,472	\$45,015	58.7
	Office of Digital Services & Technical Architecture	\$4,437	\$1,655	\$6,093	23.0
	Office of Customer Advocacy, Policy & Portfolio Management	\$5,827	\$2,076	\$7,903	31.0
	Office of Information Security & Privacy	\$3,566	\$27,955	\$31,522	18.1
	Office of Information Technology Operations	\$2,036	\$12,189	\$14,225	9.7
	Regional Resources	\$91,785	\$52,587	\$144,372	508.3
	OMS TOTAL	\$287,499	\$603,880	\$891,379	1,560.8
ORD	ORD Headquarters	\$45,922	\$74,230	\$120,152	256.2
	Center for Computational Toxicology & Exposure	\$46,701	\$35,725	\$82,425	261.6
	Center for Environmental Measurements & Modeling	\$70,850	\$47,962	\$118,811	394.9
	Center for Public Health & Environmental Assessment	\$71,944	\$44,423	\$116,367	397.5
	Center for Environmental Solutions & Emergency	\$46,251	\$38,505	\$84,756	259.5
	Office of Science Advisor, Policy and Engagement	\$13,016	\$51,572	\$64,588	72.6
	Regional Resources	\$34,904	\$21,990	\$56,894	209.5
	ORD TOTAL	\$329,587	\$314,406	\$643,993	1,851.8
OW	Immediate Office	\$13,000	\$11,839	\$24,839	64.8
	Office of Ground Water and Drinking Water	\$41,520	\$234,418	\$275,938	228.8
	Office of Science and Technology	\$25,002	\$43,418	\$68,421	127.6
	Office of Wastewater Management	\$38,724	\$647,099	\$685,823	213.6
	Office of Wetlands, Oceans and Watersheds	\$22,433	\$63,286	\$85,719	116.3
	Regional Resources	\$220,842	\$4,425,505	\$4,646,347	1,309.6
	OW TOTAL	\$361,522	\$5,425,565	\$5,787,087	2,060.7
	Subtotal Agency Resources	\$2,839,010	\$9,041,831	\$11,880,841	15,738.6
	Less Rescission of Prior Year Funds	\$0	\$0	\$0	0.0
	Reimbursable FTE	---	---	---	465.5
	Total Agency Resources	\$2,839,010	\$9,041,831	\$11,880,841	16,204.1

EPA User Fee Programs

In FY 2023, EPA will have several user fee programs in operation. These user fee programs and proposals are referenced below. EPA will continue to review whether fees should be assessed for programs that provide special benefits to recipients beyond those that accrue to the general public, in accordance with OMB Circular A-25.

Current Fees: Pesticides

Fee collection authority exists under the Federal Insecticide, Fungicide, and Rodenticide Act of 1988, as amended by the Pesticide Registration Improvement Extension Act of 2018 (P. L. 116-8) (“PRIA-4”), which was passed in March 2019. PRIA-4 reauthorizes these fee authorities through Fiscal Year 2023 and adjusts fee amounts for certain registration activities.

- **Pesticides Maintenance Fee (7 U.S.C. §136a-1(i))**

The Maintenance Fee provides funding for the registration review programs and a certain percentage supports the processing of applications involving inert ingredients and expedited processing of some applications, such as fast track amendments. PRIA-4 reauthorizes collection of this fee through FY 2023 and raises the collection target by \$3.2 million to an average collection of \$31 million over five years of PRIA-4 authorization.

- **Enhanced Registration Services (7 U.S.C. §136w-8(b))**

Entities seeking to register pesticides for use in the United States pay a fee at the time the registration action request is submitted to EPA, setting specific timeframes for the registration decision service. This process has introduced new pesticides to the market more quickly. PRIA-4 reauthorizes collection of these fees through FY 2023 and adjusts fee amounts for certain types of registrations. In FY 2023, EPA expects to collect approximately \$20 million from this fee program.

Current Fees: Other

- **Clean Air Part 71 Operating Permits Program**

Title 40 CFR Part 71 § 71.9 authorizes and establishes requirements for the Clean Air Part 71 program - a comprehensive Federal air quality operating permit program for air pollution control agencies that do not have a delegated Title V program on charging and collecting user fees, as required by Section 502(b)(3) of the Clean Air Act. All sources subject to the operating permit requirements of Title V shall have a permit to operate that assures compliance with all applicable requirements. The owners or operators shall pay annual fees that are sufficient to cover the permit program costs, in accordance with the procedures described in this section.

- **Service Fees for the Administration of the Toxic Substances Control Act (TSCA Fees Rule)**

On June 22, 2016, the “Frank R. Lautenberg Chemical Safety for the 21st Century Act” (P.L. 114-182) was signed into law, amending numerous sections of TSCA, including providing authority for the establishment of a new, broader TSCA User Fee program that replaces and expands the former Section 5 Pre-Manufacturing Notification Fee. Section 26 of TSCA authorizes EPA to collect user fees to offset 25 percent of the Agency’s full costs for implementing TSCA Sections 4, 5, 6, and 14.⁹ Fees are charged for: issuance of Test Orders, Test Rules and Enforceable Consent Agreements under TSCA Section 4; submission of Pre-Manufacturing Notices, Significant New Use Notices and Microbial Commercial Activity Notices and certain submissions for exemptions under TSCA Section 5; and development of EPA-Initiated Risk Evaluations and Manufacturer-Requested Risk Evaluations (MRREs) under TSCA Section 6.

EPA promulgated the TSCA User Fee Rule in October 2018¹⁰ and collected \$2.79 million in fee revenue in FY 2019 from Section 5 submissions. In FY 2020, the Agency collected \$3.09 million in fee revenue from Section 5 submissions as well as \$2.5 million from two Section 6 MRREs for chemicals within the TSCA Work Plan (Di-isodecyl Phthalate [DIDP] and Diisononyl Phthalate [DINP]). In FY 2021, the Agency collected \$28.65 million: \$3.35 million from Section 5, \$24.05 million from 19 of the 20 Section 6 EPA-Initiated Risk Evaluations, and \$1.25 million from one Section 6 MRRE for a TSCA Work Plan chemical (Octamethylcyclotetrasiloxane [D4]). (The Agency invoiced \$88.2 thousand for Section 4 Test Orders in FY 2020 and FY 2021, but did not start receiving submissions until FY 2022.) Because nearly \$17 million of the collections for the 19 Section 6 Risk Evaluations was not due to be paid until September 2, 2021, those funds were not accessible to EPA until early FY 2022. EPA expects to collect approximately \$5.0 million in FY 2022 (\$1.6 million from the remaining Section 6 EPA-Initiated Risk Evaluations invoices and \$3.4 million from Section 5 submissions and Section 4 Test Orders) and \$4.65 million in FY 2023 (\$3.4 million in Section 5 submissions and Section 4 Test Orders and an additional amount from one TSCA Section 6 Manufacturer-Requested Risk Evaluation at \$1.25 million if the MRRE request is granted), all subject to potential fee level changes. EPA will allocate FY 2021 Section 6 collections over the risk evaluation lifecycle (3-3.5 years). TSCA requires EPA to update the Fees every three years.¹¹ Fees collected/projected to be collected in FY 2019 through FY 2021 equated to approximately 14 percent of associated expenditures for those three fiscal years, below the 25 percent target. EPA proposed revisions to the fee rule in December 2020, but plans to re-propose in light of public comments.

- **Motor Vehicle and Engine Compliance Program Fee**

This fee is authorized by the Clean Air Act of 1990 and is administered by the Office of Transportation and Air Quality. Fee collections for manufacturers of light-duty vehicles, light- and heavy-duty trucks, and motorcycles began in August 1992. In 2004, EPA promulgated a rule that updated existing fees and established fees for newly regulated vehicles and engines. The fees established for new compliance programs are paid by manufacturers of heavy-duty and nonroad

⁹ TSCA, as amended by the Frank R. Lautenberg Chemical Safety for the 21st Century Act, Section 26(b)(1) and (4)

¹⁰ <https://www.epa.gov/tsc-fees/fees-administration-toxic-substances-control-act>

¹¹ <https://www.epa.gov/tsc-fees/fees-administration-toxic-substances-control-act>

vehicles and engines, including large diesel and gas equipment (earthmovers, tractors, forklifts, compressors, etc.), handheld and non-handheld utility engines (chainsaws, weed-whackers, leaf-blowers, lawnmowers, tillers, etc.), marine (boat motors, watercraft, jet-skis), locomotive, aircraft and recreational vehicles (off-road motorcycles, all-terrain vehicles, snowmobiles) for in-use testing and certification. In 2009, EPA added fees for evaporative emissions requirements for nonroad engines. EPA intends to apply certification fees to additional industry sectors as new programs are developed. In FY 2023, EPA expects to collect approximately \$23.7 million from this fee program based upon a projection of the original rulemaking cost study adjusted for inflation.

- **Hazardous Waste Electronic Manifest**

The Hazardous Waste Electronic Manifest Establishment Act (P. L. 112-195) provides EPA with the authority to establish a program to finance, develop, and operate a system for the electronic submission of hazardous waste manifests supported by user fees. In accordance with the Act, EPA established the e-Manifest program. EPA finalized the user fee rule, *Hazardous Waste Management System: User Fees for the Electronic Hazardous Waste Manifest System and Amendments to Manifest Regulations*, in December 2017, and the e-Manifest system launched in June 2018.

In FY 2023, EPA will continue to operate the e-Manifest system and the Agency anticipates collecting and depositing approximately \$26.6 million in e-Manifest user fees into the Hazardous Waste Electronic Manifest System Fund. Based upon authority to collect and spend e-Manifest fees provided by Congress in annual appropriations bills, the fees will fully support the e-Manifest program, including the operation of the system, necessary program expenses, and future development costs.

- **Water Infrastructure Finance and Innovation Program Account (WIFIA) Program Fees**

The FY 2023 Budget requests authorization for the Administrator to collect and obligate fees established in accordance with Title V, Subtitle C, Sections 5029 and 5030 of Public Law 113-121, the Water Resources Reform and Development Act of 2014. These funds shall be deposited in the Water Infrastructure Finance and Innovation Program Account (WIFIA) and remain available until expended. WIFIA fee regulations were first promulgated in FY 2017. Fee revenue will be used for the cost of contracting with expert services such as financial advisory, legal advisory, and engineering firms.

The requested WIFIA program fee expenditure authority would be in addition to the \$8 million request for administrative and operations expenses. Fee revenue does not take the place of the request for WIFIA administration. The appropriated administrative level and the anticipated fee revenue are both needed to successfully implement the WIFIA program. In FY 2023, EPA estimates that \$10 million in WIFIA fees could be collected.

Fee Proposals: Other

- **FIFRA and PRIA Fee Spending Restrictions**

Current statutory language in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Pesticide Registration Improvement Act (PRIA) restricts what activities EPA can fund from collections deposited in the Reregistration and Expedited Processing Revolving Fund and Pesticide Registration Fund. The FY 2023 request carries forward the proposed statutory language from the FY 2022 President's Budget to expand the range of activities that may be funded with these fees. Language for pesticide registration service fees is included in the proposed Administrative Provisions; since pesticide maintenance fees are mandatory, separate language has been prepared for those fees that will be transmitted at a later date.

Expected Benefits of E-Government Initiatives

eRulemaking

The eRulemaking Line of Business is designed to: enhance public access and participation in the regulatory process through electronic systems; reduce the burden on citizens and businesses in finding relevant regulations and commenting on proposed rulemaking actions; consolidate redundant docket systems; and improve agency regulatory processes and the timeliness of regulatory decisions. EPA has served as the managing partner for this Line of Business; however, in FY 2020, EPA transferred management services to the General Services Administration (GSA). EPA continues to be involved as a partner agency.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2021	020-99-99-99-99-0060-24	\$1,063.0
2022	020-99-99-99-99-0060-24	\$1,330.0
2023	020-99-99-99-99-0060-24	\$1,380.0

Geospatial Line of Business

The Geospatial Line of Business is an intergovernmental project to improve the ability of the public and government to use geospatial information to support the business of government and facilitate decision-making. This initiative reduces costs and improves agency operations in several areas.

With the implementation of the National Spatial Data Infrastructure Strategic Plan, the geospatial data sets known as National Geospatial Data Assets (NDGA) and associated analytical services have become available on the National Geospatial Platform. These additional datasets and services are easily accessible by federal agencies, their partners, and stakeholders. EPA uses the National Geospatial Platform to obtain data and services for internal analytical purposes as well as to publish outward-facing geospatial capabilities to the public.

While the Department of the Interior is the managing partner, EPA is a leader in developing the vision and operational plans for the implementation of the Geospatial Data Act as well as OMB guidance on Coordination of Geographic Information and Related Spatial Data Activities and the National Geospatial Platform which incorporates many national geospatial data and analytical services for federal agencies, their partners, and stakeholders. EPA is expected to contribute to the operation of the National Geospatial Platform in FY 2023. The intent is to reduce base costs by providing an opportunity for EPA and other agencies to share approaches on procurement consolidation and include shared services for hosting geospatial data, services, and applications.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-99-99-99-99-3100-24	\$225.0
2022	020-99-99-99-99-3100-24	\$225.0
2023	020-99-99-99-99-3100-24	\$225.0

Financial Management Line of Business

The Financial Management Line of Business (FM LoB) is a multi-agency effort whose goals include achieving process improvements and cost savings in the acquisition, development, implementation, and operation of financial management systems. By incorporating the same FM LoB-standard processes as those used by central agency systems, interfaces among financial systems are streamlined, and the quality of information available for decision-making is improved.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-00-01-01-04-1100-24	\$96.0
2022	020-00-01-01-04-1100-24	\$96.0
2023	020-00-01-01-04-1100-24	\$96.0

Grants.gov

The Grants.gov initiative benefits EPA and its grant programs by providing a single location to publish grant opportunities and application packages, and by providing a single site for the grants community to apply for grants using common forms, processes, and systems. EPA believes that the central site raises the visibility of its grant opportunities to a wider diversity of applicants.

The grants community benefits from savings in postal costs, paper, and envelopes. Applicants save time in searching for agency grant opportunities and in learning the application systems of various agencies. In order to streamline the application process, EPA offers Grants.gov application packages for mandatory state grants (i.e., Continuing Environmental Program Grants).

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-00-04-00-04-0160-24	\$335.0
2022	020-00-04-00-04-0160-24	\$347.0
2023	020-00-04-00-04-0160-24	\$262.0

Budget Formulation and Execution Line of Business

The Budget Formulation and Execution Line of Business (BFELoB) allows EPA and other agencies to access budget-related benefits and services. The Agency has the option to implement LoB-sponsored tools, training, and services.

EPA has benefited from the BFELoB by sharing valuable information on how systems and software being developed by the LoB have enhanced work processes. This effort has created a

government-only capability for electronic collaboration (Wiki) in which the Budget Community website allows EPA to share budget information internally, with OMB, and with other federal agencies. The Agency also made contributions to the Human Capital Workgroup, participating in development of online training modules for budget activities – a valuable resource to all agency budget staff. The LoB has developed the capability to have secure, virtual online meetings where participants can view budget-related presentations from their workspace and participate in the discussion through a conference line. The LoB provides regularly scheduled symposia as an additional forum for EPA budget employees.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-99-99-99-99-3200-24	\$120.0
2022	020-99-99-99-99-3200-24	\$120.0
2023	020-99-99-99-99-3200-24	\$120.0

Federal Human Resources Line of Business

OPM’s Human Resources Line of Business (HR LoB) provides the federal government the infrastructure to support pay-for-performance systems, modernized HR systems, and the core functionality necessary for the strategic management of human capital.

The OPM HR LoB offers common solutions that enable federal departments and agencies to work more effectively, and to provide managers and executives across the federal government an improved means to meet strategic objectives. EPA will benefit by supporting an effective program management activity which evaluates provider performance, customer satisfaction, and compliance with program goals, on an ongoing basis.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-00-01-16-04-1200-24	\$68.0
2022	020-00-01-16-04-1200-24	\$69.0
2023	020-00-01-16-04-1200-24	\$69.0

Hiring Assessment Line of Business

The Hiring Assessment Line of Business (Hiring LoB) supports developing, promoting, testing, and scaling additional processes and technology in support of assessment processes and related hiring improvements, including government-wide hiring actions and shared certificates. In FY 2022, EPA will create a talent team to help implement data-driven assessment strategies to improve selection outcomes, to share new approaches and best practices, and to identify government-wide implementation challenges. Together, talent teams and the Hiring LoB will create a multi-level effort focused on improving hiring outcomes, both within agencies and across government.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-00-01-16-04-1200-24	\$0.0
2022	020-00-01-16-04-1200-24	\$66.0
2023	020-00-01-16-04-1200-24	\$66.0

Integrated Acquisition Environment

The Integrated Acquisition Environment (IAE) is comprised of a number of government-wide automated applications and/or databases that streamline the acquisition business process across the government and support EPA's contracting and grants programs. In FY 2012, GSA began the process of consolidating the systems into one central repository called the System for Award Management (SAM). Until the consolidation is complete, EPA leverages some IAE systems via electronic linkages to EPA's Acquisition System (EAS); other IAE systems are not linked directly to EAS but benefit the Agency's contracting staff and vendor community as stand-alone resources.

EAS uses SAM vendor data: contracting officers can download vendor-provided representation and certification information electronically via SAM, which allows vendors to submit this information once rather than separately for every contract proposal. Additionally, contracting officers access the Federal Awardee Performance and Integrity Information System, which contains records on contractor performance, including past performance evaluations, and suspensions and debarments.

Through the IAE, contracting officers also can review Wage Determinations to obtain information required under the Service Contract Act and the Davis-Bacon Act. EAS links to the Contract Awards system, expected to be deployed in FY 2021, for submission of contract actions at the time of award. FPDS provides public access to government-wide contract information. The Electronic Subcontracting Reporting System supports vendor subcontracting data submission for contracts identified as requiring this information. EPA publishes notices of proposed contract actions expected to exceed \$25 thousand to the Contract Opportunities listing. Vendors use this publicly available information to identify business opportunities in federal contracting.

The IAE houses Assistance Listings (formerly called Catalog of Federal Domestic Assistance (CFDA), which provides a comprehensive description of all federal assistance including information on eligibility, how to apply, and matching requirements for public consumption.

Further, EPA's IAE fee supports use of services for standardized obligations and award-related information reporting for all Federal financial assistance and procurement awards as required by the Federal Funding Accountability and Transparency Act of 2006 (FFATA) and the DATA Act of 2014.

Fiscal Year	Account Code	EPA Service Fee (in thousands)
2021	020-00-01-16-04-0230-24	\$720.0
2022	020-00-01-16-04-0230-24	\$720.0
2023	020-00-01-16-04-0230-24	\$720.0

Federal PKI Bridge

Federal Public Key Infrastructure (FPKI) provides the government with a common infrastructure to administer digital certificates and public-private key pairs, including the ability to issue, maintain, and revoke public key certificates. FPKI leverages a security technique called Public Key Cryptography to authenticate users and data, protect the integrity of transmitted data, and ensure non-repudiation and confidentiality.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-99-99-99-99-0090-24	\$44.0
2022	020-99-99-99-99-0090-24	\$46.0
2023	020-99-99-99-99-0090-24	\$46.0

Freedom of Information Act Portal

The Freedom of Information Act (FOIA) Improvement Act of 2016 directed the Office of Management and Budget and Department of Justice to build a consolidated online request portal that allows a member of the public to submit a request for records to any agency from a single website. DOJ is managing the development and maintenance of this National FOIA Portal. EPA and other federal agencies were requested to contribute to this effort.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	020-99-99-99-99-0090-24	\$43.0
2022	020-99-99-99-99-0090-24	\$37.0
2023	020-99-99-99-99-0090-24	\$36.0

Federal Executive Boards

The Federal Executive Boards (FEBs) will be under a new governance and funding structure to reinvigorate the roles and responsibilities of FEBs to advance the Administration's objectives to strengthen the Federal workforce, as directed by OMB. A new Line of Business (LOB) will fund FEBs, replacing the current model which relies on an ad hoc structure with EPA providing funding for regional FEB staff.

Fiscal Year	Account Code	EPA Contribution (in thousands)
2021	N/A	\$0.0
2022	N/A	\$0.0
2023	020-99-99-99-99-1300-24	\$300.0

FY 2023 Administrator's Priorities

Funding for the Administrator's priorities are allocated by program project in the FY 2023 President's Budget with a total of \$2.375 million in the Environmental and Programs Management Account and \$125 thousand in the Science and Technology Account.

These funds, which are set aside for the Administrator's priorities, are used to address unforeseen issues that may arise during the year. These funds are used by the Administrator to support critical unplanned issues and the amounts shown in the below table will be reallocated, as needed, in accordance with reprogramming limits.

FY 2023 President's Budget Funding for Administrator's Priorities

Appropriation	Program Project	Dollars in Thousands
EPM	Acquisition Management	\$150
EPM	Brownfields	\$25
EPM	Civil Enforcement	\$150
EPM	Civil Rights / Title VI Compliance	\$75
EPM	Compliance Monitoring	\$100
EPM	Criminal Enforcement	\$145
EPM	Drinking Water Programs	\$100
EPM	Exchange Network	\$75
EPM	Federal Stationary Source Regulations	\$100
EPM	Federal Support for Air Quality Management	\$130
EPM	Human Resources Management	\$25
EPM	International Sources of Pollution	\$50
EPM	IT / Data Management	\$175
EPM	Legal Advice: Environmental Program	\$100
EPM	Legal Advice: Support Program	\$75
EPM	NEPA Implementation	\$100
EPM	Pesticides: Protect Human Health from Pesticide Risk	\$150
EPM	Pesticides: Protect the Environment from Pesticide Risk	\$150
EPM	Pesticides: Realize the Value of Pesticide Availability	\$100
EPM	RCRA: Waste Management	\$25
EPM	Science Advisory Board	\$100
EPM	State and Local Prevention and Preparedness	\$100
EPM	Surface Water Protection	\$50
EPM	TRI / Right to Know	\$75
EPM	Tribal - Capacity Building	\$50
S&T	Federal Support for Air Quality Management	\$25
S&T	Research: Air, Climate and Energy	\$50
S&T	Research: Chemical Safety and Sustainability	\$50
Total		\$2,500

FY 2023: Consolidations, Realignments, or Other Transfer of Resources

Environmental Justice and External Civil Rights Compliance as a National Program Manager

The FY 2022 President's Budget signaled the Administration's and EPA's intent to establish a new National Program Manager (NPM) for Environmental Justice (EJ). EPA intends to bring together the Office of Environmental Justice (OEJ) and the External Civil Rights Compliance Office (ECRCO) through their reorganization into an NPM for EJ and External Civil Rights Compliance.

Currently, OEJ is located within the Office of Policy within the Office of the Administrator, and ECRCO is located within the Office of General Counsel. The proposed reorganization would elevate EJ and external civil rights compliance to the national program level to bolster the integration of EJ considerations and civil rights compliance across all EPA policies, programs, and activities; support the efforts of regulatory partners to similarly integrate EJ and fully comply with civil rights requirements; and enhance EPA's ability to meaningfully engage with and directly support communities with EJ and civil rights concerns. This change would reflect and help to bolster EPA efforts to fully achieve the many commitments in the *FY 2022-2026 EPA Strategic Plan*, Goal 2, *Take Decisive Action to Advance Environmental Justice and Civil Rights*, which similarly elevates EJ and external civil rights compliance priorities.

The head of the new NPM would be an Assistant Administrator to be nominated by the President and confirmed by the Senate. Further information and details on the proposed reorganization are under development. EPA will continue to work closely with the Office of Management and Budget and Congress on the proposal.

Office of Mission Support

The Office of Mission Support (OMS) is considering a reorganization to realign functions and staff within OMS to better position the office to meet critical mission needs from new requirements associated with President Biden's Executive Orders on climate,¹² supporting underserved communities, and acquisition.¹³ The reorganization also would realign functions to balance workload across OMS, eliminate organizational layers, and consolidate similar or duplicative functions to better leverage personnel and resources. This proposed reorganization would not affect any other EPA program office or regional office.

¹² For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

¹³ For additional information, please see: <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/>.

