



**United States  
Environmental Protection Agency**

**FISCAL YEAR 2025**

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

**Tab 08: Superfund**

**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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**Environmental Protection Agency  
FY 2025 Annual Performance Plan and Congressional Justification**

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

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
<b>Hazardous Substance Superfund</b>				
Budget Authority	\$1,348,774	\$1,282,700	\$661,167	-\$621,533
Total Workyears	2,585.0	2,678.0	2,732.7	54.7

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

**Hazardous Substance Superfund**

*For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, \$661,167,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2024, and not otherwise appropriated from the Trust Fund, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to \$661,167,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, \$13,979,000 shall be paid to the "Office of Inspector General" appropriation to remain available until September 30, 2026, and \$32,120,000 shall be paid to the "Science and Technology" appropriation to remain available until September 30, 2026.*

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

<b>Program Project</b>	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Audits, Evaluations, and Investigations				
Audits, Evaluations, and Investigations	\$13,244	\$11,800	\$13,979	\$2,179
Compliance				
Compliance Monitoring	\$1,377	\$1,017	\$1,036	\$19
Cross-Agency Coordination, Outreach, and Education				
Exchange Network	\$1,018	\$1,328	\$1,328	\$0

<b>Program Project</b>	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Enforcement				
Civil Enforcement	\$15	\$0	\$0	\$0
Criminal Enforcement	\$6,766	\$7,999	\$8,876	\$877
Forensics Support	\$1,597	\$1,240	\$1,720	\$480
Superfund: Enforcement	\$173,076	\$171,347	\$0	-\$171,347
Superfund: Federal Facilities Enforcement	\$7,725	\$8,192	\$10,481	\$2,289
Subtotal, Enforcement	\$189,178	\$188,778	\$21,077	-\$167,701
Environmental Justice				
Environmental Justice	\$890	\$5,876	\$5,901	\$25
Homeland Security				
Homeland Security: Preparedness, Response, and Recovery	\$36,249	\$34,661	\$57,358	\$22,697
Homeland Security: Protection of EPA Personnel and Infrastructure	\$1,167	\$1,029	\$1,530	\$501
Subtotal, Homeland Security	\$37,415	\$35,690	\$58,888	\$23,198
Indoor Air and Radiation				
Radiation: Protection	\$2,081	\$2,472	\$3,144	\$672
IT / Data Management / Security				
Information Security	\$1,494	\$1,062	\$6,012	\$4,950
IT / Data Management	\$22,040	\$19,764	\$19,645	-\$119
Subtotal, IT / Data Management / Security	\$23,535	\$20,826	\$25,657	\$4,831
Legal / Science / Regulatory / Economic Review				
Alternative Dispute Resolution	\$758	\$791	\$1,841	\$1,050
Legal Advice: Environmental Program	\$844	\$599	\$482	-\$117
Subtotal, Legal / Science / Regulatory / Economic Review	\$1,602	\$1,390	\$2,323	\$933
Operations and Administration				
Acquisition Management	\$22,835	\$27,247	\$34,172	\$6,925
Central Planning, Budgeting, and Finance	\$32,914	\$31,338	\$30,512	-\$826
Facilities Infrastructure and Operations	\$74,115	\$65,634	\$72,349	\$6,715
Financial Assistance Grants / IAG Management	\$4,855	\$4,002	\$4,660	\$658
Human Resources Management	\$7,382	\$7,419	\$9,303	\$1,884
Subtotal, Operations and Administration	\$142,100	\$135,640	\$150,996	\$15,356

Research: Chemical Safety for Sustainability				
Health and Environmental Risk Assessment	\$9,225	\$4,901	\$5,040	\$139
Research: Chemical Safety for Sustainability	\$5,476	\$8,060	\$8,060	\$0
Subtotal, Research: Chemical Safety for Sustainability	\$14,701	\$12,961	\$13,100	\$139
Research: Sustainable Communities				
Research: Sustainable and Healthy Communities	\$18,525	\$16,937	\$17,517	\$580
Superfund Cleanup				
Superfund: Emergency Response and Removal	\$256,354	\$195,000	\$0	-\$195,000
Superfund: EPA Emergency Preparedness	\$7,696	\$8,056	\$8,541	\$485
Superfund: Federal Facilities	\$26,167	\$26,189	\$37,680	\$11,491
Superfund: Remedial	\$612,890	\$618,740	\$300,000	-\$318,740
Subtotal, Superfund Cleanup	\$903,107	\$847,985	\$346,221	-\$501,764
<b>TOTAL Superfund</b>	<b>\$1,348,774</b>	<b>\$1,282,700</b>	<b>\$661,167</b>	<b>-\$621,533</b>