**FY 2023 STAG Categorical Program Grants
Statutory Authority and Eligible Uses
(Dollars in Thousands)**

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
State and Local Air Quality Management	CAA, Section 103.	Air pollution control agencies as defined in Section 302(b) of the CAA	S/L monitoring and data collection activities in support of the PM _{2.5} monitoring network and associated program costs.	\$42,229.8	\$41,905.0	\$58,660.0
State and Local Air Quality Management	CAA, Section 103.	Air pollution control agencies as defined in Section 302(b) of the CAA	S/L monitoring and data collection activities in support of air toxics monitoring.	\$7,953.6	\$7,488.0	\$20,000.0
State and Local Air Quality Management	CAA, Section 103.	Air pollution control agencies as defined in Section 302(b) of the CAA	S/L monitoring procurement activities in support of the NAAQS.	\$5,042.9	\$4,198.0	\$7,000.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
State and Local Air Quality Management	CAA, Sections 103, 105, 106.	Air pollution control agencies as defined in Section 302(b) of the CAA; Multi-jurisdictional organizations (non-profit organizations whose boards of directors or membership is made up of CAA Section 302(b) agency officers and whose mission is to support the continuing environmental programs of the States); Interstate air quality control region designated pursuant to section 107 of the CAA or of implementing Section 176A, or Section 184 NOTE: only the Ozone Transport Commission is eligible.	Carrying out the traditional prevention and control programs required by the CAA and associated program support costs, including all monitoring activities, including PM2.5 monitoring and associated program costs (Section 103 and/or 105); Coordinating or facilitating a multi-jurisdictional approach to carrying out the traditional prevention and control programs required by the CAA (Sections 103 and 106); Supporting training for CAA Section 302(b) air pollution control agency staff (Sections 103 and 105); Supporting research, investigative, and demonstration projects (Section 103).	\$185,320.9 Section 105 grants \$639.0 Section 106 grants Total: \$241,186.2	\$175,270.0 Section 105 grants \$639.0 Section 106 grants Total: \$229,500.0	\$235,838.0 Section 105 grants \$700.0 Section 106 grants Total: \$322,198.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Tribal Air Quality Management	CAA, Sections 103 and 105; Tribal Cooperative Agreements (TCA) in annual Appropriations Acts.	Tribes; Intertribal Consortia; State/Tribal College or University	Conducting air quality assessment activities to determine a Tribe's need to develop a CAA program; Carrying out the traditional prevention and control programs required by the CAA and associated program costs; Supporting CAA training for Federally- recognized Tribes.	\$8,963.5	\$9,415.0	\$18,126.0
				Section 103 grants	Section 103 grants	Section 103 grants
				\$4,000.0	\$4,000.0	\$5,000.0
				Section 105 grants	Section 105 grants	Section 105 grants
				Total:	Total:	Total:
				\$12,963.5	\$13,415.0	\$23,126.0
Radon	TSCA, Sections 10 and 306.	State Agencies, Tribes, Intertribal Consortia	Assist in the development and implementation of programs for the assessment and mitigation of radon.	\$8,684.5	\$7,795.0	\$12,487.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Multipurpose Grants	Annual Appropriations Acts; all other major environmental legislation including, but not limited to, CAA, CWA, SDWA, and CERCLA	State Agencies, Tribes	Implementation of mandatory statutory duties delegated by EPA under pertinent environmental laws.	\$14,297.2	\$10,000.0	\$10,200.0
Water Pollution Control (Section 106)	FWPCA, as amended, Section 106; TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia, Interstate Agencies	Develop and carry out surface and ground water pollution control programs, including NPDES permits, TMDLs, WQ standards, monitoring, and NPS control activities.	\$227,741.2	\$230,000.0	\$251,538.0
Nonpoint Source (NPS – Section 319)	FWPCA, as amended, Section 319(h); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement EPA-approved State and Tribal nonpoint source management programs and fund projects as selected by the state.	\$180,138.7	\$177,000.0	\$188,999.0
Wetlands Program Development	FWPCA, as amended, Section 104 (b)(3); TCA in annual Appropriations Acts.	States, Local Governments, Tribes, Interstate Organizations, Intertribal Consortia, Non-Profit Organizations	To develop new wetland programs or enhance existing programs for the protection, management, and restoration of wetland resources.	\$10,110.8	\$14,192.0	\$15,079.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Public Water System Supervision (PWSS)	SDWA, Section 1443(a); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Assistance to implement and enforce National Primary Drinking Water Regulations to ensure the safety of the Nation's drinking water resources and to protect public health.	\$110,341.3	\$112,000.0	\$132,566.0
Underground Injection Control (UIC)	SDWA, Section 1443(b); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Implement and enforce regulations that protect underground sources of drinking water by controlling Class I-V underground injection wells.	\$10,604.0	\$11,164.0	\$11,387.0
Beaches Protection	BEACH Act of 2000; TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia, Local Governments	Develop and implement programs for monitoring and notification of conditions for coastal recreation waters adjacent to beaches or similar points of access that are used by the public.	\$10,862.8	\$9,619.0	\$9,811.0
Resource Recovery and Hazardous Waste Grants	Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act § 3011; Consolidated Appropriations Act, 2018 (Public Law 115-141); Save our Seas (SOS) 2.0, 2020, Pub. L. 116-224.	States, Tribes, Intertribal Consortia	Develop and implement solid and hazardous waste and circular economy programs.	\$110,759.6	\$101,500.0	\$108,247.0 \$10,000.0 Post-consumer materials management or recycling facilities Total: \$118,247.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Brownfields	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA § 128(a)).	States, Tribes, Intertribal Consortia	Establish and enhance state and tribal response programs which will survey and inventory brownfields sites; develop oversight and enforcement authorities to ensure response actions are protective of human health and the environment; develop ways for communities to provide meaningful opportunities for public participation; and develop mechanisms for approval of a cleanup plan and verification and certification that cleanup is complete.	\$46,752.4	\$46,195.0	\$46,954.0
Underground Storage Tanks (UST)	Solid Waste Disposal Act of 1976, as amended by the Superfund Amendments and Reauthorization Act of 1986, § 2007(f); Energy Policy Act, § 9011.	States	Provide funding for States' underground storage tanks and to support direct UST implementation programs.	\$1,475.0	\$1,475.0	\$1,505.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Pesticides Program Implementation	FIFRA, Sections 23(a)(1); Federal Food, Drug, and Cosmetic Act (FFDCA); Food Quality Protection Act (FQPA); Endangered Species Act (ESA).	States, Tribes, Intertribal Consortia	Implement the following programs through grants to States, Tribes, partners, and supporters for implementation of pesticide programs, including: Certification and Training (C&T); Worker Protection; Endangered Species Protection Program (ESPP) Field Activities; Pesticides in Water; and Tribal Programs.	\$11,862.9 – States formula <hr/> \$285.0 HQ Programs: - Tribal - PREP - School IPM <hr/> Total: \$12,147.9	\$11,051.0 – States formula <hr/> \$1,243.0 HQ Programs: - Tribal - PREP - Pollinator Protection <hr/> Total: \$12,294.0	\$12,759.0 – States formula <hr/> \$1,268.0 HQ Programs: - Tribal - PREP - Pollinator Protection <hr/> Total: \$14,027.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Lead	TSCA, Sections 401-412.	States, Tribes, Intertribal Consortia	Aid states, territories, the District of Columbia, and tribes to develop and implement authorized lead-based paint abatement programs and authorized Renovation, Repair, and Painting (RRP) programs. EPA directly implements these programs in all areas of the country that are not authorized to do so, and will continue to operate the Federal Lead-based Paint Program Database (FLPP) of trained and certified lead-based paint professionals.	\$13,864.3 404(g) State/ Tribal Certification \$2,030.9 404(g) Direct Implementation Total: \$15,895.2	\$12,328.0 404(g) State/ Tribal Certification \$1,947.0 404(g) Direct Implementation Total: \$14,275.0	\$22,653.0 404(g) State/ Tribal Certification \$1,986.0 404(g) Direct Implementation Total: \$24,639.0
Toxic Substances Compliance	Toxic Substances Control Act (TSCA) § 28(a) and 404(g); TCA in annual Appropriations Acts.	States, Federally Recognized Indian Tribes, Intertribal Consortia, and Territories of the U.S.	Assist in developing, maintaining, and implementing compliance monitoring programs for PCBs, asbestos, and Lead Based Paint. In addition, enforcement actions by 1) the Lead Based Paint program and 2) States that obtained a "waiver" under the Asbestos program.	\$6,150.8	\$4,760.0	\$6,877.0
Pesticide Enforcement	FIFRA § 23(a)(1); TCA in annual Appropriations Acts.	States, Federally Recognized Indian Tribes, Intertribal Consortia, and Territories of the U.S.	Assist with implementation of cooperative pesticide enforcement programs.	\$24,321.1	\$24,000.0	\$25,580.0

Grant Title	Statutory Authorities	Eligible Recipients	Eligible Uses	FY 2021 Actual Dollars (X1000)	FY 2022 Annualized Continuing Resolution Dollars (X1000)	FY 2023 President's Budget Dollars (X1000)
Pollution Prevention	Pollution Prevention Act of 1990, Section 6605; TSCA Section 10; FY 2000 Appropriations Act (P.L. 106-74); TCA in annual Appropriations Acts.	States, Tribes, Intertribal Consortia	Provides assistance to States and State entities (<i>i.e.</i> , colleges and universities) and Federally-recognized Tribes and intertribal consortia to deliver pollution prevention technical assistance to small and medium-sized businesses. A goal of the program is to assist businesses and industries with identifying improved environmental strategies and solutions for reducing waste at the source.	\$5,022.1	\$4,630.0	\$5,775.0
Tribal General Assistance Program	Indian Environmental General Assistance Program Act (42 U.S.C. § 4368(b); TCA in annual Appropriations Acts.	Tribal Governments, Intertribal Consortia	Plan and develop Tribal environmental protection programs.	\$69,307.6	\$66,250.0	\$85,009.0
National Environmental Information Exchange Network (NEIEN, aka "the Exchange Network")	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).	States, U.S. Territories, Federally Recognized Tribes and Native Villages, Interstate Agencies, Tribal Consortia, Other Agencies with Related Environmental Information Activities.	Helps States, U.S. Territories, Tribes, and intertribal consortia develop the information management and technology (IM/IT) capabilities they need to participate in the Exchange Network, to continue and expand data-sharing programs, and to improve access to environmental information.	\$9,865.5	\$9,336.0	\$15,000.0

Agency Response To Office Of Inspector General FY 2022 Key Management Challenges Report, Issued November 12, 2021

Below is the Agency's response to the OIG's FY 2022 Key Management Challenges report, which included issues related to the Environmental Protection Agency's mission to protect human health and the environment. EPA agrees there are significant environmental and human health challenges currently, including but not limited to tackling the climate crisis, taking decisive action to advance environmental justice and civil rights, ensuring safety of chemicals, and ensuring scientific integrity and science-based decision making. These and other priorities are communicated in the *FY 2022-2026 EPA Strategic Plan*, along with a detailed roadmap for achieving our mission. The Agency has set a number of long-term performance goals in the *Strategic Plan* and annual performance goals in the FY 2023 President's Budget that focus on areas related to key management challenges. Please refer the FY 2023 Annual Performance Plan table in President's Budget for those measures.

The Agency has taken actions in response to the detailed considerations raised in the IG audits and is working to complete others. In addition, as mentioned in the management challenge descriptions, EPA has requested appropriations in the FY 2023 President's Budget to assist in expanding work in a number of these areas and other key priorities. The responses provide a summary of the major topics. Further details are available in the referenced audit narratives and Agency responses.

1. Mitigating the Causes and Adapting to the Impacts of Climate Change

Summary of Challenge: *The OIG believes that the EPA must take a leadership role in limiting climate change and mitigating its effect on human health and the environment.*

Agency Response: EPA is working to drive Greenhouse Gas emission reductions through an integrated approach of regulations, partnerships, and technical assistance. EPA also is working to strengthen the nation's adaptive capacity and resilience, with a particular focus on advancing environmental justice. EPA will ensure its programs, policies, regulations, enforcement activities, and operations consider current and future impacts of climate change and how those impacts disproportionately affect certain communities. As directed in Executive Order (E.O.) 14008, *Tackling the Climate Crisis at Home and Abroad*, EPA issued a Policy Statement on Climate Change Adaptation in May 2021 and published its 2021 Climate Adaptation Action Plan in October 2021. In FY 2022, the agency will publish program and regional office *Implementation Plans*, which will report progress to date and identify actions needed to address the agency-wide priorities identified in the Climate Adaptation Action Plan. Program and regional offices will engage with states, tribes, territories, and local communities in developing their plans. As noted in the Climate Adaptation Action Plan, the agency will need additional personnel and funding resources to successfully implement many of the priority actions in the plan. This resource requirement was included in the plan per instructions from CEQ and OMB.

Additional agency efforts include:

- Office of Water established a management-level Water Climate Committee to develop the National Water Program's Climate Adaptation plan. The office will oversee implementation and track progress, consider climate actions across the office, and

work with co-regulators and partners to implement priority adaptation actions that also may have co-benefits of climate mitigation.

Responsible Agency Official: Victoria Arroyo, EPA Senior Climate Adaptation Official; Betsy Shaw, Deputy Assistant Administrator, Office of Air and Radiation

2. Integrating and Leading Environmental Justice Across the Agency and Government

Summary of Challenge: *According to the OIG, as part of its effort to integrate environmental justice across its programs, the EPA must address the environmental hazards and cumulative risk facing at-risk communities and effectively communicate that risk to those communities.*

Agency Response: The agency continues to address issues and concerns raised by EPA's OIG regarding its integration of environmental justice and civil rights within EPA. This includes leadership from the Office of Policy (OP) and Office of Environmental Justice (OEJ) senior representatives on EPA initiatives to implement President Biden's E.O. 13985 on Racial Equality and E.O. 14008 on Tackling the Climate Crisis at Home and Abroad, and participation on inter-agency and intra-agency working groups. On April 7, 2021, EPA Administrator Michael Regan issued an agency-wide memorandum, *Our Commitment to Environmental Justice*, which clearly communicated his priority of centering EJ and civil rights compliance throughout all EPA's activities. Administrator Regan's memorandum contained specific instructions for EJ integration within programmatic activities, full enforcement of our environmental and civil rights laws, emphasis on meaningful engagement and consultation, and reinforcing our leadership in implementing President Biden's executive direction. Efforts to address EPA-specific recommendations made in the October 2019 GAO report, *Environmental Justice: Federal Efforts Need Better Planning, Coordination, and Methods to Assess Programs* (GAO-19-543), are now largely guided through implementation of E.O. 14008 and E.O. 13985 by the White House Council on Environmental Quality (CEQ).

EPA is supporting and engaging the CEQ on providing government-wide leadership on those recommendations. Also, EPA included *Take Decisive Action to Advance Environmental Justice and Civil Rights* as a central goal of the FY 2022-2026 EPA Strategic Plan. In the *Strategic Plan*, Goal 2 makes several important commitments to furthering agency efforts. This includes advancing the integration of EJ considerations across all EPA policies, programs, and activities. Similarly, it includes advancing agency efforts to ensure compliance with civil rights obligations within EPA's activities as well as the activities of recipients of EPA funding. Administrator Regan made an important decision to place EPA's EJ and civil rights compliance efforts side by side in recognition of their inextricable link and mutually supportive goals. This includes the intent to bring together OEJ and the External Civil Rights Compliance Office (ECRCO) in the new national program as signaled in the FY 2022 President's Budget. EPA has committed to strengthening Title VI enforcement and fully utilizing its civil rights implementation and enforcement authority. EPA will issue clear civil rights policy guidance to increase recipient's compliance with civil rights laws. Specific draft commitments in Goal 2 advance the incorporation of EJ and civil rights compliance in fundamental elements of EPA's mission achievement such as:

- Formal agreements with states and tribal governments.
- Significant EPA actions with EJ and civil rights implications.
- Resources provided to communities to increase their capacity to meaningfully engage with EPA programs.
- Affirmative post-award compliance reviews targeting critical environmental, health and quality of life impacts that adversely affect overburdened communities.
- EPA program compliance with language and disability access requirements.
- Direct implementation of EPA authorities in Indian country.
- Transparent commitments to measure outcomes on the ground that are significant to communities with EJ concerns, amongst other commitments.

It is important to note that EPA has tied together many key objectives and efforts to implement E.O. 13985 and E.O. 14008 through specific commitments in Goal 2 of the *FY 2022 –2026 EPA Strategic Plan* to help reinforce and drive achievement of the equity and justice aims of those orders.

Additionally, enforcement remains a top priority in the agency’s work to implement EJ goals. The Office of Enforcement and Compliance Assurance (OECA) has issued four directives to enhance work in communities with EJ challenges across all enforcement programs:

- Strengthening Enforcement in Communities with Environmental Justice Concerns (April 30, 2021).
- Strengthening Environmental Justice Through Criminal Enforcement (June 21, 2021).
- Strengthening Environmental Justice Through Cleanup Enforcement Actions (July 1, 2021).
- Using All Appropriate Injunctive Relief Tools in Civil Enforcement Settlements (April 26, 2021).

Moreover, acknowledging the ongoing role of the Section 319 program in benefitting communities via watershed projects and other actions, EPA issued a memo in September 2021 that strongly encourages actions in FY 2022 to assess and advance delivery of Non-Point Source (NPS) benefits to disadvantaged communities. The September 2021 memo commits EPA to take several actions in support of the goal to assess and advance delivery of NPS benefits to disadvantaged communities, recognizing that this will be a shared learning experience. This memo also commits to an ongoing dialogue with the NPS community as this work goes forward.

Responsible Agency Official: Mathew Tejada, Director, Office of Environmental Justice; Elise Packard, Deputy General Counsel for Operations, Office of General Counsel

3. Ensuring the Safe Use of Chemicals

Summary of Challenge: *The OIG believes that the EPA must develop timely and accurate chemical risk assessments to identify acceptable exposure levels for humans and the environment.*

Agency Response: This management challenge discusses implementation of chemical safety standards under the pesticides program and the TSCA program. EPA has made significant

advancements to these programs. To improve the timeliness of endocrine disruptor risk assessments, a new organizational structure was implemented to ensure management accountability for the [Endocrine Disruptor Screening Program](#) (EDSP) to better align with pesticide regulatory activities and establish a procedure for communication and coordination with relevant program offices with testing responsibilities. In compliance with Pesticide Registration data requirements in ecological risk assessments, the agency developed a table matrix for inclusion in new active ingredient environmental risk assessments that clearly indicates how data requirements are addressed in support of new active ingredient registration decisions, (completed in January 2022). In addition, the New Approach Methods (NAMs) refer to any technology, methodology, approach, or combination that can provide information on chemical hazard and risk assessment to avoid the use of animal testing. The white paper and establishment of EDSP Policy Council, referenced above, are initial steps towards developing a structure and process for making determinations on required testing.

To address concerns related to TSCA risk evaluation capacity needs, EPA has developed and revised cost estimates for the development of risk evaluations, and developed phased planning based on cost estimates. EPA also has identified and implemented best practices to maximize effectiveness and engaged in internal planning efforts to determine the best distribution of resources to meet required activities.

This management challenge also focuses on toxicity assessments, specifically EPA's IRIS Program. EPA's IRIS Program made significant advances to the approaches used to characterize the health hazards of chemicals found in the environment related to productivity and timeliness. Additionally, EPA made advances in the practice of conducting hazard identification, dose-response analysis, pharmacokinetic modeling, and the incorporation of modern IT databases and artificial intelligence and machine learning tools to expedite the review and evaluation of contaminants of concern. These advancements are documented in the *ORD Staff Handbook for Developing IRIS Assessments*, released for external peer review by the National Academy of Sciences (NAS) in FY 2021 and are illustrated in the more than 20 assessment products released to the public by the IRIS Program since 2016. In a prior [NAS workshop report, *Progress Toward Transforming the Integrated Risk Information System Program: A 2018 Evaluation*](#), EPA's IRIS Program was praised for changes made during the past several years, as well as for the successful trajectory of the Program. To address the priorities for assessing chemicals in the IRIS Program and maintaining a current IRIS database, the agency implemented a formal nomination process that ensures the IRIS Program prioritizes assessments of the highest priority identified by EPA program and regional offices, given limited resources. EPA documented the results of the FY 2021 nomination process via the June 2021 IRIS Program Outlook.

Responsible Agency Official: Tim Watkins, Acting Director, Center for Public Health & Environmental Assessment, Office of Research and Development; Samantha Jones, Associate Director, Center for Public Health & Environmental Assessment, Office of Research and Development; Dr. Wayne Cascio, Acting Principal Deputy Assistant Administrator for Science, Office of Research and Development; Rick Keigwin, Deputy Assistant Administrator, Office of Chemical Safety and Pollution Prevention

4. Safeguarding Scientific Integrity Principles

Summary of Challenge: *According to the OIG, science-based decisions at the EPA must be based on principles of scientific integrity to ensure that human health and the environment are protected by using the best-available science.*

Agency Response: As outlined in Administrator Regan’s 2021 Mass Mailer to the agency, “scientific integrity is a core value at EPA” and under his leadership EPA is working “to ensure our science is of the highest quality and use it to inform our decision making.” In the *FY 2022-2026 EPA Strategic Plan*, the *Cross-Agency Strategy Ensure Scientific Integrity and Science-Based Decision Making* will be implemented to “strengthen the policies and procedures surrounding scientific integrity and the use of science and evidence to inform Agency decision making.” EPA’s Scientific Integrity Policy (SIP) has been in effect since February 2012 and is one of the strongest scientific integrity policies in the federal government. The program will be further strengthened by updating the SIP to meet the Office of Science and Technology Policy’s (OSTP) requirements and through the creation of implementation plans. EPA will advance a culture of scientific integrity that inspires public trust in the Agency and ensures that EPA achieves its mission of protecting human health and the environment. Additionally, the agency is on target to develop and implement procedures to address allegations of compromised scientific integrity, including violations involving high-profile issues or senior officials. Our efforts to enhance the Agency’s culture of scientific integrity are supported by agencywide training and outreach activities that engage employees on scientific integrity. The agency has plans in place to ensure scientific integrity’s high visibility through increased training and regular outreach.

Responsible Agency Official: Dr. Francesca Grifo, EPA Scientific Integrity Official, Office of Research and Development; Wayne Cascio, Acting Principal Deputy Assistant Administrator for Science, Office of Research and Development

5. Ensuring Information Technology and Systems Are Protected Against Cyberthreats

Summary of Challenge: *The OIG believes that Information technology is a fundamental and essential resource for the EPA to carry out its mission.*

Agency Response: Combating cyber threats is a continuing challenge for all federal agencies as evidenced by the recent release of the E.O. 14028, *Improving the Nation’s Cybersecurity*. EPA understands the prevalence and complexity of ever-growing cybersecurity threats and is aware of the potential impacts to its mission if information assets are compromised. The agency appreciates the Office of the Inspector General’s (OIG) perspective on the management challenge regarding enhancing information technology (IT) security to combat cyber threats and employed concerted efforts to address the findings and recommendations identified in audit reports highlighted in this management challenge including, but not limited to the following:

- Developed and implemented processes within the Office of Mission Support operations to improve management and oversight of audits and corrective actions. (Ref: N/A)
- Developed agencywide Cybersecurity metrics that are tracked monthly and discussed in senior leader Monthly Business Reviews. (Ref: 19-P-0158)
- Implemented actions to ensure contractor operated managed systems are in

compliance with federal Cybersecurity requirements via system assessments, corrective action monitoring and the development of training for contract officers and contract officer representatives on their responsibilities for identifying contracts that require Environmental Protection Agency Acquisition Guide (EPAAG) Section 39.1.2 tasks. (Ref:17-P-0344)

- Documented CIO's role in information security through policy and procedures. (Ref: SP 800-30)
- Documented and implemented controls to validate plans of action and milestones for vulnerability testing results. (Ref: 20-P-0120/19-208)
- Established a process to periodically review security settings for the agency's governance, risk management and compliance (GRC) tracking system to validate whether they meet standards and implemented audit logging capabilities to capture data changes and a log review process. (Ref: 19-P-0158)

Building upon the progress outlined above, EPA has made significant strides in strengthening its Cybersecurity program. As evidenced in its overall "Managing Risk" FISMA report rating, EPA has achieved or exceeded many of the Federal Cybersecurity Framework metrics via the implementation of automated Enterprise IT solutions and continuous monitoring strategies, including but not limited to:

- Deployed more than 18,000 agents on employee workstations to enable the DHS Continuous Diagnostics and Mitigation (CDM) Software Asset Management capability.
- Deployed Privilege Access User Management tools to protect Systems Administrator accounts resulting in the removal of numerous old privilege user accounts and the vaulting and securing of approximately 800 privilege user accounts.
- Implemented Endpoint Detection and Response (EDR) Tools to protect against malware and advanced threats by automatically detecting, alerting, and providing threat insights and remediation recommendations on EPA endpoints.
- Enhanced incident response capabilities by deploying a scalable Next Generation Security Incident and Event Management (SIEM) System.

Among a number of additional priorities, EPA is working on the E.O. 14028 tasks such as:

- Implementing Multifactor Authentication and Encryption, Zero Trust Architecture, and integration with cloud security technologies.
- Updating its Cybersecurity policies and procedures, streamlining, and strengthening its security training program for users with significant responsibilities.
- Deploying Enterprise IT security tools and solutions to protect the IT operating environment.

With respect to the agency's water systems cybersecurity program, which also is discussed as part of this management challenge, EPA is implementing a set of actions to improve security at facilities nationwide. Agency efforts include:

- EPA will continue working with each state, territory, and tribe to develop and train a cadre of technical assistance providers who can work directly with individual water systems to assess and enhance their cybersecurity practices.
- EPA is pursuing regulatory and statutory options in the near-term for addressing cybersecurity in the water sector.
- In Q4 FY 2022 or early Q1 FY 2023 EPA intends to publish guidance for public water systems and states elucidating the cybersecurity practices that can deter cyberattacks.

Afterwards, the agency plans to develop a nationwide training effort for all states and all public water systems on assessing and implementing effective cybersecurity practices.

- EPA intends to work in close coordination with DHS in the development of the sector-specific critical infrastructure cybersecurity performance goals, aligning them with the cybersecurity guidance for water systems and states.

Responsible Agency Official: Tonya Manning, Acting Director, Office of Information Security & Privacy, Office of Mission Support; Benita Best-Wong, Deputy Assistant Administrator, Office of Water

6. Managing Infrastructure Funding and Business Operations

Summary of Challenge: *The EPA must effectively oversee the funding and operation of America's water, wastewater, and other environmental infrastructure.*

Agency Response: The OIG identified managing infrastructure funding and business operations as a top management challenge for the agency. To provide effective oversight for programs potentially receiving infrastructure funding, the agency is engaged in an intensive review and planning effort for programs that are slated for support. Led by the Senior Advisor to the Deputy Administrator assigned to the infrastructure implementation, plans include strategic and tactical steps for rapid and well-coordinated implementation. Operating models identify critical program components and objectives, establish an implementation structure, and engage stakeholders. A separate set of training, technical assistance, and internal control plans are being developed by the mission support offices to ensure that funds directed toward infrastructure improvements through the use of grants, loans, and contracts are utilized as intended. EPA acknowledges that the increase in funding will require appropriate oversight and is committed to safeguarding its resources against waste, fraud, abuse, and mismanagement. Additional agency efforts include:

- Working across the agency on a 30, 60, 90-day implementation plan for the Bipartisan Infrastructure Bill, including an assessment of staffing, administrative, and internal control needs.
- Holding numerous strategic planning sessions between senior leadership and EPA program offices with infrastructure implementation responsibilities to effectively plan for the influx of infrastructure resources.
- Holding meetings to discuss utilizing the most effective acquisition and grant approaches to achieve environmental results and identifying the appropriate human resources needs and hiring strategies to support a diverse and inclusive workforce.
- Conducting annual reviews of state programs for Clean Water and Drinking Water State Revolving Funds (SRF) through an array of activities. This includes providing regional and state SRF support and training, performing analyses, and reporting information in support of fiduciary and programmatic oversight.
- Monitoring all executed loans in its WIFIA portfolio to assess changes in credit risk, monitor project construction, and verify that borrowers are abiding by the credit agreement laws and regulation through final loan repayment (approximately 40 years).
- Establishing an internal working group to focus on the planning and oversight of the infrastructure implementation.

Responsible Agency Official: Zealan Hoover, Senior Advisor to the Deputy Administrator; Lynnann Hitchens, Acting Principal Deputy Assistant Administrator, Office of Mission Support; Faisal Amin, Chief Financial Officer, Office of the Chief Financial Officer

7. Enforcing Environmental Laws and Regulations

***Summary of Challenge:** Through enforcement, the EPA ensures that regulated entities are following environmental laws and will continue to do so, as enforcement actions effectively deter future noncompliance.*

***Agency Response:** EPA recognizes enforcement as a critical part of the agency’s mission and maintains a strong enforcement program. Under the current Administration, EPA has increased its focus on traditional civil and criminal enforcement tools, with particular attention on environmental and public health threats to overburdened communities. This includes identifying strategies and actions to make environmental justice considerations a part of all aspects of the agency’s enforcement program. In furtherance of the Administration’s priorities, the agency has rescinded several policies that, in part, were responsible for a number of the concerns identified by the OIG. The agency put in place new policies that reflect the current Administration’s emphasis on strong enforcement. With respect to the OIG’s discussion of its recent reports (Report Number: 21-P-0132 - *Resource Constraints, Leadership Decisions, and Workforce Culture Led to a Decline in Federal Enforcement* and Report Number: 21-P-0131- *Staffing Constraints, Safety and Health Concerns at EPA’s National Enforcement Investigations Center May Compromise Ability to Achieve Mission*), the agency remains actively engaged with the OIG in developing corrective actions that will respond to concerns raised in the reports. EPA’s OECA looks forward to working with colleagues across the agency, as well as state and tribal partners, stakeholders, and the OIG in addressing issues presented in the FY 2022 Key Management Challenges Report.*

Responsible Agency Official: Mark Badalamente, Director, Office of Administration and Policy

Office of Enforcement Compliance Assurance (OECA) Travel by Program Project FY 2017 - FY 2023

Dollars in Thousands

Appr.	Program Project	FY 2017		FY 2018		FY 2019		FY 2020		FY 2021		FY 2022	FY 2023
		Enacted	Actuals*	Enacted	Actuals*	Enacted	Actuals*	Enacted	Actuals*	Enacted	Actuals*	ACR	PresBud**
EPM													
	43 - Brownfields	\$16.0	\$3.6	\$16.0	\$10.4	\$16.0	\$4.2	\$16.0	\$18.2	\$3.0	\$0.0	\$16.0	\$3.0
	44 - Civil Enforcement	\$2,148.0	\$1,882.4	\$2,148.0	\$1,860.9	\$2,216.0	\$1,942.2	\$2,197.0	\$886.2	\$742.0	\$602.4	\$2,197.0	\$889.0
	50 - Compliance Monitoring	\$1,524.0	\$1,338.5	\$1,524.0	\$1,498.3	\$1,529.0	\$1,397.2	\$1,516.0	\$694.8	\$567.0	\$301.0	\$1,516.0	\$577.0
	52 - Criminal Enforcement	\$1,522.0	\$1,337.3	\$1,522.0	\$1,385.7	\$1,522.0	\$1,458.1	\$1,522.0	\$748.4	\$548.0	\$462.9	\$1,522.0	\$854.0
	57 - Environmental Justice	\$186.0	\$209.3	\$186.0	\$103.7	\$0.0	\$5.3	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
	63 - Geographic Program: Chesapeake Bay	\$20.0	\$15.9	\$20.0	\$17.0	\$20.0	\$24.0	\$20.0	\$6.9	\$20.0	\$8.9	\$20.0	\$20.0
	90 - NEPA Implementation	\$505.0	\$251.6	\$505.0	\$251.1	\$0.0	\$70.5	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
	F2 - Facilities Infrastructure and Operations	\$238.0	\$643.7	\$238.0	\$503.4	\$238.0	\$234.5	\$238.0	\$204.4	\$84.0	\$131.7	\$238.0	\$84.0
Total		\$6,159.0	\$5,682.3	\$6,159.0	\$5,630.5	\$5,541.0	\$5,136.0	\$5,509.0	\$2,558.9	\$1,964.0	\$1,506.90	\$5,509.0	\$2,427.0
S&T													
	62 - Forensics Support	\$260.0	\$144.8	\$260.0	\$157.8	\$260.0	\$193.1	\$260.0	\$115.0	\$141.0	\$88.3	\$260.0	\$147.0
LUST													
	44 - Civil Enforcement	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
OIL													
	44 - Civil Enforcement	\$14.0	\$9.4	\$14.0	\$16.4	\$14.0	\$8.1	\$14.0	\$3.1	\$14.0	\$6.6	\$14.0	\$14.0
	50 - Compliance Monitoring	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Total		\$14.0	\$9.4	\$14.0	\$16.4	\$14.0	\$8.1	\$14.0	\$3.1	\$14.0	\$6.6	\$14.0	\$14.0
SUPERFUND													
	50 - Compliance Monitoring	\$8.0	\$0.0	\$8.0	\$0.0	\$8.0	\$0.0	\$8.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
	52 - Criminal Enforcement	\$468.0	\$216.8	\$468.0	\$237.4	\$468.0	\$236.7	\$468.0	\$125.8	\$468.0	\$398.7	\$468.0	\$468.0
	62 - Forensics Support	\$50.0	\$36.4	\$50.0	\$25.5	\$50.0	\$32.9	\$50.0	\$17.2	\$50.0	\$47.5	\$50.0	\$50.0
	C7 - Superfund: Enforcement	\$1,135.0	\$904.9	\$1,135.0	\$798.7	\$1,145.0	\$995.7	\$1,143.0	\$445.0	\$1,143.0	\$154.8	\$1,143.0	\$1,143.0
	H2 - Superfund: Federal Facilities Enf	\$120.0	\$68.3	\$120.0	\$69.0	\$120.0	\$65.1	\$120.0	\$81.7	\$120.0	\$11.8	\$120.0	\$120.0
Total		\$1,781.0	\$1,226.4	\$1,781.0	\$1,130.6	\$1,791.0	\$1,330.4	\$1,789.0	\$669.7	\$1,781.0	\$612.8	\$1,781.0	\$1,781.0
Grand Total		\$8,214.0	\$7,062.9	\$8,214.0	\$6,935.3	\$7,606.0	\$6,667.6	\$7,572.0	\$3,346.7	\$3,900.0	\$2,214.6	\$7,564.0	\$4,369.0

*Actuals include final obligations of New Obligation Authority (NOA) and Carryover for the Office of Enforcement and Compliance Assurance (OECA). Due to the COVID-19 pandemic, FY 2020 and FY 2021 actuals were lower than prior year travel budgets.

**EPA will re-evaluate travel as part of the Agency's FY 2023 Operating Plan activities in preparation for the FY 2023 Enacted Budget.

On-Site Inspections and Off-Site Compliance Monitoring Compliance Activities From EPA's Integrated Compliance Information System¹⁴

The table below provides the numbers in EPA's Integrated Compliance Information (ICIS) data system for on-site inspection and off-site compliance monitoring activities from fiscal years (FY) 2016-2020.

Fiscal Year (FY)	On-Site Inspections	Off-Site Compliance Monitoring Activities <i>(EPA has not set separate targets for this category of activities)</i>	Total Completed
FY 2017 actual	8,800	3,100	11,900
FY 2018 actual	7,900	2,900	10,800
FY 2019* actual	Target: 7,400 Actual: 8,100	2,200	10,329
FY 2020 actual	Target: not set** Actual: 3,600	4,900	8,500
FY 2021 actual	Target: not set** Actual: 3,200	7,600	10,800
FY 2022 projection	Target: not set** Actual: TBD		10,000
FY 2023 projection	Target: not set** Actual: TBD		10,000

*In 2019, EPA set targets for on-site inspections only. Previous targets were for combination of on-site inspections and off-site compliance monitoring activities.

**Targets were not set for on-site inspections in FY 2020 through FY 2023 due to travel restrictions and uncertainty resulting from COVID-19.

Caveats:

1. **Definitions:** Nationally consistent definitions of on-site inspections and off-site compliance monitoring activities did not exist for our compliance monitoring program until we issued guidance on April 24, 2020 (and updated in November 2020). As a result, earlier data may include mis-categorized activities. EPA's April 24, 2020 memorandum provided definitions

¹⁴ The Explanatory Statement accompanying the Consolidated Appropriations Act, 2021 instructs EPA to follow guidance as set forth in House Report 116-448. House Report 116-448 directs EPA to provide "separate targets for onsite inspections and offsite compliance monitoring activities, and separate target and actuals data for onsite and offsite compliance monitoring activities for the previous five fiscal years". Please see page 80: <https://www.congress.gov/116/crpt/hrpt448/CRPT-116hrpt448.pdf>. This report fulfills this requirement.

for both on-site and off-site compliance monitoring activities, which will create more consistency in each of the categories.

2. Incomplete Data Entry: Given that EPA has not historically required most types of off-site compliance monitoring activities to be entered into an EPA database, these numbers are likely incomplete. EPA's April 24, 2020, guidance for reporting key off-site compliance monitoring activities establishes expectations for national reporting of these activities, which should result in numbers more reflective of actual activities.
3. COVID-19: Restrictions on travel during the pandemic affected EPA's ability to conduct on-site inspections in FY 2020 and FY 2021 and is continuing in FY 2022. While on-site inspection numbers dropped substantially during this time, EPA was able to increase its off-site compliance monitoring activities.
4. States Conduct Majority of Inspections: Most inspections are performed by authorized states. For example, states performed about 34,000 National Pollutant Discharge Elimination System (NPDES) inspections - that is just one program.
5. Data Mining: With modern tools, EPA mines data from monitoring reports and manifests. EPA conducts off-site compliance monitoring to try to detect violations, including possible violations of emission and discharge limitations. EPA uses this information to target facilities for on-site inspections. The April 2020 and subsequent November 2020 guidances will help EPA nationally focus and track this important off-site compliance monitoring work.
6. Totals More Reliable Than Subtotals: The sum of the two subtotals (on-site inspections + offsite compliance monitoring activities) is a more reliable value because it smooths out some of the variability in each subtotal. EPA believes definitions of on-site inspections and off-site compliance monitoring activities will help make the subtotal data more reliable going forward.
7. Staffing Levels: The number of inspections EPA completes each year generally correlates with our annual staffing levels. During the time period reported in the table, OECA's number of full-time equivalents (FTEs) has decreased from 2,880 in FY 2016 to 2,423 in FY 2021.

Physicians' Comparability Allowance (PCA) Plan

Department and component:

Environmental Protection Agency

Purpose: The purpose of this document is to describe the Agency's plan for implementing the Physicians' Comparability Allowance (PCA) program. Per 5 CFR 595.107, the Office of Management and Budget (OMB) must approve this plan prior to the Agency entering into any PCA service agreement. Changes to this plan must be reviewed and approved by OMB in accordance with 5 CFR 595.107.

Reporting: In addition to the plan, each year, components utilizing PCA will include their PCA worksheet in the OMB Justification (OMBJ), typically in September. OMB and OPM will use this data for Budget development and congressional reporting.

Plan for Implementing the PCA program:

- 1a) Identify the categories of physician positions the Agency has established are covered by PCA under § 595.103. Please include the basis for each category. If applicable, list and explain the necessity of any additional physician categories designated by your agency (for categories other than I through IV-B). List Any Additional Physician Categories Designated by Your Agency: Pursuant to 5 CFR 595.107, any additional category of physician receiving a PCA, not covered by categories I through IV-B, should be listed and accompanied by an explanation as to why these categories are necessary.

Number of Physicians Receiving PCAs by Category (non-add)	Category of Physician Position	Covered by Agency (mark "x" if covered)	Basis for Category
2	Category I Clinical Position	X	EPA's Office of Research and Development (ORD) clinical physicians oversee the medical care of study subjects. These studies are conducted on the health effects of a variety of common environmental pollutants in many different human subjects. Our primary emphasis is on cardio-pulmonary responses, with recent interest in behavioral responses. The Medical Officer is responsible for the health and well-being of research participants before, during, and after research. Prior to research, the Medical Officer is responsible for clinically evaluating individuals. During research, they are responsible for instituting preventative measures to ensure that any procedure entails the least risk possible. After the research, it is the Medical Officer's responsibility to evaluate an individual's health to determine any clinical changes.
	Category II Research Position		n/a

Number of Physicians Receiving PCAs by Category (non-add)	Category of Physician Position	Covered by Agency (mark "x" if covered)	Basis for Category
1	Category III Occupational Health		EPA is establishing a medical staff within the Office of Administration, Safety and Sustainability Division that will serve as a focal point for pandemic planning, occupational medical surveillance, wellness, and will provide medical consultative services supporting the Agency's safety and health, disease response/outbreak, fitness for duty, diver, automated external defibrillator, emergency response, nerve agent antidote, medical countermeasures, lactation, maternal wellness, and other national programs.
	Category IV-A Disability Evaluation		n/a
1	Category IV-B Health and Medical Admin.	X	This position serves as the principal medical officer and environmental health scientist for EPA's ORD. The position is responsible for providing leadership, direction, and technical expertise in support of organizational-wide health and environmental planning, policy development and implementation, and oversight of scientific initiatives and research efforts for ORD's Assistant Administrator (AA) or their designee. This includes: Strategic Research Action Plan oversight; prioritization of environmental health research; and counsel and oversight on legislation, regulations and health impact assessments related to Executive Branch agencies on human health, air quality, ecosystem services, toxics and risks, environmental social sciences, and most notably, COVID-19.

Physicians' Comparability Allowance (PCA) Plan (continued)

- 2) Explain the recruitment and retention problem(s) for each category of physician in your agency (this should demonstrate that a current need continues to persist). § 595 of 5CFR Ch. 1 requires that an agency may determine that a significant recruitment and retention problem exists only if all of the following conditions apply:
- Evidence indicates that the Agency is unable to recruit and retain physicians for the category;
 - The qualification requirements being sought do not exceed the qualifications necessary for successful performance of the work;
 - The Agency has made efforts to recruit and retain candidates in the category; and
 - There are not a sufficient number of qualified candidates available if no comparability allowance is paid.

Number of Physicians Receiving PCAs by Category (non-add)	Category of Physician Position	Recruitment and retention problem
2	Category I Clinical Position	The small population of EPA Clinical Physician positions experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance.
	Category II Research Position	n/a
1	Category III Occupational Health	The value of the physicians' comparability allowance to EPA is to be used as a recruitment and retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance.
	Category IV-A Disability Evaluation	n/a
1	Category IV-B Health and Medical Admin.	The small population of EPA Health and Medical Administrative Physician position(s) experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool. The Agency is told regularly that absent the allowance some EPA physicians would seek employment at federal agencies that provide the allowance.

3) Explain how the agency determines the amounts to be used for each category of physicians.

Number of Physicians Receiving PCAs by Category (non-add)	Category of Physician Position	Basis of comparability allowance amount
2	Category I Clinical Position	EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees.
	Category II Research Position	n/a
1	Category III Occupational Health	EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees.
	Category IV-A Disability Evaluation	n/a
1	Category IV-B Health and Medical Admin.	EPA reviews the experience and technical expertise of the candidates. Combined with other salary ranges in the private sector and in review of other federal agencies, the Agency tries to be within a range that allows the Agency to retain the employees.

4) Does the Agency affirm that the PCA plan is consistent with the provisions of 5 U.S.C. 5948 and the requirements of § 595 of 5 CFR Ch. 1?

Yes

Physicians' Comparability Allowance (PCA) Worksheet

1) Department and component:

Environmental Protection Agency

2) Explain the recruitment and retention problem(s) justifying the need for the PCA pay authority.

(Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)
 Historically, the number of EPA Research Physicians is between three and seven positions. This small population experiences modest turnover. The value of the physicians' comparability allowance to EPA is used as a retention tool.
 EPA continues to use the PCA to recruit qualified candidates to fill vacancies and to retain these employees. Additionally, EPA will use the PCA in FY 2023 to recruit and retain a physician for the newly formed national health and safety medical staff.

3-4) Please complete the table below with details of the PCA agreement for the following years:

	PY 2021 (Actual)	CY 2022 (Estimates)	BY* 2023 (Estimates)
3a) Number of Physicians Receiving PCAs	3	4	4
3b) Number of Physicians with One-Year PCA Agreements	0	0	0
3c) Number of Physicians with Multi-Year PCA Agreements	3	4	4
4a) Average Annual PCA Physician Pay (without PCA payment)	\$188,100	\$193,700	\$199,500
4b) Average Annual PCA Payment	\$19,300	\$19,300	\$19,300

*BY data will be approved during the BY Budget cycle. Please ensure each column is completed.

5) Explain the degree to which recruitment and retention problems were alleviated in your agency through the use of PCAs in the prior fiscal year.

(Please include any staffing data to support your explanation, such as number and duration of unfilled positions and number of accessions and separations per fiscal year.)
 The Agency is told regularly that absent the allowance, some EPA research physicians would seek employment at federal agencies that provide the allowance.

6) Provide any additional information that may be useful in planning PCA staffing levels and amounts in your agency.

An agency with a very small number of physician positions and a low turn-over rate among them still needs the allowance authority to maintain the stability of the small population. Those who opt for federal employment in opposition to private sector employment still want the maximum pay available in the federal sector. Were it not for the PCA, EPA would regularly lose some of its physicians to other federal agencies that offer the allowance, both requiring EPA to refill vacant positions and making it more difficult for EPA to fill those positions. Turn-over statistics should be viewed in this light.

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

**Program Projects by Program Area
(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
Science & Technology				
Clean Air and Climate				
Clean Air Allowance Trading Programs	\$4,809	\$6,793	\$8,800	\$2,007
Climate Protection	\$7,057	\$7,895	\$10,169	\$2,274
Federal Support for Air Quality Management	\$8,661	\$7,154	\$10,420	\$3,266
Federal Vehicle and Fuels Standards and Certification	\$87,233	\$96,783	\$152,209	\$55,426
Subtotal, Clean Air and Climate	\$107,760	\$118,625	\$181,598	\$62,973
Indoor Air and Radiation				
Indoor Air: Radon Program	\$112	\$157	\$157	\$0
Radiation: Protection	\$1,645	\$1,735	\$2,224	\$489
Radiation: Response Preparedness	\$3,063	\$3,096	\$4,383	\$1,287
Reduce Risks from Indoor Air	\$296	\$161	\$173	\$12
Subtotal, Indoor Air and Radiation	\$5,115	\$5,149	\$6,937	\$1,788
Enforcement				
Forensics Support	\$11,761	\$14,000	\$15,532	\$1,532
Homeland Security				
Homeland Security: Critical Infrastructure Protection	\$9,653	\$10,380	\$14,526	\$4,146
Homeland Security: Preparedness, Response, and Recovery	\$21,877	\$24,852	\$25,890	\$1,038
Homeland Security: Protection of EPA Personnel and Infrastructure	\$500	\$501	\$501	\$0
Subtotal, Homeland Security	\$32,031	\$35,733	\$40,917	\$5,184
IT / Data Management / Security				
IT / Data Management	\$2,782	\$3,072	\$3,195	\$123
Operations and Administration				
Facilities Infrastructure and Operations	\$65,093	\$67,500	\$68,912	\$1,412
Pesticides Licensing				
Pesticides: Protect Human Health from Pesticide Risk	\$2,431	\$2,803	\$2,917	\$114
Pesticides: Protect the Environment from Pesticide Risk	\$1,805	\$2,207	\$2,252	\$45
Pesticides: Realize the Value of Pesticide Availability	\$645	\$876	\$984	\$108
Subtotal, Pesticides Licensing	\$4,881	\$5,886	\$6,153	\$267

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Research: Air, Climate and Energy				
Research: Air, Climate and Energy	\$76,733	\$95,250	\$132,924	\$37,674
Research: Safe and Sustainable Water Resources				
Research: Safe and Sustainable Water Resources	\$92,719	\$112,250	\$119,286	\$7,036
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$112,717	\$133,000	\$141,477	\$8,477
Research: Chemical Safety for Sustainability				
Health and Environmental Risk Assessment	\$35,251	\$37,482	\$42,355	\$4,873
Research: Chemical Safety for Sustainability				
<i>Endocrine Disruptors</i>	\$13,859	\$16,253	\$17,095	\$842
<i>Computational Toxicology</i>	\$18,509	\$21,406	\$22,542	\$1,136
<i>Research: Chemical Safety for Sustainability (other activities)</i>	\$43,598	\$51,859	\$58,456	\$6,597
Subtotal, Research: Chemical Safety for Sustainability	\$75,966	\$89,518	\$98,093	\$8,575
Subtotal, Research: Chemical Safety for Sustainability	\$111,217	\$127,000	\$140,448	\$13,448
Ensure Safe Water (formerly Water: Human Health Protection)**				
Drinking Water Programs	\$4,088	\$4,364	\$6,776	\$2,412
Clean and Safe Water Technical Assistance Grants				
Water Quality Research and Support Grants	\$0	\$7,500	\$0	-\$7,500
Total, Science & Technology	\$626,895	\$729,329	\$864,155	\$134,826
Environmental Programs & Management				
Clean Air and Climate				
Clean Air Allowance Trading Programs	\$12,920	\$13,153	\$23,523	\$10,370
Climate Protection	\$91,632	\$97,000	\$125,216	\$28,216
Federal Stationary Source Regulations	\$19,317	\$20,733	\$41,617	\$20,884
Federal Support for Air Quality Management	\$131,015	\$138,020	\$289,010	\$150,990
Stratospheric Ozone: Domestic Programs	\$4,805	\$4,633	\$26,607	\$21,974
Stratospheric Ozone: Multilateral Fund	\$8,326	\$8,711	\$18,000	\$9,289
Subtotal, Clean Air and Climate	\$268,013	\$282,250	\$523,973	\$241,723
Indoor Air and Radiation				
Indoor Air: Radon Program	\$2,224	\$3,136	\$5,004	\$1,868
Radiation: Protection	\$8,283	\$7,661	\$10,588	\$2,927

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Radiation: Response Preparedness	\$2,703	\$2,404	\$3,004	\$600
Reduce Risks from Indoor Air	\$10,968	\$11,750	\$23,542	\$11,792
Subtotal, Indoor Air and Radiation	\$24,178	\$24,951	\$42,138	\$17,187
Brownfields				
Brownfields	\$22,136	\$24,000	\$36,842	\$12,842
Compliance				
Compliance Monitoring	\$97,583	\$102,500	\$144,770	\$42,270
Environmental Justice				
Environmental Justice	\$10,343	\$11,838	\$294,938	\$283,100
Enforcement				
Civil Enforcement	\$164,888	\$168,341	\$210,011	\$41,670
Criminal Enforcement	\$49,588	\$51,275	\$61,411	\$10,136
NEPA Implementation	\$15,809	\$16,943	\$19,883	\$2,940
Subtotal, Enforcement	\$230,285	\$236,559	\$291,305	\$54,746
Geographic Programs				
Geographic Program: Chesapeake Bay	\$77,876	\$87,500	\$90,568	\$3,068
Geographic Program: Gulf of Mexico	\$5,335	\$20,000	\$22,524	\$2,524
Geographic Program: Lake Champlain	\$14,996	\$15,000	\$20,000	\$5,000
Geographic Program: Long Island Sound	\$30,361	\$30,400	\$40,002	\$9,602
Geographic Program: Other				
<i>Lake Pontchartrain</i>	\$0	\$1,900	\$1,932	\$32
<i>S.New England Estuary (SNEE)</i>	\$5,152	\$5,500	\$6,252	\$752
<i>Geographic Program: Other (other activities)</i>	\$1,579	\$3,000	\$3,024	\$24
Subtotal, Geographic Program: Other	\$6,731	\$10,400	\$11,208	\$808
Great Lakes Restoration	\$306,380	\$330,000	\$340,111	\$10,111
Geographic Program: South Florida	\$1,369	\$6,000	\$7,202	\$1,202
Geographic Program: San Francisco Bay	\$6,718	\$8,922	\$12,004	\$3,082
Geographic Program: Puget Sound	\$32,946	\$33,750	\$35,016	\$1,266
Subtotal, Geographic Programs	\$482,712	\$541,972	\$578,635	\$36,663
Homeland Security				
Homeland Security: Communication and Information	\$3,893	\$4,145	\$4,650	\$505
Homeland Security: Critical Infrastructure Protection	\$733	\$909	\$1,014	\$105
Homeland Security: Protection of EPA Personnel and Infrastructure	\$4,915	\$4,959	\$5,139	\$180
Subtotal, Homeland Security	\$9,540	\$10,013	\$10,803	\$790

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Information Exchange / Outreach				
State and Local Prevention and Preparedness	\$13,402	\$13,736	\$22,908	\$9,172
TRI / Right to Know	\$12,689	\$13,206	\$13,675	\$469
Tribal - Capacity Building	\$12,945	\$12,902	\$16,386	\$3,484
Executive Management and Operations	\$48,837	\$46,836	\$63,256	\$16,420
Environmental Education	\$3,311	\$8,580	\$8,668	\$88
Exchange Network	\$13,713	\$14,084	\$14,413	\$329
Small Minority Business Assistance	\$1,756	\$1,680	\$1,935	\$255
Small Business Ombudsman	\$1,250	\$1,778	\$2,183	\$405
Children and Other Sensitive Populations: Agency Coordination	\$8,277	\$6,173	\$6,362	\$189
Subtotal, Information Exchange / Outreach	\$116,181	\$118,975	\$149,786	\$30,811
International Programs				
US Mexico Border	\$2,818	\$2,837	\$3,275	\$438
International Sources of Pollution	\$6,409	\$6,746	\$11,758	\$5,012
Trade and Governance	\$5,894	\$5,292	\$6,187	\$895
Subtotal, International Programs	\$15,121	\$14,875	\$21,220	\$6,345
IT / Data Management / Security				
Information Security	\$6,765	\$8,285	\$23,739	\$15,454
IT / Data Management	\$74,013	\$82,715	\$98,452	\$15,737
Subtotal, IT / Data Management / Security	\$80,777	\$91,000	\$122,191	\$31,191
Legal / Science / Regulatory / Economic Review				
Integrated Environmental Strategies	\$9,614	\$9,475	\$40,912	\$31,437
Administrative Law	\$3,768	\$4,975	\$5,882	\$907
Alternative Dispute Resolution	\$533	\$864	\$1,175	\$311
Civil Rights Program	\$8,968	\$9,205	\$25,869	\$16,664
Legal Advice: Environmental Program	\$55,700	\$49,595	\$76,855	\$27,260
Legal Advice: Support Program	\$16,645	\$15,865	\$18,892	\$3,027
Regional Science and Technology	\$466	\$638	\$4,923	\$4,285
Science Advisory Board	\$3,422	\$3,205	\$3,981	\$776
Regulatory/Economic-Management and Analysis	\$13,850	\$12,421	\$16,247	\$3,826
Subtotal, Legal / Science / Regulatory / Economic Review	\$112,967	\$106,243	\$194,736	\$88,493
Operations and Administration				
Central Planning, Budgeting, and Finance	\$71,528	\$76,718	\$89,154	\$12,436
Facilities Infrastructure and Operations	\$257,524	\$285,441	\$288,293	\$2,852
Acquisition Management	\$30,623	\$32,247	\$40,017	\$7,770
Human Resources Management	\$48,256	\$46,229	\$66,087	\$19,858

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Financial Assistance Grants / IAG Management	\$27,294	\$25,430	\$33,040	\$7,610
Subtotal, Operations and Administration	\$435,225	\$466,065	\$516,591	\$50,526
Pesticides Licensing				
Science Policy and Biotechnology	\$1,287	\$1,546	\$1,580	\$34
Pesticides: Protect Human Health from Pesticide Risk	\$58,124	\$60,181	\$62,726	\$2,545
Pesticides: Protect the Environment from Pesticide Risk	\$36,714	\$39,543	\$45,876	\$6,333
Pesticides: Realize the Value of Pesticide Availability	\$6,034	\$7,730	\$7,979	\$249
Subtotal, Pesticides Licensing	\$102,159	\$109,000	\$118,161	\$9,161
Research: Chemical Safety for Sustainability				
Research: Chemical Safety for Sustainability	\$115	\$0	\$0	\$0
Resource Conservation and Recovery Act (RCRA)				
RCRA: Corrective Action	\$33,921	\$38,453	\$39,820	\$1,367
RCRA: Waste Management	\$59,769	\$70,465	\$79,743	\$9,278
RCRA: Waste Minimization & Recycling	\$8,404	\$9,982	\$10,444	\$462
Subtotal, Resource Conservation and Recovery Act (RCRA)	\$102,095	\$118,900	\$130,007	\$11,107
Toxics Risk Review and Prevention				
Endocrine Disruptors	\$5,209	\$7,533	\$7,614	\$81
Pollution Prevention Program	\$11,476	\$12,558	\$17,121	\$4,563
Toxic Substances: Chemical Risk Review and Reduction	\$72,643	\$60,280	\$124,243	\$63,963
Toxic Substances: Lead Risk Reduction Program	\$11,991	\$13,129	\$13,749	\$620
Subtotal, Toxics Risk Review and Prevention	\$101,318	\$93,500	\$162,727	\$69,227
Underground Storage Tanks (LUST / UST)				
LUST / UST	\$10,373	\$11,250	\$12,564	\$1,314
Ensure Clean Water (formerly Water Quality Protection)**				
National Estuary Program / Coastal Waterways	\$29,496	\$31,822	\$32,184	\$362
Wetlands	\$18,562	\$19,300	\$25,637	\$6,337
Subtotal, Ensure Clean Water	\$48,058	\$51,122	\$57,821	\$6,699
Ensure Safe Water (formerly Water: Human Health Protection)**				
Beach / Fish Programs	\$1,146	\$1,584	\$1,827	\$243
Drinking Water Programs	\$97,190	\$106,903	\$133,258	\$26,355
Subtotal, Ensure Safe Water	\$98,335	\$108,487	\$135,085	\$26,598