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

## **Audits, Evaluations, and Investigations**

## Audits, Evaluations, and Investigations

Program Area: Audits, Evaluations, and Investigations  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Inspector General	\$41,521	\$44,030	\$65,257	\$21,227
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$13,244</i></b>	<b><i>\$11,800</i></b>	<b><i>\$13,979</i></b>	<b><i>\$2,179</i></b>
Total Budget Authority	\$54,765	\$55,830	\$79,236	\$23,406
Total Workyears	246.6	270.0	333.5	63.5

### **Program Project Description:**

Created pursuant to the Inspector General Act of 1978, as amended, the U.S. Environmental Protection Agency Office of Inspector General (OIG) is an independent office within the Agency. The mission of the OIG is to promote economy and efficiency in, and detect fraud, waste, and abuse related to, programs and operations of EPA and the U.S. Chemical Safety and Hazard Investigation Board (CSB), as well as to help ensure ethical conduct and program integrity. To this end, the OIG is responsible for conducting, supervising, and coordinating audits and investigations relating to EPA’s and CSB’s programs. One of the OIG’s top responsibilities is the requirement to keep agency heads, Congress, and the American people fully and currently informed about problems and deficiencies in Agency or Board programs and operations.

In support of the OIG’s independence, Congress provides the OIG with, among other things, a separate appropriation within the Agency’s budget. Appropriated resources allow the OIG to not only complete its mandated oversight work but also to identify and execute discretionary oversight of key areas, such as water infrastructure, climate change, environmental justice, and toxic chemicals. In FY 2023 the OIG identified over \$176 million in potential fraud, waste, or abuse across nearly all of its oversight offices and directorates, namely, the Office of Audit, the Office of Investigations, the Office of Special Review and Evaluation, the Administrative Investigations Directorate, and the Data Analytics Directorate. In other words, for every dollar Congress invested in the OIG, the OIG returned at least three dollars in identified or avoided fraud, waste, and abuse.

### **Audits**

The Office of Audit (OA) is responsible for conducting financial and performance audits of EPA’s and CSB’s programs and operations. Utilizing a cadre of auditors with specialized training and experience in environmental programs, the OA generally conducts its projects in compliance with the generally accepted government auditing standards, as applicable based upon the work performed. Specifically, the OA conducts performance audits to assess the economy, efficiency, and effectiveness, internal control, and compliance of EPA Superfund programs and EPA Superfund business operations. In addition, the OA conducts approximately 16 mandated audits each year, including financial audits of EPA’s and CSB’s financial statements as required by the

Chief Financial Officers Act of 1990 and audits of EPA's and the CSB's information security practices as required by the Federal Information Security Modernization Act of 2014.

Impact is measured both in terms of recommendations and in potential monetary benefit. In FY 2023, the OA issued over a dozen reports leading to over 30 recommendations for program improvements. These reports have focused on, among other things, numerous barriers to implementing effective resource management and program improvements in EPA's Superfund Program. An example of this work is an August 2023 audit report on actions the EPA has taken to identify and address any disproportionate health effects to disadvantaged communities located on or near the 35th Avenue Superfund site in North Birmingham, Alabama. The OA found that without policies, guidance, and performance measures, EPA programs may not be addressing cumulative impacts and disproportionate health effects on overburdened communities. Such policies, guidance, and performance measures are critical to advancing EPA's environmental justice and equity goals. The OA also has identified over \$77 million in potential monetary benefits. Finally, the OA has begun reviewing the regulatorily required financial and compliance audits from each of the clean water and drinking water state revolving funds. These audits, and the OIG's review of these audits, is an important control in ensuring that the billions of dollars invested in water and wastewater infrastructure is used effectively and appropriately.