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Ensure Clean Water (formerly Water Quality Protection)**				
Marine Pollution	\$8,206	\$9,468	\$12,299	\$2,831
Surface Water Protection	\$197,137	\$206,882	\$239,688	\$32,806
Subtotal, Ensure Clean Water	\$205,343	\$216,350	\$251,987	\$35,637
Clean and Safe Water Technical Assistance Grants				
Water Quality Research and Support Grants	\$0	\$21,700	\$0	-\$21,700
Total, Environmental Programs & Management	\$2,572,857	\$2,761,550	\$3,796,280	\$1,034,730
Inspector General				
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	\$38,174	\$43,500	\$55,865	\$12,365
Total, Inspector General	\$38,174	\$43,500	\$55,865	\$12,365
Building and Facilities				
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, Building and Facilities	\$43,076	\$33,752	\$80,570	\$46,818
Hazardous Substance Superfund				
Indoor Air and Radiation				
Radiation: Protection	\$1,973	\$1,985	\$2,872	\$887
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	\$11,634	\$11,586	\$12,062	\$476
Compliance				
Compliance Monitoring	\$1,778	\$1,000	\$1,015	\$15
Environmental Justice				
Environmental Justice	\$681	\$826	\$5,876	\$5,050
Enforcement				
Criminal Enforcement	\$8,469	\$7,647	\$8,088	\$441

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Forensics Support	\$1,250	\$1,145	\$1,263	\$118
Superfund: Enforcement	\$164,461	\$156,773	\$166,487	\$9,714
Superfund: Federal Facilities Enforcement	\$6,974	\$7,424	\$9,863	\$2,439
Subtotal, Enforcement	\$181,153	\$172,989	\$185,701	\$12,712
Homeland Security				
Homeland Security: Preparedness, Response, and Recovery	\$31,897	\$33,020	\$43,796	\$10,776
Homeland Security: Protection of EPA Personnel and Infrastructure	\$845	\$1,030	\$1,530	\$500
Subtotal, Homeland Security	\$32,742	\$34,050	\$45,326	\$11,276
Information Exchange / Outreach				
Exchange Network	\$1,511	\$1,328	\$1,328	\$0
IT / Data Management / Security				
Information Security	\$752	\$659	\$7,859	\$7,200
IT / Data Management	\$20,984	\$13,826	\$16,904	\$3,078
Subtotal, IT / Data Management / Security	\$21,735	\$14,485	\$24,763	\$10,278
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	\$632	\$832	\$868	\$36
Legal Advice: Environmental Program	\$1,161	\$443	\$461	\$18
Subtotal, Legal / Science / Regulatory / Economic Review	\$1,793	\$1,275	\$1,329	\$54
Operations and Administration				
Central Planning, Budgeting, and Finance	\$26,775	\$26,561	\$28,806	\$2,245
Facilities Infrastructure and Operations	\$81,976	\$68,727	\$71,219	\$2,492
Acquisition Management	\$23,380	\$23,800	\$32,345	\$8,545
Human Resources Management	\$7,200	\$6,202	\$8,476	\$2,274
Financial Assistance Grants / IAG Management	\$4,224	\$3,210	\$4,403	\$1,193
Subtotal, Operations and Administration	\$143,554	\$128,500	\$145,249	\$16,749
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$13,458	\$16,463	\$16,927	\$464
Research: Chemical Safety for Sustainability				
Health and Environmental Risk Assessment	\$3,654	\$12,824	\$4,896	-\$7,928
Research: Chemical Safety for Sustainability	\$6,065	\$0	\$8,060	\$8,060
Subtotal, Research: Chemical Safety for Sustainability	\$9,719	\$12,824	\$12,956	\$132
Superfund Cleanup				
Superfund: Emergency Response and Removal	\$233,104	\$190,000	\$199,835	\$9,835

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Superfund: EPA Emergency Preparedness	\$7,555	\$7,700	\$8,056	\$356
Superfund: Federal Facilities	\$24,264	\$21,800	\$36,272	\$14,472
Superfund: Remedial	\$639,714	\$589,000	\$454,601	-\$134,399
Subtotal, Superfund Cleanup	\$904,636	\$808,500	\$698,764	-\$109,736
Total, Hazardous Substance Superfund	\$1,326,363	\$1,205,811	\$1,154,168	-\$51,643
Leaking Underground Storage Tanks				
Enforcement				
Civil Enforcement	\$625	\$620	\$653	\$33
Operations and Administration				
Central Planning, Budgeting, and Finance	\$343	\$416	\$448	\$32
Facilities Infrastructure and Operations	\$932	\$836	\$724	-\$112
Acquisition Management	\$245	\$132	\$132	\$0
Subtotal, Operations and Administration	\$1,520	\$1,384	\$1,304	-\$80
Underground Storage Tanks (LUST / UST)				
LUST / UST	\$9,561	\$9,470	\$9,811	\$341
LUST Cooperative Agreements	\$55,438	\$55,040	\$55,040	\$0
LUST Prevention	\$25,383	\$25,369	\$26,669	\$1,300
Subtotal, Underground Storage Tanks (LUST / UST)	\$90,382	\$89,879	\$91,520	\$1,641
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$303	\$320	\$337	\$17
Total, Leaking Underground Storage Tanks	\$92,830	\$92,203	\$93,814	\$1,611
Inland Oil Spill Programs				
Compliance				
Compliance Monitoring	\$132	\$139	\$2,146	\$2,007
Enforcement				
Civil Enforcement	\$2,532	\$2,413	\$2,538	\$125
Oil				
Oil Spill: Prevention, Preparedness and Response	\$15,160	\$16,200	\$20,503	\$4,303
Operations and Administration				
Facilities Infrastructure and Operations	\$628	\$682	\$641	-\$41

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$1,149	\$664	\$674	\$10
Total, Inland Oil Spill Programs	\$19,601	\$20,098	\$26,502	\$6,404
State and Tribal Assistance Grants				
State and Tribal Assistance Grants (STAG)				
Infrastructure Assistance: Alaska Native Villages	\$36,607	\$36,186	\$40,000	\$3,814
Brownfields Projects	\$101,296	\$90,982	\$130,982	\$40,000
Infrastructure Assistance: Clean Water SRF	\$1,788,798	\$1,638,826	\$1,638,847	\$21
Infrastructure Assistance: Drinking Water SRF	\$1,224,269	\$1,126,088	\$1,126,095	\$7
Infrastructure Assistance: Mexico Border	\$19,591	\$30,000	\$30,000	\$0
Diesel Emissions Reduction Grant Program	\$87,360	\$90,000	\$150,000	\$60,000
Targeted Airshed Grants	\$52,895	\$59,000	\$59,000	\$0
San Juan Watershed Monitoring (formerly Gold King Mine Water Monitoring)**	\$6,363	\$4,000	\$4,000	\$0
Safe Water for Small & Disadvantaged Communities	\$45,312	\$26,408	\$80,002	\$53,594
Reducing Lead in Drinking Water	\$40,053	\$21,511	\$182,002	\$160,491
Lead Testing in Schools	\$19,430	\$26,500	\$36,500	\$10,000
Drinking Water Infrastructure Resilience and Sustainability	\$0	\$4,000	\$25,000	\$21,000
Technical Assistance for Wastewater Treatment Works (formerly Technical Assistance for Treatment Works)**	\$0	\$18,000	\$18,000	\$0
Sewer Overflow and Stormwater Reuse Grants (formerly Sewer Overflow and Stormwater Control Grants)**	\$6,308	\$40,000	\$280,000	\$240,000
Water Infrastructure Workforce Investment (formerly Water Infrastructure and Workforce Investment)**	\$0	\$3,000	\$17,711	\$14,711
Technical Assistance and Grants for Emergencies (SDWA)	\$0	\$0	\$35,000	\$35,000
Technical Assistance and Grants for Emergencies, Small Systems	\$0	\$0	\$15,000	\$15,000
Source Water Petition Program	\$0	\$0	\$5,000	\$5,000
Voluntary Connections to Public Water Systems	\$0	\$0	\$20,000	\$20,000
Underserved Communities Grant to Meet SDWA Requirements	\$0	\$0	\$50,000	\$50,000
Small System Water Loss Identification and Prevention	\$0	\$0	\$50,000	\$50,000
Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability	\$0	\$0	\$50,000	\$50,000
Indian Reservation Drinking Water Program	\$0	\$0	\$50,000	\$50,000
Advanced Drinking Water Technologies	\$0	\$0	\$10,000	\$10,000

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Clean Water Act Research, Investigations, Training, and Information	\$0	\$0	\$75,000	\$75,000
Wastewater Efficiency Grant Pilot Program	\$0	\$0	\$20,000	\$20,000
Clean Water Infrastructure Resiliency and Sustainability Program	\$0	\$0	\$25,000	\$25,000
Small and Medium Publicly Owned Treatment Works Circuit Rider Program	\$0	\$0	\$10,000	\$10,000
Grants for Low and Moderate income Household Decentralized Wastewater Systems	\$0	\$0	\$50,000	\$50,000
Connection to Publicly Owned Treatment Works	\$0	\$0	\$40,000	\$40,000
Water Data Sharing Pilot Program	\$0	\$0	\$15,000	\$15,000
Stormwater Infrastructure Technology	\$0	\$0	\$5,000	\$5,000
Stormwater Control Infrastructure Project Grants	\$0	\$0	\$10,000	\$10,000
Alternative Water Sources Grants Pilot Program	\$0	\$0	\$25,000	\$25,000
Enhanced Aquifer Use and Recharge	\$0	\$0	\$5,000	\$5,000
Water Sector Cybersecurity	\$0	\$0	\$25,000	\$25,000
Subtotal, State and Tribal Assistance Grants (STAG)	\$3,428,280	\$3,214,501	\$4,408,139	\$1,193,638
Categorical Grants				
Categorical Grant: Nonpoint Source (Sec. 319)	\$180,139	\$177,000	\$188,999	\$11,999
Categorical Grant: Public Water System Supervision (PWSS)	\$110,341	\$112,000	\$132,566	\$20,566
Categorical Grant: State and Local Air Quality Management	\$241,186	\$229,500	\$322,198	\$92,698
Categorical Grant: Radon	\$8,685	\$7,795	\$12,487	\$4,692
Categorical Grant: Pollution Control (Sec. 106)				
<i>Monitoring Grants</i>	\$15,458	\$17,267	\$18,515	\$1,248
<i>Categorical Grant: Pollution Control (Sec. 106) (other activities)</i>	\$212,284	\$212,733	\$233,023	\$20,290
Subtotal, Categorical Grant: Pollution Control (Sec. 106)	\$227,741	\$230,000	\$251,538	\$21,538
Categorical Grant: Wetlands Program Development	\$10,111	\$14,192	\$15,079	\$887
Categorical Grant: Underground Injection Control (UIC)	\$10,604	\$11,164	\$11,387	\$223
Categorical Grant: Pesticides Program Implementation	\$12,148	\$12,294	\$14,027	\$1,733
Categorical Grant: Lead	\$15,895	\$14,275	\$24,639	\$10,364
Resource Recovery and Hazardous Waste Grants (formerly Categorical Grant: Hazardous Waste Financial Assistance)**	\$110,760	\$101,500	\$118,247	\$16,747
Categorical Grant: Pesticides Enforcement	\$24,321	\$24,000	\$25,580	\$1,580
Categorical Grant: Pollution Prevention	\$5,022	\$4,630	\$5,775	\$1,145
Categorical Grant: Toxics Substances Compliance	\$6,151	\$4,760	\$6,877	\$2,117
Categorical Grant: Tribal General Assistance Program	\$69,308	\$66,250	\$85,009	\$18,759
Categorical Grant: Underground Storage Tanks	\$1,475	\$1,475	\$1,505	\$30

	FY 2021 Final Actuals	FY 2022 Annualized CR	FY 2023 President's Budget	FY 2023 President's Budget v. FY 2022 Annualized CR
Categorical Grant: Tribal Air Quality Management	\$12,964	\$13,415	\$23,126	\$9,711
Categorical Grant: Environmental Information	\$9,866	\$9,336	\$15,000	\$5,664
Categorical Grant: Beaches Protection	\$10,863	\$9,619	\$9,811	\$192
Categorical Grant: Brownfields	\$46,752	\$46,195	\$46,954	\$759
Categorical Grant: Multipurpose Grants	\$14,297	\$10,000	\$10,200	\$200
Subtotal, Categorical Grants	\$1,128,627	\$1,099,400	\$1,321,004	\$221,604
Clean and Safe Water Technical Assistance Grants (formerly Congressional Priorities)**				
Water Quality Research and Support Grants	\$365	\$0	\$0	\$0
Total, State and Tribal Assistance Grants	\$4,557,273	\$4,313,901	\$5,729,143	\$1,415,242
Hazardous Waste Electronic Manifest System Fund				
Resource Conservation and Recovery Act (RCRA)				
RCRA: Waste Management	\$21,498	\$0	\$0	\$0
Operations and Administration				
Central Planning, Budgeting, and Finance	\$154	\$0	\$0	\$0
Total, Hazardous Waste Electronic Manifest System Fund	\$21,652	\$0	\$0	\$0
Water Infrastructure Finance and Innovation Fund				
Ensure Clean Water (formerly Water Quality Protection)**				
Water Infrastructure Finance and Innovation	\$79,800	\$65,000	\$80,344	\$15,344
Total, Water Infrastructure Finance and Innovation Fund	\$79,800	\$65,000	\$80,344	\$15,344
Subtotal, EPA	\$9,378,522	\$9,265,144	\$11,880,841	\$2,615,697
Cancellation of Funds	\$0	-\$27,991	\$0	\$27,991
TOTAL, EPA	\$9,378,522	\$9,237,153	\$11,880,841	\$2,643,688

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

** These programs have proposed for name change in the FY 2023 President's Budget.

Eliminated Programs

Eliminated Program Projects

Water Quality Research and Support Grants

(FY 2023 President's Budget: \$0.0, 0.0 FTE)

This program is proposed for elimination in the FY 2023 President's Budget. Work to advance water quality protection can be accomplished within core statutory programs funded in the Budget request. This program focuses on water quality and water availability research, the development and application of water quality criteria, the implementation of watershed management approaches, and the application of technological options to restore and protect water bodies. For training and technical assistance aspects of the Program, states have the ability to develop technical assistance plans for their water systems using Public Water System Supervision funds and set-asides from the Drinking Water State Revolving Fund (DWSRF). For research and development components of the Program, EPA was instructed by Congress to award grants on a competitive basis, independent of the Science to Achieve Results (STAR) program and give priority to not-for-profit organizations that: conduct activities that are national in scope; can provide a twenty-five percent match, including in-kind contributions; and often partner with the Agency.

Proposed FY 2023 Administrative Provisions

To further clarify proposed Administrative Provisions that involve more than a simple annual extension or propose a modification to an existing provision, the following information is provided.

Pesticide Licensing Fee Spending Restrictions

Statutory language in the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Pesticide Registration Improvement Extension Act of 2018 (PRIA-4), signed into law by the President on March 8, 2019, restricts what activities EPA can fund from collections deposited in the Reregistration and Expedited Processing Revolving Fund and Pesticide Registration Fund. The FY 2023 Budget Request carries forward the proposed statutory language from the FY 2022 President's Budget to allow registration service fees to be spent on additional activities related to registration of pesticides, such as processing and review of submitted data, laboratory support and audits, and rulemaking support.

The following proposed statutory language would ease spending restrictions related to PRIA registration service fees.

PRIA registration service fees:

The carrying forward of language specifying that PRIA fees collected in FY 2023 will remain available until expended would simplify aspects of budget execution. The proposal to allow EPA to collect and spend PRIA fees in FY 2023 and to authorize expanded use of PRIA fee collections is below.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8): Provided, That such fees collected shall remain available until expended.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8(d)(2)), the Administrator of the Environmental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2023.

Notwithstanding any other provision of law, in addition to the activities specified in section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w-8), fees collected in this and prior fiscal years under such section shall be available for the following activities as they relate to pesticide licensing: processing and review of data submitted in association with a registration, information submitted pursuant to section 6(a)(2) of FIFRA (7 U.S.C. 136d(a)(2)), supplemental distributor labels, transfers of registrations and data compensation rights, additional uses registered by states under section 24(c) of FIFRA (7 U.S.C. 136v(c)), data compensation petitions, reviews of minor amendments, and notifications; review of applications for emergency exemptions under section 18 of FIFRA (7 U.S.C. 136p) and ensuring data collection activities, laboratory support and audits; administrative support; risk communication activities;

development of policy and guidance; rulemaking support; information collection activities; and the portions of salaries related to work in these areas.

Hazardous Waste Electronic Manifest

The Hazardous Waste Electronic Manifest Establishment Act (Public Law 112-195) provides EPA with the authority to establish a program to finance, develop, and operate a system for the electronic submission of hazardous waste manifests supported by user fees. In FY 2023, EPA will operate the e-Manifest system and the Agency anticipates collecting and depositing approximately \$26.6 million in e-Manifest user fees into the Hazardous Waste Electronic Manifest System Fund. Based upon authority to collect and spend e-Manifest fees provided by Congress in annual appropriations bills, the fees will be utilized for the operation of the system and necessary program expenses. Fees will fully support the e-Manifest program, including future development costs. In recent appropriations acts, Congress has provided an advance on the appropriation for the e-Manifest program, to be reduced by the amount of fees collected so as to result in a final fiscal year appropriation of \$0. Because the program is now fully operational and fee-supported, this language is no longer necessary. The language to authorize collection and spending of the fees is below. Language specifying that e-Manifest fees collected in FY 2023 will remain available until expended would simplify aspects of budget execution.

Propose a modification to the existing provision:

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2023, to remain available until expended.

Change to Buildings and Facilities Per Project Threshold

The Building and Facilities threshold was last increased from \$85,000 to \$150,000 in FY 2013. Since 2013, costs for construction, material, and labor have increased significantly. EPA is proposing to reflect these cost increases by raising the per project threshold from \$150,000 to \$350,000. The \$350,000 threshold will apply to the S&T, EPM, OIG, Superfund, and LUST appropriations and will allow the programs to proceed effectively and efficiently to address immediate, urgent and smaller-scale facility improvements and will enable the Agency to maintain adequate operations, further mission-critical activities and implement climate sustainability and resiliency enhancements.

Propose a modification to the existing provision:

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program Accounts, are available for the construction, alteration, repair, rehabilitation, and renovation of facilities provided that the cost does not exceed \$350,000 per project.

Service Fees for the Administration of the Toxic Substances Control Act (TSCA Fees Rule)

On June 22, 2016, the “Frank R. Lautenberg Chemical Safety for the 21st Century Act” (P.L. 114-182) was signed into law, amending numerous sections of the Toxic Substances Control Act (TSCA). The amendments provide authority to the Agency to establish fees for certain activities under Sections 4, 5, and 6 of TSCA, as amended, to defray 25 percent of the costs of administering these sections and requirements under Section 14. The amendments removed the previous cap that the Agency may charge for pre-manufacturing notification reviews. Fees collected under the TSCA Fees Rule¹⁵ will be deposited in the TSCA Service Fee Fund for use by EPA. Fees under this structure began to be incurred through EPA rulemaking on October 1, 2018 and replace the former Pre-Manufacturing Notification Fees. In recent appropriations acts, Congress has provided an advance on the appropriation for the TSCA program, to be reduced by the amount of fees collected, so as to result in a final fiscal year appropriation of \$0. Because the program began collecting fees in FY 2019, this language is no longer necessary and was not included in the FY 2022 President’s Budget. Language specifying that TSCA fees collected in FY 2023 will remain available until expended would simplify aspects of budget execution.

Propose a modification to an existing provision:

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 26(b) of the Toxic Substances Control Act (15 U.S.C. 2625(b)) for fiscal year 2023, to remain available until expended.

Student Services Contracting Authority

In the FY 2023 Budget Request, the Agency requests authorization for the Office of Research and Development (ORD), the Office of Chemical Safety and Pollution Prevention (OCSPP), and the Office of Water (OW) to hire pre-baccalaureate and post-baccalaureate students in science and engineering fields. This authority would provide ORD, OCSPP, and OW with the flexibility to hire qualified students that work on projects that support current priorities, programmatic functions, and the Agency’s environmental goals.

Proposed Language to add to FY 2023 Budget:

For fiscal years 2022 through 2027, the Office of Chemical Safety and Pollution Prevention and the Office of Water may, using funds appropriated under the headings "Environmental Programs and Management" and "Science and Technology," contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purpose: Provided, That amounts used for this purpose by the Office of Chemical Safety and Pollution Prevention and the Office of Water collectively may not exceed \$2,000,000 per year.

¹⁵ For additional information, please refer to: <https://www.epa.gov/tsc-fees/fees-administration-toxic-substances-control-act>.

Special Accounts and Aircraft for Superfund Response Actions

31 U.S.C. 1343(d) generally states that appropriated funds are not available for aircraft unless “the appropriation specifically authorizes” its use for such purpose. The FY 2020 Further Consolidated Appropriations Act (P.L. 116-94) made EPA’s annually appropriated Superfund Trust Fund money available to hire, maintain, and operate aircraft for the purposes of carrying out the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). However, the FY 2020 Further Consolidated Appropriations Act did not include specific authority for EPA to also use funds recovered from Potentially Responsible Parties – which are deposited into Superfund “special accounts” and made available to EPA in a separate, permanent indefinite appropriation – for aircraft. Accordingly, in the FY 2023 Budget, the Agency requests parity in authority to use Superfund special account funds for aircraft, so that EPA may carry out CERCLA response actions funded with special account money in the same manner as the Agency would with annually appropriated Superfund money.

Proposed Language to add to FY 2023 Budget:

The appropriation provided by 42 U.S.C. 9622(b)(3) is available for the hire, maintenance, and operation of aircraft.

Title 42 Hiring Authority

EPA is requesting the same language for its Title 42 Authority as proposed in the FY 2022 President’s Budget. This would include a cap of 25 hires for OCSPP and 75 Hires for ORD. ORD currently uses this authority to fill highly competitive, PhD-level positions where recruiting through the GS system is not appropriate. ORD has a robust process for managing the program, including an Operations Manual that provides requirements on recruiting, compensation, ethics, and term renewals. OCSPP faces similar challenges in hiring specialized talent.

Proposed Language to add to FY 2023 Budget:

The Administrator may, after consultation with the Office of Personnel Management, employ up to seventy-five persons at any one time in the Office of Research and Development and twenty-five persons at any one time in the Office of Chemical Safety and Pollution Prevention under the authority provided in 42 U.S.C. 209, through fiscal year 2025.

Working Capital Fund Authority

On December 12, 2017, the Modernizing Government Technology (MGT Act)¹⁶ was signed into law, authorizing CFO-Act agencies to set up information technology (IT) specific WCFs, which allows them to fund IT modernization projects and reinvest savings for additional modernization projects in the future. In the FY 2023 Budget, the Agency requests language be added to clarify and ensure that EPA has the ability to utilize funds deposited into EPA’s WCF to modernize and develop the Agency’s IT systems. The Agency has a well-established WCF where nearly 80

¹⁶ For more information on the MGT Act, please refer to Section G of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91): <https://www.congress.gov/115/plaws/publ91/PLAW-115publ91.pdf>.

percent of the current service offerings are IT related. Establishing a separate IT WCF would be duplicative and more costly than to utilize the Agency's existing WCF. By seeking the proposed authorizing language change, EPA will clarify its existing authority and harmonize it with the intent of what Congress envisioned in the passage of the MGT Act.

Proposed Language to add to FY 2023 Budget:

The Environmental Protection Agency Working Capital Fund, 42 U.S.C. 4370e, is available for expenses and equipment necessary for modernization and development of information technology of, or for use by, the Environmental Protection Agency

U.S. Environmental Protection Agency
Plan for Implementing the Policies and Directives of Executive Order 13175: Consultation and Coordination with Indian Tribal Governments

The U.S. Environmental Protection Agency (EPA) is committed to honoring tribal sovereignty and including tribal voices in policy deliberations, as called for in President Biden’s January 26, 2021 memorandum on Nation-to-Nation relationships with American Indian and Alaska Native Tribal Nations. EPA has a long history of engagement and consultation with tribal governments. In 2011, it was among the first federal agencies to issue a tribal consultation policy, and in the 10 years since the policy was issued, EPA has conducted more than 680 tribal consultations. Implementation of EPA’s consultation policy remains a top priority for the Agency. EPA strives to learn from its past consultations and ongoing engagements with federally recognized Indian tribes. This plan, which builds upon EPA’s existing policies and practices, identifies current and future actions the Agency is taking to meet the directives of Executive Order 13175 and to build on and strengthen its consultation policies and practices.

1. Introduction

In his January 26, 2021 memorandum, [*Tribal Consultation and Strengthening Nation-to-Nation Relationships*](#), President Biden affirmed: (1) respect for tribal sovereignty and self-governance, (2) commitment to fulfilling federal trust and treaty responsibilities to tribal nations, and (3) regular, meaningful, and robust consultation with tribal nations as cornerstones of federal Indian policy. The memorandum also reaffirmed both [*Executive Order \(EO\) 13175: Consultation and Coordination with Indian Tribal Governments*](#), which requires all federal agencies to engage in regular and meaningful tribal consultation in formulating or implementing policies that have tribal implications, and the November 2009 [*Presidential Memorandum on Tribal Consultation*](#), which requires each federal agency to implement the policies and directives of EO 13175.

The 2021 memorandum directs federal agencies to submit a detailed plan of actions that agencies will take to implement the policies and directives of EO 13175, developed in consultation with tribal nations and tribal officials, within 90 days of the date of the presidential memorandum (April 26, 2021).

I. Consultation and Coordination Process for Developing EPA’s Plan for Implementing EO 13175

In accordance with this directive, EPA held a tribal consultation and coordination period from March 1 - 31, 2021, to obtain tribal input on improving implementation of its consultation policies and practices, pursuant to the policies and directives of EO 13175. EPA received 27 written comment letters from tribes and tribal organizations as part of the tribal consultation and coordination process and one letter from the State of Hawaii, Office of Hawaiian Affairs. During the consultation and coordination period, EPA held two national tribal webinars and listening sessions on March 15 and March 17, 2021, which were attended by more than 130 participants. The webinars were held to discuss EPA’s current consultation policies and practices, identify future actions the Agency is developing to improve on its existing consultation work, and seek input on opportunities to strengthen its consultation policies and practices moving forward.

Additionally, EPA staff briefed four EPA Tribal Partnership Groups and Regional Tribal Operations Committees (RTOCs) during the consultation and coordination period, at the groups' request, recording feedback provided by tribal representatives at those meetings.

When developing this *Plan for Implementing the Policies and Directives of Executive Order 13175*, EPA reviewed and carefully considered all comments and input provided during the consultation and coordination process. Based on key comment themes that emerged from the tribal input received, EPA is taking action to strengthen our consultation policies and practices and the implementation of those policies and practices, as discussed below.

II. Actions to Strengthen EPA Consultation Policies and Practices

EPA has a number of policies and practices currently in place to implement EO 13175 and provide for regular, meaningful consultation for Agency actions that may affect tribes. These policies and practices are discussed in detail below in Section IV of this plan. EPA recognizes that consultations are often complicated processes, and the Agency strives to learn from its past consultations and ongoing engagements with tribes as it continues work to strengthen its consultation practices. Building from the Agency's current policies and practices and based on the feedback that EPA received during the consultation and coordination process, the Agency will:

- 1) **Convene an Agency workgroup to identify options and recommendations to address key comments raised by tribes during the consultation and coordination process.** This Agency workgroup will be convened and managed by EPA's American Indian Environmental Office and be comprised of headquarters and Regional office EPA Tribal Consultation Advisors. EPA will continue to conduct outreach to and engage tribes as it works to review and respond to the consultation input it received.

The workgroup will focus on addressing several key comment themes heard from tribes in the consultation, including concerns that:

- In general, EPA does not provide a sufficient amount of time for tribes to meaningfully and effectively consult on Agency actions or adequate time to receive consultation notification prior to the start of consultation meetings and/or listening sessions.
- EPA's definition of consultation should be broadened, and additional requirements should be put in place to ensure policies, rules, and decisions fully consider and address the concerns of tribal nations.
- Consultation often can feel like a "check the box" exercise, with a decision already made by the time consultation occurs, and/or consultations can feel like an early comment period opportunity and not a consultation opportunity.
- Better coordination and communication are needed among multi-agency consultation actions with improved tribal involvement.
- Comprehensive training on tribal governments and their unique status (as distinct from the status of states and local governments), the nation-to-nation relationship, federal trust and treaty obligations, and appropriate consultation protocols is needed for EPA staff and both senior and career leadership.
- Improvements can be made to EPA's [Tribal Consultation Opportunities](#)

[Tracking System \(TCOTS\) website](#) and email listserv to enhance Agency outreach on consultation opportunities.

- EPA decisionmakers do not consistently participate in consultation meetings.
- EPA needs to strengthen its follow-up procedures with tribes after consultation.

Priority Action: EPA reinforces that it is critical to have appropriate senior leadership involved in tribal consultation meetings. A focus area of EPA's workgroup will be to recommend uniform criteria and practices across the Agency for identifying appropriate senior EPA officials to attend tribal consultation meetings. This addresses a key comment expressed by a number of tribes.

2) Provide enhanced consultation training for EPA Tribal Consultation Advisors. All new EPA personnel receive a mandatory training entitled *Working Effectively with Tribal Governments*. To supplement this training, EPA will develop and provide enhanced training for Tribal Consultation Advisors to ensure they have the training and support that they need to effectively implement the Agency's consultation policies and practices. This training will allow Tribal Consultation Advisors to receive regular updates and an opportunity to discuss best practices and lessons learned regarding the consultation and coordination process. The training will be led by EPA's American Indian Environmental Office.

I. Current Consultation Policies and Practices

EPA has a long history of engagement with tribal governments and is committed to respecting tribal sovereignty and the nation-to-nation relationship in the consultation process. In 1984, EPA was one of the first federal agencies to establish its own Indian Policy specifying how it would interact with tribal governments and consider tribal interests in carrying out its programs to protect human health and the environment. The [EPA Policy for the Administration of Environmental Programs on Indian Reservations](#) (1984 Indian Policy) identifies nine basic principles for implementing EPA's programs where they impact Indian reservations and tribal interests. These principles include that EPA will work directly with tribal governments on a "government-to-government" basis; that it will recognize tribal governments as the primary parties for setting standards, making environmental policy decisions, and managing programs for reservations, consistent with EPA standards and regulations; and in keeping with the federal trust responsibility, will ensure that tribal concerns and interests are considered whenever EPA's actions and/or decisions may affect tribes.

As described in this section, EPA's current consultation practices set forth in the EPA [Policy on Consultation and Coordination with Indian Tribes](#) (Consultation Policy) establish the process for the Agency to identify actions or decisions appropriate for consultation, notify appropriate tribes of the possibility to consult with EPA, and describe how the Agency will receive and respond to consultation and coordination input. Among other actions, EPA has established a system (i.e., Tribal Consultation Opportunities Tracking System) to allow for nationwide notification of consultation opportunities and has created internal reporting measures to ensure that the Agency considers tribal input and emphasizes the importance of tribal consultation. As described in the previous section, EPA will take action to review,

improve, and/or modify the implementation of our consultation and coordination practices considering the extensive feedback received during the March 1 – 31, 2021 consultation.

EPA's Policy on Consultation and Coordination with Indian Tribes

In response to the 2009 presidential memo requiring agencies to submit plans to implement EO 13175, in May 2011, EPA was among the first federal agencies to issue a tribal consultation policy. The EPA Consultation Policy established national guidelines and institutional controls for consultation across EPA. It was finalized after extensive consultation and coordination with tribes and a public comment period. The goal of the Consultation Policy was to fully implement EO 13175 as well as EPA's 1984 Indian Policy.

The Consultation Policy is designed to fulfill the Agency's obligation to consult with tribes in accordance with EO 13175, but importantly establishes a broader standard regarding the type of Agency actions and activities that may warrant consultation. The Consultation Policy describes consultation as a process of meaningful communication and coordination between EPA and tribal officials that begins prior to EPA taking actions or implementing decisions that "may affect tribes." This broader standard is drawn from EPA's 1984 Indian Policy, which states that "tribal concerns and interests are considered whenever EPA's actions and/or decisions may affect" tribes. In addition to EPA's Consultation Policy, some of EPA regional and headquarters offices have developed additional procedures to tailor and assist in implementation of the *EPA Policy on Consultation and Coordination with Indian Tribes*.

Four-Phase Consultation Process: The Consultation Policy outlines a four-phase consultation process, that includes: identification, notification, input, and follow up.

- **Identification:** During this phase, EPA identifies activities that may be appropriate for consultation. To help identify, plan for, and coordinate EPA consultation actions across the Agency, OITA's American Indian Environmental Office (AIEO) conducts an internal semi-annual planning process whereby EPA headquarters and regional offices are asked to review planned activities to determine whether consultation may be appropriate and to report this information to AIEO. This semi-annual reporting process is conducted to help maximize coordination of consultation planning and execution among offices, affording additional lead time for preparation and planning. Additionally, as outlined in EPA's Consultation Policy, in addition to EPA's ability to determine what requires consultation, tribal officials have the ability to request to consult on Agency actions.
- **Notification:** During this phase, EPA notifies tribe(s) of activities that may be appropriate for consultation. Per the 2011 Consultation Policy, notification should occur sufficiently early in the process to allow for meaningful input by the tribe(s) and can occur in a number of ways depending on the nature of the activity and the number of tribes potentially affected. EPA notifies tribes of consultations through several methods. EPA programs send official consultation notification letters to the leadership of tribal governments that may be affected by a given action using the contact information maintained in the Bureau of Indian Affairs' Tribal Leaders Directory,¹⁷¹ which a number of headquarters and regional offices verify and

¹⁷ Bureau of Indian Affairs' Tribal Leaders Directory (<https://www.bia.gov/tribal-leaders-directory>).

supplement using information that they independently collect. Additionally, EPA maintains a [Tribal Consultation Opportunities Tracking System \(TCOTS\) website](#), which provides public access to current EPA consultation opportunities, with the information needed for tribes to actively engage EPA on those actions. In addition to accessing the TCOTS site directly, tribal representatives can sign up to receive email updates every time the Agency announces a consultation opportunity. Additionally, to assist the Agency in communicating with tribal environmental programs, EPA maintains email lists for tribal environmental and natural resource directors to assist EPA programs when communicating tribal consultation and engagement information, and also distributes consultation information to relevant EPA [Tribal Partnership Groups](#) and Regional Tribal Operations Committees, as appropriate.

- **Input:** During this phase, tribes provide input to EPA on the consultation matter. While tribes always have the option and are encouraged to submit written comments during the consultation and coordination process, as outlined in the 2011 Consultation Policy, this phase may include “a range of interactions including written and oral communications including exchanges of information, phone calls, meetings, and other appropriate interactions depending upon the specific circumstances involved. EPA coordinates with tribal officials during this phase to be responsive to their needs for information and to provide opportunities to provide, receive, and discuss input.”
- **Follow-up:** During this phase, EPA provides feedback to the tribes(s) involved in the consultation to explain how their input was considered in the final action. As indicated in the 2011 Consultation Policy, “this feedback should be a formal, written communication from a senior EPA official involved to the most senior tribal official involved in the consultation.” To help ensure that EPA is appropriately following up with tribes on consultation actions and is tracking this information, beginning in FY 2020, AIEO began requiring headquarters and regional offices to document consultation outcomes in order to administratively close out consultation records in TCOTS. The information being tracked includes: (1) confirmation of tribal participation; (2) confirmation of whether a tribe(s) submitted written input, and (3) a summary of how EPA addressed tribal input. Since FY 2020, the Agency has had monthly internal reporting metrics to track this follow-up phase of tribal consultation and help ensure that headquarters and regional offices are documenting these consultation outcomes in TCOTS.

Designated Consultation Roles & Responsibilities: To effectively implement EPA's consultation policies and practices, the 2011 Consultation Policy designates consultation roles and responsibilities for managers and staff across the Agency. Pursuant to EO 13175, EPA's Consultation Policy designates the EPA Assistant Administrator (AA) for the Office of International and Tribal Affairs (OITA) as EPA's Designated Consultation Official. EPA's Designated Consultation Official is responsible for coordinating and implementing tribal consultation across EPA and certifying compliance with EO 13175 for applicable EPA activities, as discussed below. Additionally, per the 2021 presidential memorandum, the Designated Consultation Official will coordinate implementation of

this plan for the Agency and, per the 2009 and 2021 presidential memoranda, has and will continue to report annually to the Office of Management and Budget (OMB) on the implementation of EO 13175.

EPA's Consultation Policy also designates key senior EPA management and staff to oversee and help implement the Consultation Policy. The policy designates EPA Assistant Administrators and Regional Administrators to oversee the consultation process in their respective headquarters and regional offices. Additionally, the Consultation Policy designates Tribal Consultation Advisors in each headquarters and regional office to assist EPA programs in identifying matters appropriate for consultation and serve as points-of-contact for EPA senior leadership and staff, tribal governments, and other parties interested in the consultation process.

Tracking, Management, and Reporting of Consultation Actions

To help ensure consistent identification, tracking, and management of EPA consultation actions, EPA follows a number of internal systems and protocols, as described below.

Tribal Consultation Opportunities Tracking System & TCOTS-DASH: The Agency uses its [Tribal Consultation Opportunities Tracking System \(TCOTS\) website](#) to track and manage current and past EPA consultation opportunities. To help improve tracking and management of EPA consultation efforts and to better communicate consultation information to senior leadership, AIEO also has developed a new, internal tool called TCOTS-DASH. Using information entered by headquarters and regional offices into TCOTS, TCOTS-DASH will provide real-time data to EPA leadership and staff on open tribal consultation opportunities as well as long-term consultation trends over time.

Annual Reporting to OMB: Pursuant to the 2009 presidential memorandum, EPA submits annual progress reports to OMB on the status of the consultation process and actions and identifies any updates to EPA's Consultation Policy and its implementation. EPA will continue to provide such annual reporting to OMB, as directed by the 2021 presidential memorandum.

Consultation Documentation and Certification for EPA Regulatory Actions

Pursuant to EO 13175, if a regulatory action will have a "substantial direct[] effect on one or more tribes," which is a narrower threshold than "may affect tribal interests" as applied under EPA's Consultation Policy, each federal agency must certify to OMB that appropriate consultation with tribes was conducted on the action in question and document a "tribal summary impact statement" in its preamble to the rule (EO 13175, Sections 5(b)(2)(B) & 5(c)(2)). To comply with this directive, when EPA submits a draft final regulation to OMB for review under EO 12866, the Agency includes a "tribal summary impact statement" as part of the preamble to a rule. Additionally, under EO 13175, if an Agency action or decision is determined to have "tribal implications," EPA is required to certify that the requirements of EO 13175 "have been met in a meaningful and timely manner" when transmitting the draft of the final regulation to OMB for review (EO 13175, Section 7(a)). Prior to submitting relevant final

actions to OMB for review, EPA programs must obtain a memo from EPA's Designated Consultation Office certifying compliance with EO 13175 consultation requirements.

EPA's Tribal Treaty Rights Guidance

As a supplement to EPA's Consultation Policy, in February 2016, EPA issued its [*Policy on Consultation and Coordination with Indian Tribes: Guidance for Discussing Tribal Treaty Rights*](#). EPA developed this guidance after nationwide tribal consultation. The guidance complements EPA's Consultation Policy by providing affirmative steps for the Agency to take during tribal consultations when an EPA action occurs in a specific geographic location and a resource-based treaty right, or an environmental condition necessary to support the resource, may be affected by EPA's action. Pursuant to the guidance, in such instances, EPA will seek information and recommendations on tribal treaty rights and consider all relevant information obtained to help ensure that EPA's actions do not conflict with treaty rights, and to help ensure that EPA is fully informed when it seeks to implement its programs and to further protect treaty rights and resources when it has discretion to do so.

EPA continuously strives to incorporating tribal treaty rights into their work. For example, EPA's Office of Superfund Remediation and Technology Innovation issued a memo on the [*Consideration of Tribal Treaty Rights and Traditional Ecological Knowledge in the Superfund Remedial Program*](#) in January 2017.

Conclusion

EPA would like to acknowledge the early commitment of the Biden Administration to regular, meaningful, and robust consultation with tribal nations and to seeking information from federal agencies on the steps they are taking to implement the policies and directives of EO 13175, developed in consultation with tribal nations. EPA remains committed to consulting with tribes and to holding meaningful communication and coordination between EPA and tribal officials prior to EPA taking actions or implementing decisions that may affect tribes. EPA looks forward to this opportunity to share its *Plan for Implementing the Policies and Directives of Executive Order 13175* with OMB and to work as an Agency to respond to and address tribal input to improve EPA's implementation of its consultation policies and practices, pursuant to the policies and directives of EO 13175. EPA is dedicated to strengthening our consultation policies and procedures.

062S. 2276 – Good Accounting Obligation in Government Act
Public Law No: 115-414, January 3, 2019

In accordance with the reporting requirements of the Good Accounting Obligation in Government Act, Agencies are to submit reports on outstanding recommendations in the annual budget submitted to Congress.

For the FY 2023 budget justification, EPA developed a report listing each open public recommendation for corrective action from the Office of the Inspector General, along with the implementation status of each recommendation.

EPA also developed a report listing the status of each open or closed as unimplemented public recommendation from the Government Accountability Office (GAO).

EPA OIG Open Recommendations and Corrective Actions

FY Audit Number	Recommendations and Corrective Actions	Report Date
10-P00224-168	<p>Recommendation: Develop a systematic approach to identify which States have outdated or inconsistent MOAs, renegotiate and update those MOAs using the MOA template, and secure the active involvement and final, documented concurrence of Headquarters to ensure national consistency.</p>	9/14/10
	<p>Corrective Action: EPA has completed the review of all the EPA-State MOAs. Ten authorized NPDES states were identified as being problematic. EPA Regions and States have completed actions to update MOAs to satisfy concerns identified in the corrective action plan for three states: Iowa, Missouri, and Virginia. At this time, seven MOAs are still in the process of being corrected. Planned: 9/30/22</p>	
14-P00109-360	<p>Recommendation: Direct COs to require that the contractor adjust all its billings to reflect the application of the correct rate to team subcontract ODCs.</p>	2/4/14
	<p>Corrective Action: Region 6 concurs with Recommendation No. 3 and agrees to require the contractor to adjust all of its past billings to reflect the application of the composite rate to team-subcontractor ODCs that were arranged for and paid for by the team-subcontractor. We intend to implement the corrective action when final indirect cost rates (OCR) are established. Therefore, the CO will be directed to defer past billing adjustments until the Defense Contract Audit Agency (DCAA) audits the indirect cost rates and the EPA Financial Administrative Contracting Officer (FACO) negotiates, approves, and issues a Final Indirect Cost (ICR) Agreement for the past billing periods (i.e., Years 2007 to 2013). Planned: 9/30/24</p>	
16-P00275-140	<p>Recommendation: We recommend that the Assistant Administrator for Air and Radiation: Determine whether additional action is needed to mitigate any adverse air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act.</p>	8/18/16
	<p>Corrective Action: OAR agrees with this recommendation, and we acknowledge the statute's requirement to determine whether additional action is needed to mitigate any adverse air quality impacts considering the anti-backsliding study. That study, discussed in Corrective Action 2, would need to be completed prior to any such determination taking place. Planned: 9/30/24</p>	
	<p>Recommendation: We recommend that the Assistant Administrator for Air and Radiation: Complete the anti-backsliding study on the air quality impacts of the Renewable Fuel Standard as required by the Energy Independence and Security Act.</p>	

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>Corrective Action: OAR agrees with this recommendation, and we acknowledge the statutory obligation for an anti-backsliding study under Clean Air Act section 211(v) (as amended by EISA section 209). EPA has already taken several time-consuming and resource-intensive steps that are important prerequisites for the anti-backsliding study. For example, OAR conducted a vehicle emissions test program designed to evaluate the impacts of gasoline properties (including aromatics and ethanol concentration) on vehicle exhaust emissions, https://www3.epa.gov/otaq/models/moves/epact.htm. This study is the largest, most comprehensive, and most carefully designed and implemented study to date on the impacts of fuel changes on emissions from recent model year gasoline vehicles. Using the data from this study, OAR then updated the fuel effects model in its tool for estimating motor vehicle emissions, the Motor Vehicle Emissions Simulator (MOVES). This update was released in 2014. However, as the OIG report correctly notes, there are multiple intermediate research steps that still need to be completed before OAR can plan, fund, and conduct a comprehensive anti-backsliding study. These steps include development of baseline, current, and projected scenarios for how renewable fuels have and might be produced, distributed, and used to fulfill the RFS requirements, generation of emissions inventories, and air quality modeling, all of which are time-consuming and resource intensive. Furthermore, this work must be conducted on top of other statutorily required actions under the RFS program, many of which are carried out by the same group of staff and managers.</p> <p>Planned: 9/30/24</p>	
17-P00053-164	<p>Recommendation: Conduct an assessment of clearance devices to validate their effectiveness in detecting required clearance levels, as part of the Office of Pesticide Programs' ongoing re-evaluation of structural fumigants.</p> <p>Corrective Action: Within two years of the final report, by November 30, 2018, OCSPP will validate and implement new device clearance guidance. Planned: 12/31/22</p>	12/12/16
18-P00059-167	<p>Recommendation: Develop standard operating procedures that outline the Office of Land and Emergency Management and Office of Enforcement and Compliance Assurance roles and responsibilities for overseeing the validity of Resource Conservation and Recovery Act and Superfund financial assurance instruments.</p> <p>Corrective Action 5: EPA will, for the RCRA program, inventory and assess existing guidance and/or SOPs, outline OLEM and OECA roles and responsibilities for overseeing the validity of RCRA financial assurance instruments, communicate existing guidance and/or SOPs to financial assurance community, and develop or update SOPs and provide to financial assurance community.</p> <p>August 2021 Update: ORCR is in the process of upgrading the financial assurance module (component) of the RCRAInfo system from its current Version 5 to the new RCRAInfo Version 6 and thus has more precise information about when the new financial assurance upgraded</p>	12/22/17

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>module will be available. ORCR has completed much of the workgroup process for development of the RCRAInfo module. Additional needed steps include coding and building the module, testing, and deployment. These steps take several weeks to months to complete. OLEM is proposing to complete Corrective Actions (5), (6), (7), and (8) by the end of FY 2022, to take full advantage of the new financial assurance data environment and incorporate that environment into its guidance and training under the corrective actions. These dates had previously been revised, and we are seeing considering this new more precise information that further revised dates would be more accurate. The OLEM Acting Assistant Administrator notified the OIG of the revised date via email dated August 20, 2021. The OIG acknowledged the revision via email on August 25, 2021. Planned: 6/30/22</p> <p>Recommendation: Develop and include procedures for checking with other regions for facilities/sites with multiple self-insured liabilities in the standard operating procedures created for Recommendation 5.</p> <p>Corrective Action 6: Same as above. Planned: 6/30/22</p> <p>Recommendation: Develop and include instructions on the steps to take when an invalid financial assurance instrument (expired, insufficient in dollar amount, or not provided) is identified in the standard operating procedures created for Recommendation 5 and collect information on the causes of invalid financial assurance.</p> <p>Corrective Action 7: Same as above. Planned: 6/30/22</p> <p>Recommendation: Train staff on the procedures and instructions developed for Recommendations 5 through 7.</p> <p>Corrective Action 8: Same as above. Planned: 9/30/22</p>	
18-P00080-164	<p>Recommendation 1: The Assistant Administrator for Chemical Safety and Pollution Prevention, in coordination with the Office of Enforcement and Compliance Assurance: 1. Develop and implement a methodology to evaluate the impact of the revised Agricultural Worker Protection Standard on pesticide exposure incidents among target populations.</p> <p>Corrective Action 1-1: CA 1 -- OCSPP will: (1) collect and review data related to the extent to which agricultural workers obtain knowledge through trainings; (2) collect and review incident data; and (3) after reviewing training and incident data, analyze the need to collect additional information to help evaluate the impact of the revised Worker Protection Standard. These efforts, as well as a detailed timeline for completion of specific milestones, are described in the Agency's 2/25/19 Response to the OIG's Final Report. After reviewing training and incident data, OCSPP will consider the need to collect additional information to help evaluate the impact of the revised Worker Protection Standard. EPA will examine the potential for additional sources of information that might contribute to a better understanding of the rule's impact by December 2022. Target Completion Date: OCSPP will complete a Final Report on the three efforts described below by December 31, 2022. Planned: 12/31/22</p>	2/15/18

FY Audit Number	Recommendations and Corrective Actions	Report Date
18-P00233-360-390	<p>Recommendation: We recommend that the EPA Regional Administrators, Regions 6 and 9: Fully develop and implement prioritization and resource allocation methodologies for the Tronox abandoned uranium mine sites on or near Navajo Nation lands.</p>	8/22/18
	<p>Corrective Action: Complete development and implementation of resource allocation methodology following the cost analysis of the preferred remedies. COMPLETED - Complete prioritization list for funding by December 31, 2021. COMPLETED - Establish a funding allocation strategy for the prioritized NAUM sites by December 31, 2021. Complete final resource allocations by May 31, 2022. Planned: 5/31/22</p>	
18-P00240-1	<p>Recommendation: Establish a strategic vision and objectives for managing the use of citizen science that identifies:</p> <ul style="list-style-type: none"> a. Linkage to the agency’s strategic goals, b. Roles and responsibilities for implementation, and c. Resources to maintain and build upon existing agency expertise 	9/5/18
	<p>Corrective Action: The agency concurs with this recommendation and will establish an agencywide work group to establish a more formal strategic vision and objectives for managing the use of citizen science, including policies, procedures and clear objectives for how to collect, manage and use citizen science to support the agency's mission. Planned: 9/30/22</p>	
	<p>Recommendation: Through appropriate EPA offices, direct completion of an assessment to identify the data management requirements for using citizen science data and an action plan for addressing those requirements, including those on sharing and using data, data format/standards, and data testing/validation.</p>	
	<p>Corrective Action: The agency concurs with this recommendation and will complete an assessment and action plan to identify and address data management requirements for citizen science. Planned: 3/31/22</p>	
18-P00240-166	<p>Recommendation: Build capacity for managing the use of citizen science, and expand awareness of citizen science resources, by:</p> <ul style="list-style-type: none"> a. Finalizing the checklist on administrative and legal factors for agency staff to consider when developing citizen science projects, as well as identifying and developing any procedures needed to ensure compliance with steps in the checklist; b. Conducting training and/or marketing on EPA’s citizen science intranet site for program and regional staff in developing projects; and c. Finalizing and distributing materials highlighting project successes and how EPA has used results of its investment in citizen science. <p>Corrective Action: ORD will consult with OGC and other relevant EPA programs and regions to finalize the checklist on administrative and legal factors for agency staff to consider when developing citizen science projects. ORD will conduct training and marketing for program and regional staff. Finally, ORD will have an active communication and outreach strategy that will include communications materials</p>	9/15/18

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	highlighting project successes and how EPA has used results of its investment in citizen science. Planned: 11/21/22	
19-P00002-168	<p>Recommendation: Complete development of the probabilistic risk assessment tool and screening tool for biosolids land application scenarios.</p> <p>Corrective Action #3: For Recommendation 3, the agency agreed with the recommendation and offered an acceptable corrective action but did not provide a specific completion date. After our meeting on September 17, 2018, the Office of Water provided an acceptable completion date. This recommendation is resolved with corrective actions pending. Planned: 3/31/23</p> <p>Recommendation: Develop and implement a plan to obtain the additional data needed to complete risk assessments and finalize safety determinations on the 352 identified pollutants in biosolids and promulgate regulations as needed.</p> <p>Corrective Action #4: For Recommendation 4, EPA agreed with this recommendation. The initial corrective action did not fully address the intent of the recommendation. After our meeting on September 17, 2018, EPA provided acceptable corrective actions and a planned completion date. In addition to EPA's work on improving the biennial review process, the Office of Water established a performance measure for biennial reviews. This recommendation is resolved with corrective actions pending. Planned: 12/31/22</p> <p>Recommendation: Publish guidance on the methods for the biosolids pathogen alternatives 3 and 4.</p> <p>Corrective Action #6: OW completed its work to address the corrective action on 12-16.20. The corrective actions will be published in an ORD document that is currently under review. The document will not meet the deadline for posting to the website by 12/30/2020. OST anticipates the updates will be publicly available by 5/31/2021. Planned: 7/1/22</p> <p>Recommendation: Issue updated and consistent guidance on biosolids fecal coliform sampling practices.</p> <p>Corrective Action #8: OW completed its work to address the corrective action on 12-16.20. The corrective actions will be published in an ORD document that is currently under review. The document will not meet the deadline for posting to the website by 12/30/2020. OST anticipates the updates will be publicly available by 5/31/2021. Planned: 7/1/22</p>	11/15/18
19-P00168-140	<p>Recommendation: Address the following risks as part of the on-road heavy-duty vehicle and engine compliance program risk assessment, in addition to other risks that EPA identifies:</p> <ul style="list-style-type: none"> a. non-criteria pollutants not being measured. b. Level of heavy-duty sector testing throughout the compliance life cycle. c. Marketplace ambiguity over regulatory treatment of rebuilt versus remanufactured engines. 	6/3/19