### **Investigations**

The OIG Office of Investigations (OI) is the oversight component responsible for investigating allegations of fraud, waste, and abuse related to EPA and CSB programs and operations including EPA's Superfund Program. Consisting of criminal investigators with statutory authority under the IG Act to carry firearms, make arrests, execute search and seizure warrants, and perform other law enforcement duties, the OI's special agents are authorized to conduct criminal, civil, and administrative investigations. With a geographical area of responsibility spanning from Saipan to Maine and Alaska to the U.S. Virgin Islands, the OI prioritizes work related to the critical sectors of water and wastewater, including those involving cybercrime or relating to national security, as well as crimes affecting the integrity of EPA and the CSB. Within these priorities, the OI leverages a data- and intelligence-driven framework to identify high-impact investigations that relate to fraudulent practices in awarding, performing, and paying Superfund contracts, grants, or other assistance agreements, among other crimes.

One of the tools that the IG Act provides the OIG is to request assistance from any federal, state, or local governmental agency, allowing the OI to coordinate with such agencies regarding the prevention and detection of fraud, waste, and abuse. To this end, the OI's criminal and civil investigations are often done in coordination with the U.S. Department of Justice and with various law enforcement task forces. In FY 2023, the OI recovered more than \$5 million from more than a dozen criminal indictments and convictions or civil judgments. For example, in June 2023, a project manager was sentenced in federal court for misleading federal authorities about lead contamination in a city park after he was hired to remediate it. The project manager's employer agreed to pay more than \$2 million in a civil settlement agreement related to violations of the Comprehensive Environmental Response, Compensation, and Liability Act, and a separate settlement agreement related to violations of the False Claims Act. Through the OI's work, EPA also was able to avoid awarding over \$12 million in a potential grant fraud scheme. In addition,

the OI works with EPA's Suspension and Debarment Program, "whose actions protect the government from doing business with entities that pose a business risk to the government." In FY 2023, the OI initiated over 140 OIG investigations on fraud, waste, and abuse; these investigations were conducted in response to information obtained through intelligence-gathering or from witness reports. Finally, the OI has published three "lessons learned" Management Implication Reports, identifying potential measures to reduce the Agency's vulnerability to criminal activity.

### **Evaluations**

The OIG Office of Special Review and Evaluation (OSRE) is responsible for evaluating the effectiveness of EPA's and the CSB's programs. Its oversight projects focus on the efficiency of program operations, such as program performance from implementation to outcome. It does so by leveraging a cadre of engineers, scientists, social scientists, and other environmental and public health professionals, who generally conduct projects in compliance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*. The evaluative reach of the OSRE spans every EPA program office and includes assessments of implementation efforts by EPA's ten regional offices and the Agency's state, local, and tribal partners, as well as EPA Superfund programs and activities that support clean air, clean water, safer chemicals, cleaner communities, scientific research and integrity, and effective oversight and enforcement. An example of the OSRE's Superfund-related work is a current evaluation of the EPA's actions on the community health concerns near a Superfund site in St. Charles, Missouri.

Past OIG evaluations have resulted in EPA policy changes, improvements to agency guidance documents and other written materials, increased transparency on regulatory and other decision-making, and process changes to eliminate barriers and improve program outcomes. These evaluations also have provided EPA and Congress with information that is useful in policymaking.

### **Administrative Investigations**

The Administrative Investigations Directorate (AID), located in the Office of Special Review and Evaluation, conducts civil and administrative investigations into allegations of misconduct by senior employees and complaints of whistleblower reprisal by agency or Board employees, contractors, subcontractors, grantees, subgrantees, or personal services contractors. It also performs special reviews of significant events and emergent issues of concern that involve a suspected or alleged violation of law, regulation, or policy, as well as allegations of serious mismanagement. Additionally, along with select evaluation staff, this directorate regularly meets with EPA's scientific integrity official, updates coordination procedures between the OIG and EPA's Scientific Integrity Office, and reviews documents to make EPA aware of all identified allegations of violations of its Scientific Integrity Policy.

Since its creation in 2021, the AID has made an immediate impact in helping promote ethical conduct in EPA and the CSB, particularly in the areas of senior employee misconduct and scientific misconduct. Despite consisting of only five investigative attorneys and civil investigators, the AID carries a docket consists of over a dozen civil and administrative investigations. It also has issued significant reports related to ethical misconduct and whistleblower protection, among other matters. For example, the AID recently issued a report of investigation substantiating allegations

that the former chair of the CSB improperly spent nearly \$100 thousand in Board funds for travel, training, and office refurbishment.