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>d. Different compliance challenges for heavy-duty compression-ignition and spark-ignition engines.</p> <p>e. Lack of laboratory test cell and in-house testing capacity for heavy-duty spark-ignition engines.</p> <p>Corrective Action: OAR agrees with this recommendation and will address each of these areas:</p> <ul style="list-style-type: none"> • Non-criteria pollutants not being measured <p><u>Response:</u> Under the Clean Air Act, manufacturers are responsible for measuring and reporting emissions of nonregulated pollutants. OTAQ does not routinely measure noncriteria pollutants, but we will work to enhance manufacturer reporting by establishing a new document type in our Engine and Vehicle Compliance Information System (EV-CIS) to collect the manufacturer reports; updating our guidance to announce the new EV-CIS capacity and to remind manufacturers of their reporting obligation; and then reviewing and considering the reported information as part of our ongoing risk assessment process. Planned Completion Date: End of Q4 2021.</p> <ul style="list-style-type: none"> • Level of heavy-duty sector testing throughout the compliance life cycle <p><u>Response:</u> OTAQ will continue to prioritize testing for all vehicle and engine sectors, including the HD highway sector, as resources allow. We will formally document and periodically reassess the level of testing as part of our periodic risk assessment. Planned Completion Date: End of Q3 2021.</p> <ul style="list-style-type: none"> • Marketplace ambiguity over regulatory treatment of rebuilt versus remanufactured engines <p><u>Response:</u> OTAQ believes the regulations are clear on this issue so we will engage stakeholders to improve understanding of nomenclature and expectations, and we will work to educate manufacturers about ambiguity resulting from their inappropriate use of terminology. Planned Completion Date: 9/30/22</p> <ul style="list-style-type: none"> • Different compliance challenges for heavy-duty compression-ignition and spark-ignition engines <p><u>Response:</u> This recommendation concerns the technical differences between SI and CI engines, and the resulting different challenges and tradeoffs in controlling emissions for the two types of technology. We will formally document and periodically reassess concerns about different compliance incentives as part of our periodic risk assessment. Planned Completion Date: 9/30/22</p> <ul style="list-style-type: none"> • Lack of laboratory test cell and in-house testing capacity for heavy-duty spark-ignition engines <p><u>Response:</u> Heavy-duty spark-ignition (HDSI) engines represent less than 4% of heavy-duty highway production. NVFEL is able to test all the other sectors and can use contract laboratories or portable emissions measurement systems to test HDSI engines if necessary. Therefore, investment in HDSI testing capacity has not been a priority to date. Going forward, we will formally document and periodically reassess decisions about investments in laboratory capacity as part of a periodic</p>	

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>risk assessment. Planned Completion Date: 9/30/22. Planned Completion Date: End of Q3 2021. Planned: 9/30/22</p> <p>Recommendation: Evaluate the following issues, which may require regulatory or programmatic action, as part of (1) the on-road heavy-duty vehicle and engine emission control program risk assessment and (2) EPA’s annual regulatory agenda development process:</p> <ul style="list-style-type: none"> a. Regulatory definition of on-road heavy-duty engine useful life may not reflect actual useful life. b. Not-to-Exceed standard may not reflect real-world operating conditions, especially for certain applications. c. In-use testing requirements for heavy-duty spark-ignition engines may be needed. d. A particle number standard may more accurately control particulate matter emissions that impact human health. <p>Corrective Action: OAR agrees with this recommendation. We will consider the first three issues as part of the CTI rulemaking process. We also will commit to considering approaches to best control particulate matter emissions that affect public health and will continue to work toward improving ultrafine particulate matter measurement techniques. Planned: 9/30/22</p>	
19-P00195-164	<p>Recommendation: Complete the actions and milestones identified in the Office of Pesticide Programs’ PRIA Maintenance Fee Risk Assessment document and associated plan regarding the fee payment and refund posting processes.</p> <p>Corrective Action: OCSPP/OPP will complete the actions and milestones identified in the Office of Pesticide Programs’ PRIA Maintenance Fee Risk Assessment document and associated plan regarding the fee payment and refund posting processes by 12/31/2020. Planned: 12/31/22</p>	6/219/19
19-P00207-140	<p>Recommendation: Develop and implement electronic checks in EPA’s Emissions Collection and Monitoring Plan System or through an alternative mechanism to retroactively evaluate emissions and quality assurance data in instances where monitoring plan changes are submitted after the emissions and quality assurance data have already been accepted by EPA.</p> <p>Corrective Action: The Office of Air and Radiation agrees with this recommendation. As OIG acknowledged in its report, CAMD has already addressed this issue by implementing a post-submission data check that is run at the end of each reporting period. The new check identifies any monitoring plan submissions containing changes to monitoring span records that occur prior to the current emissions reporting period. If any changes were made, the check recalculates quality assurance tests that were submitted prior to the span change and verifies the pass/fail status of each test. If the status of any test changes, CAMD analysts will contact the affected facility and request the correction and resubmission of the impacted data. As of February 2019, CAMD had insured that the discrepancies in the data used in OIG’s review were resolved and resubmitted.</p>	6/27/19

FY Audit Number	Recommendations and Corrective Actions	Report Date
	In the long term, CAMD will implement an additional check in the ECMPS forcing retroactive span record changes to require the reevaluation and resubmission of any affected quality assurance tests and hourly emissions records. CAMD has initiated the process of re-engineering ECMPS. In order to minimize additional expenditures on the current version of ECMPS, CAMD will focus on adding the check to the new version of ECMPS. Planned: 3/31/25	
19-P00251-140	<p>Recommendation: Assess the training needs of EPA regions and state, local and tribal agencies concerning stack test plans and report reviews and EPA test methods and develop and publish a plan to address any training shortfalls.</p> <p>Corrective Action: OAR will implement the following corrective action. OAR's Office of Air Quality Planning and Standards (OAQPS) will work with the EPA regions and state, local and tribal air agencies to review currently available materials and assess training needs with respect to approval of stack test plans, review of stack test reports, and conduct of EPA test methods, with respect to particulate matter compliance testing. OAQPS will work with EPA regional, state, local and tribal agencies to identify current training shortfalls and develop a plan to address these shortfalls. We anticipate two and one-half years to assess the training needs, prepare a training plan, and begin enacting the plan. Planned: 3/31/22</p>	
19-P-00251-180	<p>Recommendation: Develop and implement a plan for improving the consistency of stack test reviews across EPA regions and delegated agencies.</p> <p>Corrective Action: OECA will implement a plan, in coordination with OAR and consistent with the activities undertaken by OAR in addressing recommendations 2-3, for improving the consistency of stack test reviews across EPA regions and delegated agencies. Such enhanced compliance monitoring will help ensure the tool of stack testing is being sufficiently and properly utilized. Planned: 3/31/22</p>	7/30/19
19-P-00251-410	<p>Recommendation: Develop and implement a plan for improving the consistency of stack test reviews across EPA regions and delegated agencies.</p> <p>Corrective Action: Region 10 agreed to conduct annual meetings with its state and local agencies to discuss their stack testing oversight activities. Region 10 committed to completing the first round of meetings with its state and local agencies by March 31, 2020 and committed to continuing those meetings through March 31, 2022. After OECA and the OAR have completed the corrective actions for Recommendations 1 and 3, Region 10 will meet with its state and local agencies to discuss and implement any new stack test oversight policies and guidance. Planned: 5/31/22</p> <p>Recommendation: Develop and implement controls to assess delegated agencies' stack testing oversight activities.</p> <p>Corrective Action: R10 will implement controls to assess delegated agencies stack testing oversight activities, after OECA & OAR actions</p>	7/30/19

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>are completed. R10 revised its completion date for this corrective action to December 31, 2022, due to State (delegated agencies) unavailability, as there are performing testing activities during the Spring. Planned: 12/31/22</p> <p>Recommendation: Develop a communication plan to make all state and local agencies within Region 10 aware of EPA requirements and guidance for conducting stack testing oversight.</p> <p>Corrective Action: Region 10 will communicate information from OECA and OAR as it become available. Planned: 5/31/22</p>	
19-P00318-168	<p>Recommendation: Update and revise the 2010 Public Notification Handbooks to include:</p> <ul style="list-style-type: none"> a. Public notice delivery methods that are consistent with regulations. b. Information on modern methods for delivery of public notice. c. Public notice requirements for the latest drinking water regulations. d. Procedures for public water systems to achieve compliance after violating a public notice regulation. e. Up-to-date references to compliance assistance tools. f. Additional resources for providing public notice in languages other than English. <p>Corrective Action: EPA will revise the Public Notification Handbook. Planned: 9/30/20</p> <p>Recommendation: Update and revise the 2010 Revised State Implementation Guidance for the Public Notification Rule to include:</p> <ul style="list-style-type: none"> a. Public notice delivery methods that are consistent with regulations. b. Information on modern methods for delivery of public notice. <p>Corrective Action: EPA will revise the State Implementation Guidance per OIG’s recommendation. Planned: 9/30/22</p>	9/25/19
20-P00012-180	<p>Recommendation: Require circuit riders to include the pesticide needs and risks of each tribe on their circuit in the development of their priority-setting plans, which are a required component of tribal pesticide enforcement cooperative agreements.</p> <p>Corrective Action: OECA agrees to develop guidance which will require circuit riders to include the needs and risks of each tribe on their circuit in the development of priority-setting plans, which are required component of tribal pesticide enforcement cooperative agreements. (FINAL GUIDANCE). Planned: 12/31/22</p> <p>Recommendation: Develop and implement tribal circuit rider guidance for pesticide inspectors that includes expectation-setting and communication with tribes that are being served under a tribal pesticide enforcement cooperative agreement.</p> <p>Corrective Action: OECA agrees to develop guidance which will require circuit riders to include the needs and risks of each tribe on their circuit in the development of priority-setting plans, which are required component of tribal pesticide enforcement cooperative agreements. (FINAL GUIDANCE). Planned: 12/31/22</p> <p>Recommendation: Develop and implement regional processes to receive feedback directly from tribes using pesticide circuit riders.</p>	10/29/19

FY Audit Number	Recommendations and Corrective Actions	Report Date
	Corrective Action: OECA agrees to develop guidance which will require circuit riders to include the needs and risks of each tribe on their circuit in the development of priority-setting plans, which are required component of tribal pesticide enforcement cooperative agreements. (FINAL GUIDANCE). Planned: 12/31/22	
20-F00033-130	<p>Recommendation: We recommend that the Chief Financial Officer establish accounting models to properly classify and record interest, fines, penalties and fees.</p> <p>Corrective Action: 3.0 - The OCFO will work with the Office of Land and Emergency Management to review the business process for e-Manifest financial activities and develop a plan for recording the related activities at the transactional level. Planned: 3/31/22</p> <p>Recommendation: We recommend that the Chief Financial Officer establish accounting models to properly record e-Manifest account receivables and recognize earned revenue at the transaction level.</p> <p>Corrective Action: 4.0 - The OCFO will work with the Office of Land and Emergency Management to review the business process for e-Manifest financial activities and develop a plan for recording the related activities at the transactional level. Planned: 3/31/22</p> <p>Recommendation: We recommend that the Chief Financial Officer establish accounting models to properly record receivables, collections and earned revenue from federal versus nonfederal vendors.</p> <p>Corrective Action: 5.0 - The OCFO will work with the Office of Land and Emergency Management to review the business process for e-Manifest financial activities and develop a plan for recording the related activities at the transactional level. Planned: 3/31/22</p> <p>Recommendation: We recommend that the Chief Financial Officer update the accounting models to properly record collections and not reduce an account receivable account.</p> <p>Corrective Action: 6.0 - The OCFO will work with the Office of Land and Emergency Management to review the business process for e-Manifest financial activities and develop a plan for recording the related activities at the transactional level. Planned: 3/31/22</p>	11/19/19
20-P00065-451	<p>Recommendation: Revise EPA Manual 3130 A2, Recognition Policy and Procedures Manual, to establish a methodology for determining the equivalent value for time-off awards.</p> <p>Corrective Action 1: The Agency will revise its awards manual to incorporate guidance for determining an appropriate time-off award amount based upon the employee's efforts and accomplishments related to the award nomination. We agree with the Office of Mission Support's estimated completion date of October 31, 2022, for the awards manual update. Planned: 10/31/22</p> <p>Recommendation: Establish internal control procedures to manage time-off awards as part of EPA resource management.</p> <p>Corrective Action 3: The Agency plans to review time-off award use as part of its on-site human capital accountability reviews of program and regional human resources operations. These reviews have been delayed due to restrictions related to the coronavirus pandemic. We therefore</p>	12/30/19

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>agree with the Office of Mission Support’s revised estimated completion date to review time-off award use by June 30, 2022. The Office of Mission Support instituted additional internal controls to manage time-off award use:</p> <ul style="list-style-type: none"> • Time-off awards expire one year after effective date. • Time-off awards combined with high-dollar cash awards require a higher-level review by program management. • Supervisors monitor time-off award balances using a leave earnings and balance dashboard, which was developed in January 2021 by EPA’s payroll provider. Planned: 6/30/22 	
20-P00066-167	<p>Recommendation: Maintain one official agencywide management and tracking system for homeland security and emergency response equipment that provides for the status, availability and acquisition costs of all equipment.</p> <p>Corrective Action: Establish AAMS as the agency wide system for tracking personal property. Planned: 6/30/22</p>	1/3/20
20-P00120-451	<p>Recommendation: Develop and maintain an up-to-date inventory of the software and associated licenses used within the organization.</p> <p>Corrective Action: Establishing License Entitlement Inventory. The agency is developing and deploying an enterprise Software Asset and Configuration Management (SACM) capability that will align license entitlement data with software inventories to fully realize the goal of this recommendation. Planned:9/30/22</p>	3/25/20
20-P00146-140	<p>Recommendation: Implement a system that is accessible to both EPA and the applicants to track the processing of all tribal-New-Source-Review permits and key permit dates including application received, application completed, draft permit issued, public comment period (if applicable), and final permit issuance.</p> <p>Corrective Action 1: OAR's Office of Air Quality Planning and Standards (OAQPS) has already begun work on the Electronic Permit System (EPS), which will include a module to receive and process applications for the EPA-issued tribal new source review permits. Specifically, this module will allow sources to submit electronic applications for tribal minor NSR permits and then allow EPA staff to process those applications in EPS. The system will allow EPA staff to update the status of the application and permit to reflect when the application is complete, the draft permit is issued, the beginning and ending of the public comment period, and the issuance of the final permit and response to public comments document. We anticipate having a workable version of the EPA-issued permit module ready in FY2021, Q2 and a finished product by the end of FY 2021. Planned: 3/31/22</p> <p>Recommendation: Establish and implement an oversight process to verify that the regions update the permit tracking system on a periodic basis with the correct and required information.</p> <p>Corrective Action 2: Upon completion of the EPS, OAQPS will work with the Regional offices to establish an oversight process to ensure complete, consistent, and timely entry of data into the EPS.</p>	4/22/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>Planned: 3/31/22</p> <p>Recommendation: Develop and implement a strategy to improve the application process and permitting timeliness for tribal-New-Source-Review permits, taking into consideration the findings and recommendations from the Lean event. The strategy should include procedures to measure results.</p> <p>Corrective Action 3: As discussed during the LEAN Kaizen event, OAQPS is currently working with the Regional offices on various actions to improve the application process and permitting timelines for all NSR permits, including tribal minor NSR permits. These actions include: (1) standardizing the permitting procedures and application forms used by the agency to streamline the permit application process, and (2) tracking the effectiveness of the implementation of this and other improvement actions identified at the LEAN event using permit tracking flow boards and performance boards in every Region that issues NSR permits. In addition, we also will draft an education and communication strategy to reduce time-consuming back-and-forth activity between the permit applicants and EPA during the application process. Planned: 6/30/22</p> <p>Recommendation: Provide guidance to the regions on how to accurately determine and document the application completion date that should be used for tracking the permitting process and assessing timeliness.</p> <p>Corrective Action 4: OAQPS will meet with the Regional offices that issue NSR permits to determine how they are currently determining completeness of NSR permit applications. Based on this input, OAQPS will then work with the Regions to standardize criteria to be used for determining permit application complete date and its application to permitting actions. Furthermore, OAQPS will periodically evaluate if the Regions are implementing the criteria consistently. Planned: 3/31/22</p> <p>Recommendation: Develop and implement a plan, in consultation with the Office of Enforcement and Compliance Assurance and the EPA regions, to periodically coordinate with tribes to identify facilities that are operating in Indian Country without the required tribal-New-Source-Review permit.</p> <p>Corrective Action 5: OAQPS will work with OECA, the Regional offices and Tribes to develop a plan to identify facilities that may be subject to this program. Planned: 9/30/22</p> <p>Recommendation: Develop and implement a plan, in consultation with the Office of Enforcement and Compliance Assurance and the EPA regions, to periodically conduct outreach to industry groups to educate them on the tribal-New-Source-Review permit requirements for facilities that are constructed or modified in Indian Country.</p> <p>Corrective Action 6: OAQPS will work with OECA, the Regional offices and Tribes to develop a plan to inform industry groups located in Indian country about the tribal minor NSR permit requirements that might be applicable to them. Planned: 9/30/22</p>	
20-P00173-1	Recommendation: Determine the extent and cause of the concerns related to culture and “tone at the top,” based on the indicators from the	5/20/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>OIG’s scientific integrity survey. Issue the results to all EPA staff and make available to the public, including planned actions to address the causes.</p> <p>Corrective Action 1: We would first note that we cannot find the words "tone at the top" being surveyed and find its use in quotes in this recommendation unfortunate. EPA’s Deputy Administrator, in cooperation with EPA’s Science Advisor, will work with the Administrator to devise an action plan to address this recommendation. EPA's Deputy Administrator, Science Advisor, Scientific Integrity Committee will analyze the OIG scientific integrity survey, together with previous surveys of EPA, EVS results, FMFIA reports and reports of alleged violations of EPA’s Scientific Integrity Policy to inform this plan. Planned: 9/30/22</p>	
20-P00173-166	<p>Recommendation: In coordination with the assistant administrator for Mission Support, complete the development and implementation of the electronic clearance system for scientific products across the Agency.</p> <p>Corrective Action 6: OMS, ORD Office of Scientific Information Management (OSIM), and the Scientific Integrity Committee will coordinate to complete modification and Agency-wide implementation of ORD’s Scientific & Technical Information Clearance System (STICS) to an agency-wide electronic clearance system for scientific products across the Agency. The system will be consistent with the Scientific Integrity Policy and our Best Practices document and with the Agency’s Plan to Increase Access to the Results of EPA-Funded Scientific Research. Planned: 6/30/22</p> <p>Recommendation: With the assistance of the Scientific Integrity Committee, finalize and release the procedures for addressing and resolving allegations of a violation of the Scientific Integrity Policy, and incorporate the procedures into scientific integrity outreach and training materials.</p> <p>Corrective Action 7.1: The Agency will release the Procedures document. It will be posted on the Agency’s website (https://www.epa.gov/osa/procedure-for-allegations).</p> <p>Corrective Action 7.2: The Sci Program will create and release appropriate outreach materials to ensure EPA employees and their managers understand these procedures. Planned: 6/30/22</p> <p>Recommendation: With the assistance of the Scientific Integrity Committee, develop and implement a process specifically to address and resolve allegations of Scientific Integrity Policy violations involving high-profile issues or senior officials, and specify when this process should be used.</p> <p>Corrective Action 8: EPA will amend the procedures document referenced in recommendation 7, to include a process to adjudicate allegations of Scientific Integrity Policy violations involving high-profile issues or senior officials in the Agency for which the Scientific Integrity Official or Scientific Integrity Committee does not feel it can adequately adjudicate via existing procedures and include an indicator for when the process should be used. Planned: 6/30/22</p>	5/20/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
20-P00200-451	Recommendation: Develop and implement a strategic plan and objectives for the agencywide Quality System	6/22/20
	Corrective Action 1: Develop and implement a strategic plan and objectives for the agencywide Quality System. Planned: 12/31/21	
20-P00236-360	Recommendation: Assist the State of Arkansas in developing and submitting a state plan to implement the 2016 municipal solid waste landfill Emission Guidelines. If Arkansas does not submit a state plan, implement the federal plan for the 2016 municipal solid waste landfill Emission Guidelines once the federal plan is effective.	07/30/20
	Corrective Action 3.3: Review and take action on Arkansas' submittal once received. Planned: 6/30/22	
	Corrective Action 3.4: If no state plan or federal plan delegation request is submitted, or until EPA approves Arkansas' submittal, implement the federal plan for the 2016 MSW landfills. Planned: 6/30/22	
20-P00236-140	Recommendation: Develop and implement a process for the periodic review of municipal solid waste landfill design capacity information and Title V permit lists to identify municipal solid waste landfills with design capacities over the applicable threshold that have not applied for a Title V permit.	07/30/20
	Corrective Action 4.1: Anticipated for completion by 12/31/22. Planned: 12/31/22	
20-P00245-451	Recommendation: We recommend that the assistant administrator for Mission Support evaluate EPA's Intergovernmental Personnel Act Policy and Procedures Manual (IPA), including the checklist, to determine whether the required documents, the consequences for noncompliance, the responsible offices, and the individual roles and responsibilities remain relevant and appropriate, and update the Manual accordingly.	8/10/20
	Corrective Action 1: The Office of Human Resources (OHR) will evaluate EPA's IPA policy manual, checklists, required documents, the consequences of noncompliance, responsible offices, and relevance of individual roles and responsibilities. OHR will enter a final draft in the Directives Clearance process. Planned: 4/15/22	
	Recommendation: We recommend that the assistant administrator for Mission Support strengthen controls throughout EPA's Intergovernmental Personnel Act assignment process to verify that required documents are properly submitted and maintained as required by EPA's Intergovernmental Personnel Act Policy and Procedures Manual (IPA) and that the consequence for nonsubmittal of required documents is enforced.	
	Corrective Action 2: OHR will strengthen controls throughout the IPA assignment process to verify required documents are properly submitted and maintained, as stated in EPA's IPA policy manual, and the consequences for nonsubmittal of required documents are enforced. Planned: 4/15/22	
	Recommendation: We recommend that the assistant administrator for Mission Support strengthen controls over the tracking of EPA employees on Intergovernmental Personnel Act assignments.	

FY Audit Number	Recommendations and Corrective Actions	Report Date
	Corrective Action 3: OHR will strengthen controls over the tracking of EPA employees on IPA assignments. Planned: 1/15/22	
20-E00332-167	Recommendation: Ensure that guidance and planning address deployment of on-scene coordinators in the event of large incidents during pandemics, including overcoming travel restrictions to respond to large incidents.	9/28/20
	Corrective Action 3: OLEM plans, within 6 months of post-pandemic return to normal operations, to conduct and issue an after-action report to evaluate the effectiveness of EPA emergency response activities during the pandemic which will include an evaluation of response readiness with respect to travel restrictions. Planned: 6/30/22	
20-E00333-1	Recommendation: Develop and implement a plan to coordinate relevant Agency program, regional, and administrative offices with the External Civil Rights Compliance Office to develop guidance on permitting and cumulative impacts related to Title VI.	9/28/20
	Corrective Action: Anticipated for completion by 9/30/22. Planned: 9/30/22	
20-E00333-162	Recommendation: Develop and implement a plan to complete systematic compliance reviews to determine full compliance with the Title VI program.	9/28/20
	Corrective Action 2: Anticipated for completion by 9/30/22. Planned: 9/30/22	
	Recommendation: Verify that EPA funding applicants address potential noncompliance with Title VI with a written agreement before the funds are awarded.	
	Corrective Action 4: ECRCO will revise the 4700 review process (civil rights form). Planned: 3/31/22	
	Recommendation: Determine how to use existing or new data to identify and target funding recipients for proactive compliance reviews, and develop or update policy, guidance, and standard operating procedures for collecting and using those data.	
	Corrective Action 5: ECRCO will provide training to all staff in the 2nd quarter on the 4700-4 revised process and will post technical assistance video. With respect to other deliverables, ECRCO will conduct training within 2 months of each deliverable. Planned: 3/31/22	
	Recommendation: Develop and deliver training for the deputy civil rights officials and EPA regional staff that focuses on their respective roles and responsibilities within EPA's Title VI program.	
	Corrective Action 6: OGC commits to developing and implementing guidance on permitting and cumulative impacts related to Title VI. In doing so, ECRCO will coordinate with the AO on the development and implementation of its civil rights guidance and seek any appropriate AO approval. Notably, ECRCO's efforts to strengthen civil rights enforcement necessarily includes strengthening its relationship with EPA's program and regional offices. Planned: 3/31/22	
21-E00033-451	Recommendation: Develop and implement procedures that include detailed requirements for planning and managing laboratory consolidation efforts. Requirements should address developing master	12/7/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>plans and programs of requirements, tracking and updating cost and schedule estimates, and maintaining decisional documentation.</p> <p>Corrective Action: We will continue to develop programs of requirements documents per the requirements listed in EPA’s National Facilities Manual, Volume 2 and ensure all POR documents include an overview of the project scope, objectives, requirements, performance criteria, facility description and area requirements. We will ensure all POR documents comply with the GAO cost estimating and assessment guide. OMS will update the current cost and schedule tracking systems and the current status of funds reporting process to include tracking project cost accounting and schedule updates consistent with OMB’s Circular A123, as required. OMS will continue to report and document consolidation decisions in the agency’s annual Presidential budget submission and the Federal Real Property Profile. Planned: 12/31/22</p>	
21-P00042-130	<p>Recommendation: Adopt and implement policies and procedures on military leave and pay requirements that comply with 5 U.S.C. §§ 5538, 6323, and 5519.</p> <p>Corrective Action 1.2: The OCFO will determine what system changes may be necessary to update PeoplePlus or make other changes in support of internal controls, where feasible, to comply with any policies and procedures related to military leave and pay policy. Planned: 4/30/22</p> <p>Corrective Action 1.3: If changes are feasible and necessary, the OCFO will develop a schedule for implementation. Planned: 4/30/22</p> <p>Recommendation: Provide resources for supervisors, timekeepers, and reservists on their roles and responsibilities related to military leave under the law and Agency policies.</p> <p>Corrective Action 2.2: The OCFO will provide PeoplePlus training to support roles and responsibilities related to military leave and pay policy. Planned: 4/30/22</p> <p>Recommendation: Establish and implement internal controls that will allow the Agency to monitor compliance with applicable laws, federal guidance, and Agency policies, including periodic internal audits of all military leave, to verify that (a) charges by reservists are correct and supported and (b) appropriate reservist differential and military offset payroll audit calculations are being requested and performed.</p> <p>Corrective Action 3.2: The OCFO will work with the Interior Business Center, EPA’s payroll provider, to ensure the necessary timecard corrections identified by the OMS periodic audit were made by the employee and approved by the supervisor in accordance with agency policy. The OCFO will provide a report to the OMS confirming timecard corrections identified by the OMS periodic audit were made by the employee and approved by the supervisor for the OMS to distribute to the appropriate offices. Planned: 6/30/22</p> <p>Recommendation: Require reservists to correct, and supervisors to approve, military leave time charging errors in PeoplePlus that have been identified during the audit or as part of the Agency’s actions related to Recommendations 5 and 6.</p>	12/28/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>Corrective Action 4.0: The OCFO will work with the agency’s payroll provider to confirm the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor; and the OCFO will then provide a report to the OMS confirming the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor for the OMS to distribute to the appropriate offices. Planned: 3/31/22</p> <p>Recommendation: Recover the approximately \$11,000 in military pay related to unsupported 5 U.S.C. § 6323(a) military leave charges unless the Agency can obtain documentation to substantiate the validity of the reservists’ military leave.</p> <p>Corrective Action 5.2: Where applicable, the OCFO will recover any unsupported leave charges for out-of-service debt. Planned: 12/30/22</p>	
21-P00042-130	<p>Recommendation: Submit documentation for the reservists’ military leave related to the approximately \$118,000 charged under 5 U.S.C. § 6323(b) to EPA’s payroll provider so that it may perform payroll audit calculations and recover any military offsets that may be due.</p> <p>Corrective Action 6.2: The OCFO will recover any unsupported leave charges for out-of-service debt. Planned: 12/30/22</p> <p>Recommendation: Identify the population of reservists who took unpaid military leave pursuant to 5 U.S.C. § 5538 and determine whether those reservists are entitled to receive a reservist differential. Based on the results of this determination, take appropriate steps to request that EPA’s payroll provider perform payroll audit calculations to identify and pay the amounts that may be due to reservists.</p> <p>Corrective Action 7.2: For amounts due to reservists who are no longer EPA employees, the OCFO will coordinate with the IBC on the amounts due. Planned: 8/29/22</p> <p>Recommendation: For the time periods outside of the scope of our audit (pre-January 2017 and post-June 2019), identify the population of reservists who charged military leave under 5 U.S.C. § 6323(b) or 6323(c), and determine whether military offset was paid by the reservists. If not, review reservists’ military documentation to determine whether payroll audit calculations are required. If required, request that EPA’s payroll provider perform payroll audit calculations to identify and recover military offsets that may be due from the reservists under 5 U.S.C. §§ 6323 and 5519.</p> <p>Corrective Action 8.2: For any unsupported leave charges, The OMS will coordinate with the IBC to initiate the process to recover any military offsets. The OCFO will recover any unsupported leave charges for out-of-service debt. Planned: 8/29/22</p> <p>Recommendation: Report all amounts of improper payments resulting from paid military leave for inclusion in the annual Agency Financial Report, as required by the Payment Integrity Information Act of 2019.</p> <p>Corrective Action 9.0: The OCFO will report any paid military leave amounts identified as an improper payment(s) within the annual Agency Financial Report for the applicable fiscal year; and the OCFO also will perform an internal control review on military leave pay</p>	12/28/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	during the FY 2021 A-123 Internal Review period and report any identified improper payment amounts in the FY 2021 AFR. Planned: 12/1/22	
21-P00042-451	<p>Recommendation: Adopt and implement policies and procedures on military leave and pay requirements that comply with 5 U.S.C. §§ 5538, 6323, and 5519.</p> <p>Corrective Action 1.1: The OMS will update policy and finalize procedures to comply with statutory requirements. Planned: 4/30/22</p> <p>Recommendation: Provide resources for supervisors, timekeepers, and reservists on their roles and responsibilities related to military leave under the law and Agency policies.</p> <p>Corrective Action 2.1: The OMS will update policy and finalize procedures to comply with statutory requirements. Planned: 4/30/22</p> <p>Recommendation: Establish and implement internal controls that will allow the Agency to monitor compliance with applicable laws, federal guidance, and Agency policies, including periodic internal audits of all military leave, to verify that (a) charges by reservists are correct and supported and (b) appropriate reservist differential and military offset payroll audit calculations are being requested and performed.</p> <p>Corrective Action 3.1: The OMS will conduct periodic human capital audits to ensure compliance with the updated military leave policy. Planned: 6/30/22</p> <p>Recommendation: Require reservists to correct, and supervisors to approve, military leave time charging errors in PeoplePlus that have been identified during the audit or as part of the Agency's actions related to Recommendations 5 and 6.</p> <p>Corrective Action 4.1: The OCFO will work with the agency's payroll provider to confirm the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor; and the OCFO will then provide a report to the OMS confirming the necessary time charging errors identified in the audit were corrected by the employee and approved by the supervisor for the OMS to distribute to the appropriate offices. Planned: 6/30/22</p> <p>Recommendation: Recover the approximately \$11,000 in military pay related to unsupported 5 U.S.C. § 6323(a) military leave charges unless the Agency can obtain documentation to substantiate the validity of the reservists' military leave.</p> <p>Corrective Action 5.1: For any unsupported leave charges, the OMS will coordinate with the IBC, the agency's payroll provider, to initiate the process to recover the military pay, and where applicable, the OCFO will recover any unsupported leave charges for out-of-service debt. Planned: 5/31/22</p> <p>Recommendation: Submit documentation for the reservists' military leave related to the approximately \$118,000 charged under 5 U.S.C. § 6323(b) to EPA's payroll provider so that it may perform payroll audit calculations and recover any military offsets that may be due.</p> <p>Corrective Action 6.1: The OMS will work with EPA's programs and regions to collect documentation related to the identified military leave</p>	12/28/20

FY Audit Number	Recommendations and Corrective Actions	Report Date
	charges. For any unsupported leave charges, the OMS will coordinate with the IBC to initiate the process to recover any military offsets. Planned: 5/31/22	
21-P00042-451	<p>Recommendation: Identify the population of reservists who took unpaid military leave pursuant to 5 U.S.C. § 5538 and determine whether those reservists are entitled to receive a reservist differential. Based on the results of this determination, take appropriate steps to request that EPA’s payroll provider perform payroll audit calculations to identify and pay the amounts that may be due to reservists.</p> <p>Corrective Action 7.1: The OCFO will provide the OMS with the population of reservists charging military leave. The OMS will conduct a review of this population to determine which items need to be provided to the IBC for audit calculation of whether military offsets were paid accurately. Planned: 9/30/22</p> <p>Recommendation: For the time periods outside of the scope of our audit (pre-January 2017 and post-June 2019), identify the population of reservists who charged military leave under 5 U.S.C. § 6323(b) or 6323(c), and determine whether military offset was paid by the reservists. If not, review reservists’ military documentation to determine whether payroll audit calculations are required. If required, request that EPA’s payroll provider perform payroll audit calculations to identify and recover military offsets that may be due from the reservists under 5 U.S.C. §§ 6323 and 5519.</p> <p>Corrective Action 8.1: The OCFO will provide the OMS with the population of reservists charging military leave. The OMS will conduct a review of this population to determine which items need to be provided to the IBC for audit calculation of whether military offsets were paid accurately. Planned: 9/30/22</p> <p>Corrective Action 8.2: For any unsupported leave charges, The OMS will coordinate with the IBC to initiate the process to recover any military offsets. The OCFO will recover any unsupported leave charges for out-of-service debt. Planned: 9/30/22</p>	12/28/20
21-F00045-130	<p>Recommendation: Strengthen and improve the preparation and management review of the financial statements so that errors and misstatements are detected and corrected.</p> <p>Corrective Action: The agency has implemented numerous actions in FY 2020 which will improve the preparation and review of financial statements, including a new financial statement preparation checklist and software package. The agency will continue to review its processes for preparing financial statements and identify additional improvements to strengthen the preparation process further. In addition, the agency will prepare and release all component statement audits at the same time to allow for uniform footnote disclosures and to ensure that accrual adjustments are applied in the same manner for all statements. Planned: 3/31/22</p> <p>Recommendation: Analyze adjustments and corrections to the financial statements so that such adjustments are appropriate, accurate, and properly supported by documentation.</p>	1/5/21

FY Audit Number	Recommendations and Corrective Actions	Report Date
	<p>Corrective Action: The agency makes every effort to ensure that adjustments and corrections appropriate, accurate, and properly supported, however, in addition to the actions taken under recommendation one, we will continue to review with staff the need to include more of the supporting analysis and rationale behind the adjustments made and the accounting basis for them. Management reviews of journal vouchers will continue, and additional training will be provided as needed. Planned: 3/31/22</p> <p>Recommendation: Record accounts receivable and earned revenue in the appropriate fiscal year.</p> <p>Corrective Action: The FY 2019 adjustments were completed prior to issuance of the final financial statements. Monthly reconciliations will be performed to ensure the accounts receivable and earned revenue are recorded in the appropriate period. Planned: 3/31/22</p> <p>Recommendation: In coordination with the assistant administrator for Land and Emergency Management, analyze e-Manifest billings so that accounts receivable and earned revenue are recorded accurately.</p> <p>Corrective Action: Monthly reconciliation will be performed to ensure the accounts receivable and earned revenue are recorded accurately. Planned:3/31/22</p>	
21-E00072-164	<p>Recommendation: Develop program objectives and measures and implement data-collection processes to determine the risk-reduction and pollution-prevention outcomes of the Special Local Needs program.</p> <p>Corrective Action: 40 CFR 162.154(c) requires EPA to make a final decision on disapproval of a State registration, and provide written notification thereof to the State, within 90 days of the effective date of the registration. To implement Recommendation 1, OCSPP will undertake a data review effort to assess how the Agency’s review process is performing on the requirement to either disapprove or acknowledge a 24(c) action within 90 days. Data collection will be undertaken for 12 months, followed by an evaluation of the collected data. Using this data, by July 1, 2022, OCSPP will develop a performance measure to track how the program is performing relative to the 90-day response timeline in 40 C.F.R. 162. The measure will include data on the performance of the office regarding this timing goal. This analysis will inform OCSPP on whether it is necessary to make changes to the review process to achieve the 90-day requirement. Planned: 7/1/22</p>	2/10/21
21-P00094-451	<p>Recommendation: Create a software license inventory policy, which will include identifying the number of licenses, license-counts authorized, overall costs of licenses, maintenance fees, and contracts used for each licensed software. Track and report savings produced by software licensing inventory and report the savings as part of the Office of Management and Budget’s annual Spend Under Management data.</p> <p>Corrective Action 10: Create a software license inventory policy, which will include identifying the number of licenses, license-counts authorized, overall costs of licenses, maintenance fees, and contracts used for each licensed software. Track and report savings produced by</p>	03/10/21

FY Audit Number	Recommendations and Corrective Actions	Report Date
	software licensing inventory and report it as part of the U.S. Office of Management and Budget’s annual Spend Under Management data. Planned: 12/31/22	
21-P00114-167	<p>Recommendation: Develop and implement controls to verify that the Resource Conservation and Recovery Act referrals to the Superfund program are added to Superfund Enterprise Management System for further Superfund program attention, as necessary.</p> <p>Corrective Action: OLEM/OSRTI will: (1) update the Superfund Program Implementation Manual (SPIM) as appropriate to include clearer timelines on updating the RCRAInfo identification number currently tracked in the Superfund Enterprise Management System (SEMS); (2) verify sites referred from RCRA to Superfund are added to SEMS for further Superfund program attention, as necessary; and (3) revise OSRTI-managed SEMS public search tools and publicly available SEMS computer reports to include the SEMS RCRAInfo identification number variable. Planned: 3/31/22</p> <p>Recommendation: Develop and implement controls to verify that the Superfund program deferrals to the Resource Conservation and Recovery Act are added to RCRAInfo for further Resource Conservation and Recovery Act attention, as necessary.</p> <p>Corrective Action: OLEM/ORCR will (1) evaluate the existing policies and process for Superfund deferrals to RCRA; (2) identify gaps; and, (3) identify corrective measures, as needed, to meet program needs, such as identifying Superfund program deferrals to RCRA in RCRAInfo. Planned: 9/30/23</p> <p>Recommendation: Develop and maintain a crosswalk of Superfund Enterprise Management System and corresponding RCRAInfo identification numbers.</p> <p>Corrective Action: OLEM will work with EPA’s Facility Registry Service (FRS) team in OMS-EI to create and maintain a solution which allows users to obtain the crosswalk of SEMS and RCRAInfo identification numbers. Planned: 12/31/22</p> <p>Recommendation: Develop and implement controls to identify and eliminate overlap of environmental indicators between Resource Conservation and Recovery Act Corrective Action and Superfund Programs and include this information in public queries, such as Cleanups in My Community.</p> <p>Corrective Action 6.1: OLEM will standardize communications on the Cleanups in My Community webpage regarding the intersection of RCRA Corrective Action and Superfund cleanup programs, including environmental indicator designations at sites. Planned: 6/30/22</p> <p>Corrective Action 6.2: OLEM will implement controls to check between programs when environmental indicators are established in the future to prevent double-counting and inconsistencies. Planned: 3/31/23</p>	3/29/21

EPA GAO Open Recommendations and Recommendations Closed as Unimplemented

Report Number	Report Issue Date	Recommendation Text	Status
GAO-06-148	2006-01-04	The Administrator, EPA, should take a number of steps to further protect the American public from elevated lead levels in drinking water. Specifically, to improve EPA's ability to oversee implementation of the lead rule and assess compliance and enforcement activities, EPA should ensure that data on water systems' test results, corrective action milestones, and violations are current, accurate, and complete.	EPA and GAO continue to engage on this topic. The agency expects that the modernized SDWIS database will have the necessary information and an efficient mechanism to evaluate if data are current, accurate, and complete. In December 2021, EPA requested closure of this recommendation.
GAO-08-440	2008-03-07	To develop timely chemical risk information that EPA needs to effectively conduct its mission, the Administrator, EPA, should require the Office of Research and Development to re-evaluate its draft proposed changes to the IRIS assessment process in light of the issues raised in this report and ensure that any revised process periodically assesses the level of resources that should be dedicated to this significant program to meet user needs and maintain a viable IRIS database.	From FY 2018-2021, the IRIS Program capacity has remained unchanged (approximately 40 assessment FTE, \$11 million/FY). The Program has sufficient staff and budgetary resources to advance the 17 chemical assessments as prioritized by EPA program and regional offices and as listed on the IRIS Program Outlook. See documentation provided on July 15, 2021. EPA is engaging in an ongoing series of IRIS briefings with the GAO and parties are coming closer to agreement.
GAO-11-381	2011-06-17	To improve EPA's ability to oversee the states' implementation of the Safe Drinking Water Act and provide Congress and the public with more complete and accurate information on compliance, the Administrator of EPA should resume data verification audits to routinely evaluate the quality of selected drinking water data on health-based and monitoring violations that the states provide to EPA. These audits also should evaluate the quality of data on the enforcement actions that states and other primacy agencies have taken to correct violations.	EPA and GAO continue to engage on this topic. The agency expects that the modernized SDWIS database will have the necessary information and an efficient mechanism to evaluate if data are current, accurate, and complete. In December 2021, EPA requested closure of this recommendation.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-11-381	2011-06-17	To improve EPA's ability to oversee the states' implementation of the Safe Drinking Water Act and provide Congress and the public with more complete and accurate information on compliance, the Administrator of EPA should work with the states to establish a goal, or goals, for the completeness and accuracy of data on monitoring violations. In setting these goals, EPA may want to consider whether certain types of monitoring violations merit specific targets. For example, the agency may decide that a goal for the states to completely and accurately report when required monitoring was not done should differ from a goal for reporting when monitoring was done but not reported on time.	EPA and GAO continue to engage on this topic. The agency expects that the modernized SDWIS database will have the necessary information and an efficient mechanism to evaluate if data are current, accurate, and complete. In December 2021, EPA requested closure of this recommendation.
GAO-12-42	2011-12-09	To better ensure the credibility of IRIS assessments by enhancing their timeliness and certainty, the EPA Administrator should require the Office of Research and Development, should different time frames be necessary, to establish a written policy that clearly describes the applicability of the time frames for each type of IRIS assessment and ensures that the time frames are realistic and provide greater predictability to stakeholders.	The IRIS Integrated Assessment Plans and Systematic Review Protocols document extensively, considerations which inform the timelines presented in the IRIS Program Outlook. In addition to scientific considerations, timelines presented in the Program Outlook also reflect the needs of the nominating program and regions. Updates to the timelines occur at least three times a year (February, June, October). The most recent October 2020 Program Outlook lists all 157 ongoing IRIS chemical assessments. EPA is engaging in an ongoing series of IRIS briefings with the GAO and parties are coming closer to agreement.
GAO-12-791	2012-09-26	To enhance federal agencies' ability to realize enterprise architecture benefits, the Secretaries of the Departments of Agriculture, the Air Force, the Army, Commerce, Defense, Education, Energy, Homeland Security, the Interior, Labor, the Navy, State, Transportation, the Treasury, and Veterans Affairs; the Attorney General; the Administrators of the Environmental Protection Agency, General Services Administration,	Closed – Not Implemented In an effort to reduce the reporting burden on agencies, OMB stopped requiring agency reports of enterprise architecture outcomes. Implementation is no longer required.

Report Number	Report Issue Date	Recommendation Text	Status
		<p>National Aeronautics and Space Administration, and Small Business Administration; the Commissioners of the Nuclear Regulatory Commission and Social Security Administration; and the Directors of the National Science Foundation and the Office of Personnel Management should fully establish an approach for measuring enterprise architecture outcomes, including a documented method (i.e., steps to be followed) and metrics that are measurable, meaningful, repeatable, consistent, actionable, and aligned with the agency's enterprise architecture's strategic goals and intended purpose.</p>	
GAO-12-791	2012-09-26	<p>To enhance federal agencies' ability to realize enterprise architecture benefits, the Secretaries of the Departments of Agriculture, the Air Force, the Army, Commerce, Defense, Education, Energy, Homeland Security, the Interior, Labor, the Navy, State, Transportation, the Treasury, and Veterans Affairs; the Attorney General; the Administrators of the Environmental Protection Agency, General Services Administration, National Aeronautics and Space Administration, and Small Business Administration; the Commissioners of the Nuclear Regulatory Commission and Social Security Administration; and the Directors of the National Science Foundation and the Office of Personnel Management should periodically measure and report enterprise architecture outcomes and benefits to top agency officials (i.e., executives with authority to commit resources or make changes to the program) and to OMB.</p>	<p>Closed – Not Implemented In an effort to reduce the reporting burden on agencies, OMB stopped requiring agency reports of enterprise architecture outcomes. Implementation is no longer required.</p>

Report Number	Report Issue Date	Recommendation Text	Status
GAO-13-145	2013-08-08	To improve EPA's management of the conditional registration process, the Administrator of EPA should direct the Director of the Office of Pesticide Programs to complete plans to automate data related to conditional registrations to more readily track the status of these registrations and related registrant and agency actions and identify potential problems requiring management attention.	This work is planned for completion by December 31, 2022.
GAO-13-249	2013-03-22	To better position EPA to collect chemical toxicity and exposure-related data and ensure chemical safety under existing TSCA authority, while balancing its workload, and to better position EPA to ensure chemical safety under existing TSCA authority, the Administrator of EPA should direct the appropriate offices to develop strategies for addressing challenges that impede the agency's ability to meet its goal of ensuring chemical safety. At a minimum, the strategies should address challenges associated with: (1) obtaining toxicity and exposure data needed to conduct ongoing and future TSCA Work Plan risk assessments, (2) gaining access to toxicity and exposure data provided to the European Chemicals Agency, (3) working with processors and processor associations to obtain exposure-related data, (4) banning or limiting the use of chemicals under section 6 of TSCA and planned actions for overcoming these challenges--including a description of other actions the agency plans to pursue in lieu of banning or limiting the use of chemicals, and (5) identifying the resources needed to conduct risk assessments and implement risk management decisions in order to meet its goal of ensuring chemical safety.	In 2021, the GAO narrowed their focus to Item #5 of the recommendation. OCSPP met with GAO in January 2022 to provide an update regarding resources and risk management.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-13-369	2013-05-10	To ensure that EPA maximizes its limited resources and addresses the statutory, regulatory, and programmatic needs of EPA program offices and regions when IRIS toxicity assessments are not available, and once demand for the IRIS Program is determined, the EPA Administrator should direct the Deputy Administrator, in coordination with EPA's Science Advisor, to develop an agencywide strategy to address the unmet needs of EPA program offices and regions that includes, at a minimum: (1) coordination across EPA offices and with other federal research agencies to help identify and fill data gaps that preclude the agency from conducting IRIS toxicity assessments, and (2) guidance that describes alternative sources of toxicity information and when it would be appropriate to use them when IRIS values are not available, applicable, or current.	Although EPA and GAO were at an impasse regarding implementation of this recommendation, the recent and ongoing series of IRIS briefings with the GAO enabled the two parties to reach an agreement. The agency anticipates closure of this recommendation by Q4 of FY 2022.
GAO-14-413		To ensure the effective management of software licenses, the Administrator of the Environmental Protection Agency should develop an agency-wide comprehensive policy for the management of software licenses that addresses the weaknesses we identified.	The agency developed and implemented the Software Asset Management (SAM) tool in CY 2021. Population of the tool, communication across the agency, and training are ongoing. The agency anticipates completion of the effort on September 30, 2022. Once completed, the agency will work to develop a comprehensive policy that addresses the centralized management of licenses.
GAO-14-65	2013-11-06	To improve the agency's implementation of PortfolioStat, the Administrator of the Environmental Protection Agency should direct the CIO to develop a complete commodity IT baseline.	In December 2021, EPA provided documentation supporting full implementation of this recommendation. The agency requested closure.
GAO-14-65	2013-11-06	To improve the agency's implementation of PortfolioStat, in future reporting to OMB, the Administrator of the Environmental Protection Agency should direct the CIO to fully describe the following	EPA considers this recommendation implemented. The agency has made tremendous progress in reducing Commodity IT expenditures by developing and implementing Commodity IT Enterprise Shared Services.

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		PortfolioStat action plan elements: (1) consolidate commodity IT spending under the agency CIO; (2) establish targets for commodity IT spending reductions and deadlines for meeting those targets; and (3) establish criteria for identifying wasteful, low-value, or duplicative investments.	Additionally, the agency has 3 mechanisms that identify wasteful, low-value, or duplicative investments. Information Technology (IT) Portfolio Reviews (ITPRs) is an annual IT portfolio review of each of the 22 Programs and Regions. EPA considers this recommendation to be fully implemented and requested closure.
GAO-14-65	2013-11-06	To improve the agency's implementation of PortfolioStat, the Administrator of the Environmental Protection Agency should direct the CIO to report on the agency's progress in consolidating the managed print services and strategic sourcing of end user computing to shared services as part of the OMB integrated data collection quarterly reporting until completed.	In December 2020, EPA provided documentation of the requests that were used to purchase the tools needed to complete the enterprise upgrades noted in GAO's report as well as Performance Statement. The agency requested closure of the recommendation.
GAO-14-80	2013-12-05	To enhance the likelihood that TMDLs support the nation's waters' attainment of water quality standards and to strengthen water quality management, the Administrator of EPA should develop and issue new regulations requiring that TMDLs include additional elements--and consider requiring the elements that are now optional--specifically, elements reflecting key features identified by NRC as necessary for attaining water quality standards, such as comprehensive identification of impairment and plans to monitor water bodies to verify that water quality is improving.	EPA maintains that the actions taken to strengthen the TMDL program satisfy the intent of the recommendation. However, the agency is reviewing and considering recent feedback from GAO.
GAO-15-617	2015-09-15	To improve the agency's IT savings reinvestment plans, the Administrator of the Environmental Protection Agency should direct the CIO to ensure that the agency's integrated data collection submission to OMB includes, for all reported initiatives, complete plans to reinvest any resulting cost savings and avoidances	EPA developed a recommended Reinvestment Plan and delivered a CIO Reinvestment Plan decision brief on 12/09/21. The agency is establishing an implementation plan and timeline based on CIO guidance.

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		from OMB-directed IT reform-related efforts.	
GAO-16-530	2016-07-14	The EPA Administrator should direct OGD and program and regional offices, as appropriate, as part of EPA's ongoing streamlining initiatives and the development of a grantee portal, once EPA's new performance system is in place, to ensure that the Office of Water adopts software tools, as appropriate, to electronically transfer relevant data on program results from program-specific databases to EPA's national performance system.	The BFS Performance Results Data Entry Import feature was deployed for use in April 2021, followed by training for potential users. System data shows that the new feature is in use. The agency requested closure of this recommendation.
GAO-16-530	2016-07-14	The EPA Administrator should direct OGD and program and regional offices, as appropriate, as part of EPA's ongoing streamlining initiatives and the development of a grantee portal, to expand aspects of EPA's policy for certain categorical grants, specifically, the call for an explicit reference to the planned results in grantees' work plans and their projected time frames for completion, to all grants.	EPA is considering a grantee web-based portal. The agency will continue to provide progress updates to auditors.
GAO-16-79	2015-11-19	To better monitor and provide a basis for improving the effectiveness of cybersecurity risk mitigation activities, informed by the sectors' updated plans and in collaboration with sector stakeholders, the Administrator of the Environmental Protection Agency should direct responsible officials to develop performance metrics to provide data and determine how to overcome challenges to monitoring the water and wastewater systems sector's cybersecurity progress.	In FY 2021, the Water Sector Coordinating Council conducted a cybersecurity survey of the water sector. This survey included performance metrics. In addition, EPA has been conducting cybersecurity assessments at individual water and wastewater utilities using technical assistance providers. These assessments also use cybersecurity performance metrics. The agency requested closure.
GAO-17-424	2017-09-01	The Assistant Administrator for Water of EPA's Office of Water and the Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a statistical analysis that incorporates	EPA has a continuing dialogue surrounding this topic with GAO. The agency expects the modernized SDWIS database will have the necessary information and an efficient mechanism to evaluate if data are current, accurate, and

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		multiple factors--including those currently in SDWIS/Fed and others such as the presence of lead pipes and the use of corrosion control--to identify water systems that might pose a higher likelihood for violating the LCR once complete violations data are obtained, such as through SDWIS Prime.	complete. EPA requested closure of the recommendation.
GAO-18-148	2017-11-07	The Administrator of the Environmental Protection Agency (EPA) should ensure that the CIO of EPA establishes an agency-wide policy and process for the CIO's certification of major IT investments' adequate use of incremental development, in accordance with OMB's guidance on the implementation of FITARA, and confirm that it includes: a description of the CIO's role in the certification process; a description of how CIO certification will be documented; and a definition of incremental development and time frames for delivering functionality, consistent with OMB guidance.	On 3/2/22, EPA submitted documentation supporting full implementation and requested closure.
GAO-18-410	2018-07-12	The Director, working with the Study, should ensure that as the Study finalizes its reporting format, it fully incorporates leading practices of performance reporting.	EPA submitted supporting documentation and a request for closure in December 2022. On 3/3/22, GAO alerted EPA that the recommendation is in review for closure.
GAO-18-453	2018-07-19	The EPA Region 10 Administrator should work with the management conference on future updates to the CCMP to help prioritize among the indicators that currently lack measurable targets and ensure that such targets are developed for the highest priority indicators where possible.	The Puget Sound Partnership (NEP) continues to be on schedule to finalize their next CCMP by summer 2022. The document will include updated vital signs/measures and associated indicators. The agency will request closure at that time.
GAO-18-93	2018-08-02	The Administrator of the Environmental Protection Agency should ensure that the agency's IT management policies address the role of the CIO for key responsibilities in the six areas we identified.	EPA provided documentation supporting agency actions to define CIO role and key responsibilities. Awaiting GAO feedback.