The AID also manages the OIG Hotline, triaging each complaint, tracking its referrals, monitoring the progress of its referrals, and communicating with complainants. As the principal method for reporting suspected fraud, waste, and abuse to the OIG, the OIG Hotline is an invaluable tool for gathering intelligence related to EPA and CSB programs and operations and for identifying further oversight work. In FY 2023, the OIG Hotline received 7,635 contacts through the OIG website, email account, and telephone number. Furthermore, the OIG employs authorities under 5 U.S.C. § 4512 to incentivize the disclosure of fraud, waste, or mismanagement through cash awards.

### **Data Analytics**

The Data Analytics Directorate (DAD) supports OIG wide oversight planning and execution by leveraging advance analytics to identify and highlight key risk areas to EPA or CSB program integrity. Specifically, the DAD uses programming languages and database software to automate the acquisition, transformation, and analysis of large and disparate data sets that supports audits, evaluations, and investigations. It also provides statistical sampling and survey creation support for audits and evaluations. The DAD's oversight products, created by a team of data analysts and data scientists, allow the OIG and the public to visualize the extent of EPA programs and operations.

Unlike other data analytics operations, the OIG uses its DAD to increase public awareness of EPA's programs and operations. For example, in FY 2023, the DAD published a new version of a geographical dashboard on the OIG website, allowing anyone to see where the EPA is spending supplemental appropriations under the Infrastructure Investment and Jobs Act. This geographical dashboard allows the public to filter the spending data by such fields as congressional districts and Justice40 Initiative overlays. The OIG also uses the DAD to create internal dashboards and other analytical tools to monitor OIG productivity and improve OIG operations. Just recently, the DAD developed a dashboard to monitor the EPA's progress in completing corrective actions in response to audit or evaluation recommendations.

### **OIG Support**

The Office of Inspector General and its oversight programs are supported by the Office of Counsel, the Office of Congressional and Public Affairs, the Office of Information Technology, the Office of Mission Support, and the Office of Strategic Analysis and Results. These support offices provide legal, professional, and technical support to the oversight programs, as well as support the recruitment, retention, and training of the OIG's employees. These support offices also manage the OIG's public outreach efforts through, among other things, congressional and public engagements and by, among other things, engaging traditional and social media and the Internet. In FY 2023, the OIG expanded its social media outreach by becoming the first federal OIG on Instagram. The OIG also improved public outreach by acquiring a new domain, epa.oig.gov, and developing a new website focused on facilitating the dissemination of the OIG's oversight products and the reporting of potential fraud, waste, and abuse related to EPA's or the CSB's programs and operations.

## **FY 2025 Activities and Performance Plan:**

The OIG takes a rigorous approach to the planning and execution of its oversight work, starting with the statutory mandate to prepare an annual statement summarizing “the most serious management and performance challenges facing the agency” and to briefly assess the Agency’s progress in addressing those challenges. To identify these top management challenges, the OIG reviews the work of the OIG and the U.S. Government Accountability Office, solicits input from senior EPA leadership and program offices, and considers the public statements of EPA, administration, and congressional leaders, as well as EPA planning documents, such as the *FY 2022 – 2026 EPA Strategic Plan*. The OIG then plans specific audits and evaluations for the next fiscal year that will address these top management challenges, as well as the goals and objectives of the EPA OIG’s strategic plan. This discretionary oversight is, of course, constrained by the OIG’s statutory or regulatory mandates, such as the oversight of the financial and operation audits of the over 100 state revolving funds, as well as work requested by Congress or resulting from an OIG Hotline contact.

In FY 2025, the OIG will continue to target initiatives addressing EPA’s and CSB’s top management challenges and stated priorities, including enduring challenges related to land cleanup. To execute these initiatives, the OIG will increase its agility to assess emerging environmental threats; increase its use of data analytics, business analytics, and business intelligence to better target resources to address high-risk, high-vulnerability areas of interest; employ best practices to improve efficiency, effectiveness, accountability, and monetary benefits; focus on measurable impacts; and increase its return on investment to the American public. The OIG also will continue to expand upon its oversight of EPA’s implementation of the Infrastructure and Investment Jobs Act (IIJA) to assess whether the approximately \$60 billion in IIJA funding provided to EPA is effectively and properly spent.

### **Audits**

The Office of Audit (OA) is responsible for nearly all of the OIG’s mandates, which comprises over 34 percent of the office’s oversight work in FY 2023. Furthermore, the OIG will need to continue its oversight of other requirements, such as single audits. For example, although EPA is the cognizant agency for audit under the Single Audit Act, the OIG is, under the IG Act, responsible for providing policy direction for audits relating to the EPA’s programs and operations. To this end, the OA will conduct quality control reviews of the single audits submitted to the EPA. Finally, the OA will conduct oversight work in response to congressional requests or hotline contacts. In FY 2023, this comprised over 11 percent of the OA’s work. Based on OIG funding trends, the OIG estimates that by FY 2025 more than half of the OA’s work will be non-discretionary work. At the heart of the independence protections enshrined in the IG Act is the ability to conduct discretionary oversight of EPA’s core programs; however, without additional

resources to complete mandatory, requested, and discretionary oversight projects, the OA's ability to conduct discretionary oversight in FY 2025 will be significantly constrained.

## **Investigations**

The Office of Investigations will prioritize investigations based on its Annual Investigative Priorities and the OIG's strategic plan, giving consideration to the U.S. Department of Justice's prosecutorial priorities and the U.S. Attorney Offices' prosecutorial guidelines. With a vast geographic jurisdiction spanning Saipan to Maine and Alaska to the U.S. Virgin Islands, the Office of Investigations maximizes its reach by using technology, engaging stakeholders, and sharing information with and working alongside other federal, state, local, and tribal governments, and law enforcement agencies. Two enduring investigative priorities will be work related to the integrity of EPA's Superfund Program and to the critical sectors of water and wastewater, including those investigations involving cybercrime and national security-related matters. This remit requires the office to have a cadre of special agents and civilian employees expressly trained in investigating and countering network attacks, intrusions, and cyber fraud; and specialists trained in obtaining evidence through digital forensics. Further, this cadre must be supported by ongoing training to maintain proficiency and currency on ongoing industry and technological advances as well as the ability to procure, sustain, and deploy specialized cyber investigation and forensic tools. As the OIG has faced stagnant or decreasing budgets over the last decade, the Office's ability to effectively investigate cyber-based threats to the critical sectors of water and wastewater has been constrained.

## **Evaluations**

Like the Office of Audit, the Office of Special Review and Evaluation will continue to conduct oversight projects in response to congressionally requested work, emerging environmental emergencies, and hotline contacts. Its discretionary oversight will continue to focus on program performance, state and federal program capacity, and federal oversight of state delegated hazardous waste programs, among other things.

## **Administrative Investigations and Special Reviews**

The Administrative Investigations Directorate (AID) generally initiates investigations in response to allegations of misconduct and special reviews in reaction to unique circumstances. However, over the last two years, the number of investigations on the AID's docket has significantly outnumbered the AID's ability to complete those investigations in a timely fashion. Many of these matters, particularly those involving allegations of scientific misconduct, are particularly complex, requiring rigorous and highly technical investigations. Additional resources in FY 2025 will allow the AID to take on more investigations and to complete those investigations sooner.

The OIG Hotline has recently seen a notable increase in contacts, going from less than 3,000 in FY 2022 to approximately 7,000 in FY 2023. As EPA expands its programs because of increased appropriations and expends more funds because of an unprecedented \$100 billion in supplemental appropriations, the AID expects to see a significant increase in the number of hotline contacts in FY 2025. With this expected increase in contacts will come an accompanying increase in

allegations of ethical misconduct, scientific misconduct, and whistleblower retaliation that will need to be investigated.

### **Data Analytics**

The Data Analytics Directorate (DAD) supports the OIG's oversight by obtaining agency data and conducting data or statistical analysis. The result is often a dashboard or other visualization of structured and unstructured data, providing easy identification of complex problems or otherwise hidden relationships. The DAD's efforts to automate data acquisition and analysis processes has created time and cost efficiencies for audits, investigations, and evaluations. But the DAD also provides oversight products to the public through the OIG website, including a geographical dashboard showing EPA IJA spending by program, region, and district. Sustaining this work will require continued investment in both personnel and analytic tools, such as computer hardware and database software. In FY 2025, the DAD will continue to help oversight the challenges facing EPA's contract and grant data management because of missing, incomplete, or unstructured data. Expanding the DAD's work will, therefore, require additional resources. Expanded DAD work will mean better analytic support for our audits, investigations, and evaluations and better oversight products for the public.