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GAO-19-22	2019-03-20	The Administrator of the Environmental Protection Agency should develop a documented policy or clarify existing policy to implement the statutory requirement to consult with ANCs on the same basis as Indian tribes under Executive Order 13175.	EPA held EPA’s Grants Webinar for Tribes as previously reported, from which materials were made available to tribes. OITA has completed and made available OMB-required funding award Merit Review Checklists for General Assistance Program (GAP), Performance Partnership Grants (PPGS), and Direct Implementation Tribal Cooperative Agreements (DITCAS) in 2021. Merit Review Checklists were created for all EPA tribal, and other, funding award programs by the respective EPA offices and are available. The agency requested closure.
GAO-19-280	2019-07-08	The EPA Administrator should direct EPA officials responsible for appointing advisory committee members to follow a key step in its appointment process—developing and including draft membership grids in appointment packets with staff rationales for proposed membership—for all committees.	EPA considers this recommendation to be fully implemented and requested closure of this recommendation.
GAO-19-280	2019-07-08	EPA's Designated Agency Ethics Official should direct EPA's Ethics Office, as part of its periodic review of EPA's ethics program, to evaluate—for example, through audits or spot-checks—the quality of financial disclosure reviews for special government employees appointed to EPA advisory committees.	Implementation of an electronic financial disclosure reporting system for special government employees is expected to be complete by the end of FY 2022.
GAO-19-384	2019-07-25	The Administrator of EPA should establish a process for conducting an organization-wide cybersecurity risk assessment.	EPA is engaged with a third Party Federally Funded Research Development Corporation (FFRDC) to help develop and an organizational wide cybersecurity risk assessment. This process is expected to begin developmental Q3 FY 2022 with the intent of executing Q3 FY 2023.
GAO-19-384	2019-07-25	The Administrator of EPA should fully establish and document a process for coordination between cybersecurity risk management and enterprise risk management functions.	EPA is updating current processes for Enterprise Risk Management and Cybersecurity Risk Assessment to build out a single Enterprise Risk Management Program starting in Spring FY 2022. Implementation is planned for Q2 FY 2023.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-19-543	2019-09-16	The Administrator of EPA, as chair of the working group, should develop guidance for agencies on what they should include in their environmental justice strategic plans.	The Environmental Justice Interagency Working Group (EJ IWG) no longer exists, and federal environmental justice efforts are being organized under the Council on Environmental Quality (CEQ) under Executive Order 14008. EPA is working with CEQ to carry out three main efforts under the Executive Order: develop an environmental justice screening tool, identify funding opportunities, and identify areas to update the previous Executive Order 12898.
GAO-19-543	2019-09-16	The Administrator of EPA, as chair of the working group, should develop guidance or create a committee of the working group to develop guidance on methods the agencies could use to assess progress toward their environmental justice goals.	The Environmental Justice Interagency Working Group (EJ IWG) no longer exists, and federal environmental justice efforts are being organized under the Council on Environmental Quality (CEQ) under Executive Order 14008. EPA is working with CEQ to carry out three main efforts under the Executive Order: develop an environmental justice screening tool, identify funding opportunities, and identify areas to update the previous Executive Order 12898.
GAO-19-543	2019-09-16	The Administrator of EPA, as chair of the working group, and in consultation with the working group, should clearly establish, in its organizational documents, strategic goals for the federal government's efforts to carry out the 1994 Executive Order.	The Environmental Justice Interagency Working Group (EJ IWG) no longer exists, and federal environmental justice efforts are being organized under the Council on Environmental Quality (CEQ) under Executive Order 14008. EPA is working with CEQ to carry out three main efforts under the Executive Order: develop an environmental justice screening tool, identify funding opportunities, and identify areas to update the previous Executive Order 12898.
GAO-19-543	2019-09-16	The Administrator of EPA, as chair of the working group, and in consultation with the other working group members, should update the 2011 Memorandum of Understanding and renew the agencies' commitments to participate in the interagency collaborative effort and the working group.	The Environmental Justice Interagency Working Group (EJ IWG) no longer exists, and federal environmental justice efforts are being organized under the Council on Environmental Quality (CEQ) under Executive Order 14008. EPA is working with CEQ to carry out three main efforts under the Executive Order: develop an environmental justice screening tool, identify funding opportunities, and

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			identify areas to update the previous Executive Order 12898.
GAO-20-126	2019-12-12	The Administrator of EPA should update security plan for the selected operational system to identify a description of security controls, and the individual reviewing and approving the plan and date of approval.	The DWCMS SSP has been updated to reflect the missing information, including a description of security controls, and the individual reviewing and approving the plan and date of approval.
GAO-20-126	2019-12-12	The Administrator of EPA should update the security assessment report for the selected operational system to identify the summarized results of control effectiveness tests.	The latest SAR for DWCMS has been updated. This SAR identifies and provides details (Appendix A) as well as the summarized results of control effectiveness tests as a part of the security assessment for the system.
GAO-20-126	2019-12-12	The Administrator of EPA should update the list of corrective actions for the selected operational system to identify the specific weakness, estimated funding and anticipated source of funding, key remediation milestones with completion dates, changes to milestones and completion dates, and source of the weaknesses.	EPA is in the process of updating the POAM item. Program Office has completed its remediation efforts. OISP validating POA&M can be closed
GAO-20-126	2019-12-12	The Administrator of EPA should prepare the letter authorizing the use of cloud service for the selected operational system and submit the letter to the FedRAMP program management office.	EPA's CIO issued a memo granting the ATO for DWCMS on August 28, 2019.
GAO-20-126	2019-12-12	The Administrator of EPA should develop guidance requiring that cloud service authorization letter be provided to the FedRAMP program management office.	EPA has an SOP, dated November 12, 2019, for submitting agency ATO letters to FedRAMP
GAO-20-129	2019-10-30	The Administrator of the Environmental Protection Agency should ensure that the agency fully implements each of the eight key IT workforce planning activities it did not fully implement.	EPA considers this recommendation to be fully implemented. The agency requested closure.
GAO-20-24	2020-01-16	The Director of Water Security of EPA, as Chair of the Water Sector Government Coordinating Council, should work with the council to identify existing technical assistance providers and engage these providers	EPA continues to work across the water sector and with its established network to provide technical assistance, knowledge, financing, and other tools to ensure investments made in water infrastructure

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		in a network to help drinking water and wastewater utilities incorporate climate resilience into their projects and planning on an ongoing basis.	are sustainable and resilient in the long term.
GAO-20-299	2020-02-25	The Administrator of the Environmental Protection Agency should take steps to consult with respective sector partner(s), such as the SCC, DHS, and NIST, as appropriate, to collect and report sector-wide improvements from use of the framework across its critical infrastructure sector using existing initiatives.	EPA consulted with sector partners, including the Water Sector Coordinating Council and DHS, to collect and report sector wide improvements from use of the Framework. The agency continues to coordinate with DHS to address this recommendation.
GAO-20-597	2020-09-28	The Assistant Administrator of the Office of Water should develop an agreement with HHS's Offices of Child Care and Head Start on their roles and responsibilities in implementing the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities. For example, these agreements may include the ways in which guidance and information will be shared with states and Head Start grantees, such as through webinars or email, and how frequently.	EPA continues to disagree with the need for this recommendation because the action requested is being implemented in coordination with the HHS and 13 other federal and non-federal partners committed to the reduction of lead levels in drinking water in schools. In support of this position, the agency provided documentation titled "EPA Efforts to Implement the Memorandum of Understanding on Reducing Lead in Schools and Child Care Facilities and Child Care Facilities in Drinking Water" that offers more detail of EPA's efforts related to reduce lead levels in schools & childcare facilities.
GAO-20-597	2020-09-28	The Assistant Administrator of the Office of Water should direct the Office of Water to specify how it will track progress toward the outcomes of the Memorandum of Understanding on Reducing Lead Levels in Drinking Water in Schools and Child Care Facilities and determine how it will regularly monitor and update the MOU. For example, the Office of Water could develop performance measures for each of the MOU's outcomes. In addition, the Office of Water could submit annual reports on progress toward achieving the MOU's outcomes or it could plan to update the agreement at specific intervals.	EPA continues to disagree with the need for this recommendation because the action requested is being implemented in coordination with the HHS and 13 other federal and non-federal partners committed to the reduction of lead levels in drinking water in schools. The agency shared documents with GAO titled "EPA Efforts to Implement the Memorandum of Understanding on Reducing Lead in Schools and Child Care Facilities and Child Care Facilities in Drinking Water" and "Chronological List of Activities Underway to Address the Recommendations" which provide more details associated with these efforts.

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GAO-20-73	2019-10-18	The Administrator of EPA should clarify how EPA's actions to manage risks to human health and the environment from the potential impacts of climate change effects at nonfederal NPL sites align with the agency's current goals and objectives.	OLEM will ensure its actions to address climate change effects at nonfederal NPL sites align with the goals and objectives in the FY 2022-2026 EPA Strategic Plan.
GAO-20-81	2019-11-21	The Environmental Protection Agency Administrator should evaluate training needs for agency officials or others involved in reviewing the merits of researchers' data management plans and, if additional training is found to be warranted, develop and provide such training.	Instructional and training materials were shared EPA-wide through the intranet site and through the Public Access Forum members. Additionally, EPA's Science and Technology Policy Council agreed to a recommendation by the agency's Public Access Forum to reconstitute a training workgroup. The training workgroup is charged with reviewing existing training materials, evaluating gaps, and developing and disseminating new training materials. EPA requested closure of this recommendation.
GAO-20-95	2020-01-31	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should clearly document in guidance to the regional offices how they should use the definition of informal enforcement actions to collect data on these actions.	The updated guidance is currently under review with agency leadership. The document focuses on key terms used in EPA's enforcement program. The principal purpose is to promote consistency and clarity in the use of these terms, which will support EPA's efforts to use, report, track, and measure the deployment of enforcement response tools and their utility in expeditiously returning facilities to compliance. EPA plans to complete implementation in 2022.
GAO-20-95	2020-01-31	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should clearly document in guidance to the regional offices that they should collect data on compliance assistance activities and specify which mechanism to use to maintain the data, such as ICIS.	OECA is tracking compliance assistance activities for the National Compliance Initiatives (NCI). Reporting of NCI compliance assistance accomplishments are included in the NCI End of Year reporting process. Entering the data into ICIS is voluntary.
GAO-20-95	2020-01-31	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should include the known limitations of data in its annual reports and provide information on the intended use of EPA's data.	In the fiscal year 2020 Enforcement Annual results report/website, the agency created and provided a webpage to describe how best to interpret the data presented in its "Fiscal Year EPA Enforcement and Compliance Annual

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			Results." EPA requested closure of this recommendation.
GAO-21-103181	2021-09-21	The Administrator of EPA should fully describe available public comment data, including any limitations, to external users of the data. This should include coordination with GSA, as the manager of Regulations.gov, as appropriate.	EPA met with GSA and other federal agencies identified in the GAO report. EPA is updating the website to include additional information on the availability of public comment data.
GAO-21-12	2021-01-21	The Administrator of EPA should direct its chemical safety and security programs to collaborate with partners and establish an iterative and ongoing process to identify the extent to which the facilities that it regulates are also covered by the CFATS program.	EPA collaborated with DHS to draft a joint interagency procedure. DHS, EPA, DOT, and ATF are all signatories to the final document. DHS will provide the interagency document and request for closure of the recommendation on behalf of all four agencies following final signature.
GAO-21-12	2021-01-21	EPA should collaborate with the DHS's Cybersecurity and Infrastructure Security Agency to assess the extent to which potential security gaps exist at water and wastewater facilities and, if gaps exist, develop a legislative proposal for how best to address them and submit it to the Secretary of Homeland Security and Administrator of EPA, and Congress, as appropriate.	EPA agrees with this recommendation and is coordinating with DHS to address implementation.
GAO-21-150	2020-10-20	The Associate Administrator of EPA's Office of Congressional and Intergovernmental Relations should update Performance Partnership Grant (PPG) best practices guidance for tribes to clarify, for EPA and tribal staff, how PPGs operate, including that tribes may use PPG funds for any activity that is eligible under any grant eligible for inclusion in PPGs.	EPA maintains that OCIR's National Program Guidance (NPG) serves as the main document to communicate the agency's operational priorities, strategies, and performance measures. Due in part to the findings of GAO's report, OCIR will include more foundational guidance related to PPGs in its FY 2023-2024 NPG. The FY 2023-2024 NPG also will cite different reference resources including the best practices guide; a group of regional and headquarters staff is working to revise the best practices guide with the goal of posting the revised guides in Spring of 2022.

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GAO-21-150	2020-10-20	The Director of EPA's Office of Grants and Debarment, working with each region's grant management office, should develop and nationally distribute onboarding materials for grant specialists and project officers new to working with Indian tribes that includes guidance specific to working with tribes and tribal grants.	OGD reviewed existing training and consulted with partners to determine training needs. OGD is now working to update existing training that will include information on issues unique to working with tribal grants.
GAO-21-150	2020-10-20	The Principal Deputy Assistant Administrator of EPA's Office of Air and Radiation, the Assistant Administrator of EPA's Office of Water, and the Director of EPA's American Indian Environmental Office should update and nationally distribute guidance for project officers and tribes that clarifies documentation requirements and eligibility definitions for quality assurance project plans and the Indian Environmental General Assistance Program.	QAPP Review Process: The QAPP for Grants Project work is ongoing. The streamlining process has primarily implemented through EPA's E-Enterprise Leadership Council. General Assistance Program: The GAP program work is ongoing. The program is currently developing a new Guidance (to update 2013 Guidance) and a new allocation formula, both of which will clarify eligibility, funding levels, and other requirements.
GAO-21-156	2020-12-18	The Administrator should direct the Assistant Administrator of the Office of Research and Development to provide more information publicly about where chemical assessments are in the development process, including internal and external steps in the process, and changes to assessment milestones.	The IRIS Program updated the IRIS chemical landing pages to reflect the current step of the process for each assessment (e.g., Agency Review, Interagency Review). EPA and GAO have a continuing dialogue regarding the remaining steps toward closure.
GAO-21-156	2020-12-18	The Administrator should direct the Assistant Administrators of program offices and Regional Administrators to develop and make available guidance for chemical assessment nominations. Such guidance could include information such as how to select chemicals for IRIS assessment nomination or for high priority needs, criteria explaining how Assistant and Regional Administrators determine which nominations to support and which they may choose not to support, and how to document these decisions.	In February 2022 EPA and GAO consulted regarding the path to closure of this recommendation. Implementation is currently in process.

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GAO-21-156	2020-12-18	The Administrator should direct the Assistant Administrator of the Office of Research and Development to issue criteria for how chemical assessment nominations are selected for inclusion in the IRIS Program's list of assessments in development and provide quality information about such topics as defining high-priority chemicals, prioritizing assessment work, and determining the IRIS Program's capacity to undertake work.	EPA provided documentation supporting full implementation to GAO in March 2022. The agency requested closure.
GAO-21-156	2020-12-18	The Administrator of EPA should direct the Office of Research and Development to continue evaluating the survey process used to solicit IRIS user needs and assess key elements, such as its purpose and timing, to facilitate the collection of quality information.	EPA provided documentation supporting full implementation to GAO in March 2022. The agency requested closure.
GAO-21-156	2020-12-18	The Administrator of EPA should include in ORD's strategic plan (or subsidiary strategic plans) identification of EPA's universe of chemical assessment needs; how the IRIS Program is being resourced to meet user needs; and specific implementation steps that indicate how IRIS will achieve the plan's objectives, such as specific metrics to define progress in meeting user needs.	EPA has partially implemented this recommendation and is meeting regularly with auditors in 2022 to address the remaining aspects.
GAO-21-164SU	2020-10-27	Recommendations from this restricted report are not publicly available.	Not Publicly Available
GAO-21-290	2021-07-12	The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should revise its guidance to select files for its State Review Framework assessments of state-reported data to incorporate statistically valid probability sampling.	EPA agrees with this recommendation. The agency will complete decisions related to the State Review Framework file sampling methodology by 3/31/23.
GAO-21-290	2021-07-12	The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should ensure that consolidated, complete, and updated information on all data	The agency plans to complete this consolidation by 9/30/22.

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		limitations is disclosed on the State Water Dashboard.	
GAO-21-290	2021-07-12	The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a plan to determine the overall accuracy and completeness of the permit limit and discharge monitoring report data recorded in its national database.	The agency is addressing this recommendation with a two-phase plan: 1) EPA will continue to work with states to identify and correct problems that prevent proper transfer of discharge monitoring report data to the Integrated Compliance Information System. NPDES and work to maximize the amount of discharge monitoring report data and all necessary permit limit data in the system. 2) The agency will develop a methodology to examine the accuracy of the discharge monitoring report and permit limit data received by the ICIS-NPDES system from authorized states. Completion is estimate for 2025.
GAO-21-290	2021-07-12	The Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance should develop a performance measure to track the reduction in pollutant discharges resulting from enforcement actions for facilities in significant noncompliance and disclose any limitations.	The agency is addressing recommendation in two ways: 1) EPA will continue to report annually the Estimated Water Pollutants resulting from enforcement actions (Estimated Water Pollutants Reduced, Treated or Eliminated for the Clean Water Act NPDES Program) in the Enforcement and Compliance Annual Results that also will include a page identifying data limitations. 2) The agency will develop a methodology and outcome measure for tracking the extent to which the significant noncompliance national compliance initiative achieves reductions in illegal pollutant discharges. EPA anticipates the implementation of this new measure by 12/31/22.
GAO-21-291	2021-03-26	The Assistant Administrator for EPA's Office of Water should develop definitions for all utility ownership types for regional offices and states to use when entering data on ownership type in EPA's Safe Drinking Water Information System and should verify and correct the data as needed.	EPA generally agrees that it would be useful to conduct another CWSS to collect updated information on drinking water utilities. The updated information could be used, along with other sources such as contaminant occurrence data and peer reviewed studies on contaminant health effects and treatment technologies, to inform EPA's regulatory activities as well as other efforts.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-21-291	2021-03-26	The Assistant Administrator for EPA's Office of Water should conduct another Community Water System Survey to establish an updated, accurate baseline of drinking water utility information for rulemaking and other purposes.	EPA does not require water system ownership information for the implementation of SDWA. However, EPA and its partners in SDWA implementation find value in improving the clarity and accuracy of information on the characteristics of public water systems. The agency is currently working to modernize SDWIS and plans to incorporate the definitions for the six ownership categories into the updated version of SDWIS. EPA requested closure of this recommendation.
GAO-21-38	2020-11-12	The Assistant Administrator of EPA's Office of Air and Radiation, in consultation with state and local agencies, should develop, make public, and implement an asset management framework for consistently sustaining the national ambient air quality monitoring system. Such a framework could be designed for success by considering the key characteristics of effective asset management described in our report, such as identifying the resources needed to sustain the monitoring system, using quality data to manage infrastructure risks, and targeting resources toward assets that provide the greatest value.	EPA continues to engage with state, tribal, and local partners on planning and establishing an asset management plan. The agency expects to roll out a proposed approach on asset management during 2022 for stakeholder feedback and estimates plan completion in 2023.
GAO-21-38	2020-11-12	The Assistant Administrator of EPA's Office of Air and Radiation, in consultation with state and local agencies and other relevant federal agencies, should develop and make public an air quality monitoring modernization plan to better meet the additional information needs of air quality managers, researchers, and the public. Such a plan could address the ongoing challenges in modernizing the national ambient air quality monitoring system by considering leading practices, including establishing priorities and roles, assessing risks to success, identifying the resources needed to achieve goals,	EPA worked with stakeholders to initiate planning for a modernization strategy. Coinciding with this initial work, EPA received funds through the American Rescue Plan (ARP) for enhanced air quality monitoring. In the planning for distribution of ARP funds, EPA considered the GAO call for modernization in the planning of a grant competition and direct awards for air monitoring agencies. EPA plans to engage stakeholders in both large and small groups during 2022 to continue to map out what modernization looks like for all parties. This critical information will inform the priorities for the modernization strategy.

Report Number	Report Issue Date	Recommendation Text	Status
		and measuring and evaluating progress.	
GAO-21-413	2021-06-30	The Administrator of the Environmental Protection Agency should ensure that collaboration occurs between the SBIR program office and the Office of Inspector General to establish fraud indicators and train applicants.	EPA agrees with this recommendation and is working with the Office of Inspector General to review Small Business Innovation Research program fraud indicators and modify materials currently used for training applicants as necessary. The estimated completion date is 12/1/22
GAO-21-42	2020-11-24	The Administrator of the Environmental Protection Agency should take additional steps to complete and document a fraud risk profile for the purchase card program that aligns with the leading practices in the Fraud Risk Framework and includes an assessment of how, if at all, the risk profile differs for purchase card use in support of disaster response.	On 2/4/22 GAO confirmed that this recommendation is considered fully implemented and scheduled for formal closure.
GAO-21-63	2021-01-15	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should coordinate with states to collect information on the use of the designated representative, either through its annual cooperative agreement work plans with states or another mechanism. The collection of information on use could include consistently compiling the information obtained through inspections across states—specifically, whether farmworkers are using designated representatives and whether farmers are providing the information to the designated representatives within the time frames required by the WPS.	EPA considers this recommendation to be fully implemented and has requested closure. GAO is currently reviewing.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-21-63	2021-01-15	The Director for EPA's Office of Pesticide Programs should, in the agency's guidance, on its website, or through another mechanism, explain EPA's expectations about the appropriate use of the pesticide information obtained by a designated representative, including describing potential misuse of such information.	The agency coordinated with the Association of American Pest Control Officials - State FIFRA Issues Research and Evaluation Group (AAPCO/SFIREG) to provide information on their members' use of the designated representative provision. AAPCO/SFIREG received responses from twenty-seven states, one tribe and the District of Columbia. According to the respondents to the AAPCO/SFIREG questions, there was compliance with the designated representative provision in their states. However, some respondents thought additional training and compliance assistance materials could be helpful. Full implementation is anticipated by January 2023.
GAO-21-78	2020-12-18	EPA's Assistant Administrator for Water should develop guidance for water systems that outlines methods to use ACS data and, where available, geospatial lead or other data to identify high-risk locations in which to focus lead reduction efforts, including tap sampling and lead service line replacement efforts.	The agency is currently developing guidance on lead service line replacement. This guidance will include, but is not limited to, information on selecting inventory format such as a map, as well as multiple factors to consider for prioritizing the investigation of Lead Status Unknown service lines. EPA will share the guidance with GAO when it is finalized.
GAO-21-78	2020-12-18	EPA's Assistant Administrator for Water should incorporate use of (1) ACS data on neighborhood characteristics potentially associated with the presence of lead service lines and (2) geospatial lead data, when available, into EPA's efforts to address <i>the Federal Action Plan to Reduce Childhood Lead Exposures and Associated Health Impacts</i> .	The LCRR's requirement for water systems to create inventories of LSLs will allow communities to overlay LSL locations with ACS data, including EPA's EJ Screen tool, to assess the presence of LSLs in relation to neighborhood characteristics. EPA issued a Federal Register Notice on 12/17/21 summarizing the input from the public engagements and announcing the conclusion of the LCRR review.
GAO-21-78	2020-12-18	EPA's Assistant Administrator for Water should develop a strategic plan that meets the WIIN Act requirement for providing targeted outreach, education, technical assistance, and risk communication to populations affected by the concentration of lead in public water systems, and that is	The agency developed a strategic plan that meets the WIIN Act requirements under SDWA 1414(c)(5). EPA continues to focus on implementation of communication and lead reduction efforts for vulnerable populations and disadvantaged communities.

Report Number	Report Issue Date	Recommendation Text	Status
		fully consistent with leading practices for strategic plans.	
GAO-21-82	2020-12-09	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should communicate final guidance for future national initiative cycles to all states before the effective date of the national initiatives.	OECA communicated the final National Initiative guidance to all states as in the fall of 2020. The next National Initiative cycle will begin in FY 2024 and OECA will continue the practice.
GAO-21-82	2020-12-09	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should incorporate lessons learned from the initial effort to engage earlier and more continuously with states when developing the office's plan for how EPA will work with states on future national initiatives.	OECA will incorporate lessons learned from working with states during the FY 2020 - 2023 cycle into the upcoming cycle beginning in FY 2024.
GAO-21-82	2020-12-09	The Assistant Administrator for EPA's Office of Enforcement and Compliance Assurance should ensure that officials document the outcomes of EPA's primary method of assessing enforcement and compliance activities at the regional level—in-person and videoconference meetings—including progress toward performance goals that support the agency's strategic objectives.	EPA considers this recommendation to be fully implemented and has requested closure.
GAO-21-87	2020-12-18	The Director of EPA's Office of Resource Conservation and Recovery should develop an implementation plan for conducting a study and developing recommendations for administrative or legislative action regarding the effect of existing public policies, and the likely effect of modifying or eliminating such incentives and disincentives, upon the reuse, recycling, and conservation of materials, as required by RCRA.	The agency provided the National Recycling Strategy and implementation roadmap to GAO in a December 2021 update. GAO is currently reviewing the implementation plan.

Report Number	Report Issue Date	Recommendation Text	Status
GAO-21-87	2020-12-18	The Director of EPA's Office of Resource Conservation and Recovery should develop an implementation plan for conducting a study and developing recommendations for administrative or legislative action regarding the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods to reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal, as required by RCRA.	The agency provided the National Recycling Strategy and implementation roadmap to GAO in a December 2021 update. GAO is currently reviewing the implementation plan.
GAO-21-87	2020-12-18	The Director of EPA's Office of Resource Conservation and Recovery should, while EPA finalizes and implements its national recycling strategy, incorporate desirable characteristics for effective national strategies, including (1) identifying the resources and investments needed, and balancing the risk reductions with costs; (2) clarifying the roles and responsibilities of participating entities; and (3) articulating how it will implement the strategy and integrate new activities into existing programs and activities.	The agency provided the National Recycling Strategy and implementation roadmap to GAO in a December 2021 update. GAO is currently reviewing the implementation plan.

Working Capital Fund

In FY 2023, the Agency will be in its 27th year of operation of the Working Capital Fund (WCF). The WCF is a revolving fund authorized by law to finance a cycle of operations in which the costs for goods or services provided are charged to the users. The WCF operates like a commercial business within EPA where customers pay for services received, thus generating revenue. Customers include EPA program and regional offices and other federal agencies. The WCF mechanism provides an efficient method for a full cost approach to agency programs. EPA's WCF was implemented under the authority of Section 403 of the Government Management Reform Act of 1994 and the Omnibus Consolidated Appropriations Act of 1997. EPA received permanent WCF authority in the Department of Interior and Related Agencies Appropriations Act of 1998. The Modernizing Government Technology (MGT) Act¹⁸ provided additional authority for information technology development activities in agency working capital funds.¹⁹

EPA's Chief Financial Officer (CFO) initiated the WCF in FY 1997 as part of an effort to: 1) be accountable to agency offices, the Office of Management and Budget, and Congress; 2) increase the efficiency of the administrative services provided to program offices; and 3) increase customer service and responsiveness. The Agency has a WCF Board which provides policy and planning oversight and advises the CFO regarding the WCF financial position. The Board, chaired by a management representative within the Office of the Chief Financial Officer, is comprised of 22 voting members from program and regional offices.

In FY 2023, there will be 15 core agency activities provided under the WCF. These are the Agency's information technology services, agency postage, Cincinnati voice services, background investigations, enterprise human resources IT services, systems development, and facilities alterations managed by the Office of Mission Support; financial and administrative systems, employee relocations, and a budget formulation system managed by the Office of the Chief Financial Officer; the Agency's Continuity of Operations (COOP) site managed by the Office of Land and Emergency Management; regional information technology service and support managed by EPA Region 8; legal services managed by the Office of General Counsel; and multimedia services, and agency servicing contracts managed by the Office of the Administrator.

The Agency's FY 2023 budget request includes resources for these 15 core activities in each National Program Manager's submission, totaling approximately \$414 million. These estimated resources may be adjusted during the year to incorporate any program office's additional service needs during the operating year. To the extent these increases are subject to Congressional reprogramming notifications, the Agency will comply with all applicable requirements. In FY 2023, the Agency will continue to perform relocation services for other federal agencies, delivering high quality services external to EPA.

The Agency anticipates that there may be minor increases and decreases in FY 2023 due to several IT improvements, including increased cloud computing, improved network infrastructure, cybersecurity requirements, continuous diagnostic and mitigation program implementation, and

¹⁸ The MGT Act was enacted as part of the Fiscal Year 2018 National Defense Authorization Act on December 12, 2017.

¹⁹ EPA determined that the Agency's existing WCF meets the requirements of the MGT Act. EPA's WCF provides a range of integral IT infrastructure, application, and hosting services. In addition, EPA's WCF possesses the structure and governance framework to satisfy the requirements for the Technology Modernization Fund (TMF) identified in the MGT Act.

discovery services. Other funding shifts have been included in the FY 2023 WCF plan that relate to the necessary telecommunications and computer support needed by every employee. As part of an overall review and rebalancing of these costs, funds have been shifted across programs to reflect FTE changes as well.