### **OIG Support**

In FY 2022, the OIG reported that an agency employee was improperly granted access to the Whistleblower Protection Coordinator's email box, potentially revealing confidential whistleblower information outside of the OIG. Accordingly, the OIG requests additional funding to upgrade its IT capabilities to ensure that it can begin obtaining technological independence from the Agency. The OIG must use EPA IT resources, including for its two most sensitive systems, the hotline, and the whistleblower protection email. Vulnerabilities were discovered in these IT capabilities that gave EPA access to these sensitive systems. This initial effort towards IT independence allows the OIG to establish separate email and other systems from EPA.

### **Performance Measure Targets:**

The EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$91.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTEs due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,170.0 / +3.5 FTE) This program investment provides initial resources to oversee the establishment of a separate OIG tenancy. This investment includes \$0.7 million for payroll.

- (+\$918.0 / +3.0 FTE) This program change provides resources and FTEs to expand the oversight of the Agency's Superfund Program. This investment includes \$0.6 million for payroll.

**Statutory Authority:**

The Inspector General Act of 1978, as amended, 5 U.S.C. §§ 401-424.

**Budget Requests:**

Since 2010, the OIG's budget has only increased by \$1 million, which, when inflation is accounted for, represents a decrease of nearly \$13 million in real terms; put differently, the OIG's authorized full-time equivalent has decreased from 361 in 2010 to 270 or less in 2023. Exacerbating the OIG's diminished resources is the increasing assessments from the Council of the Inspectors General on Integrity and Efficiency. While the OIG's budget has declined by nearly 21 percent when inflation is accounted for, the CIGIE's assessment has increased from 16 basis points in FY 2016 to 40 basis points in FY 2025, representing a 250 percent increase in funding for CIGIE. This will require the OIG to pay \$316.9 thousand for increased CIGIE operations. For these reasons, the OIG requests the following, provided pursuant to 5 U.S.C. § 406(g):

- The aggregate budget request from the inspector general for the operations of the OIG is \$79.2 million (\$65.3 million Office of Inspector General; \$13.9 million Superfund Transfer).
- The aggregate President's Budget for the operations of the OIG is \$79.2 million (\$65.3 million Office of Inspector General; \$13.9 million Superfund Transfer).
- The portion of the aggregate President's Budget needed for training is \$1.0 million (\$820.0 thousand Office of Inspector General; \$180.0 thousand Superfund Transfer).
- The portion of the aggregate President's Budget needed to support the Council of the Inspectors General on Integrity and Efficiency is \$316.9 thousand (\$259.9 thousand OIG; \$57.0 thousand Superfund Transfer).

"I certify as the Inspector General of the Environmental Protection Agency that the amount I have requested for training satisfies all OIG training needs for FY 2025."

## **Compliance**

## Compliance Monitoring

Program Area: Compliance

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$104,593	\$112,730	\$168,474	\$55,744
Inland Oil Spill Programs	-\$5	\$649	\$2,154	\$1,505
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$1,377</i></b>	<b><i>\$1,017</i></b>	<b><i>\$1,036</i></b>	<b><i>\$19</i></b>
Total Budget Authority	\$105,966	\$114,396	\$171,664	\$57,268
Total Workyears	441.1	478.9	544.6	65.7

### Program Project Description:

The Superfund Compliance Monitoring Program supports enforcement of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) or “Superfund” law. EPA tracks Superfund-related enforcement activities in its national enforcement and compliance data systems, the Integrated Compliance Information System (ICIS) and Enforcement Compliance History Online (ECHO). ICIS is EPA’s largest mission-focused data system and is a critical infrastructure tool used by the Agency, state, tribal, local, and territorial governments as well as the regulated community to track compliance and enforcement of environmental statutes. ICIS data is available to the public via the internet-accessible ECHO system as well as the companion data change notification tool ECHO Notify. Electronic tracking of Superfund enforcement work allows EPA to ensure that its enforcement resources are allocated to address the most significant concerns and facilitates public transparency.

### FY 2025 Activities and Performance Plan:

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will implement its comprehensive action plan for integrating Environmental Justice (EJ) and climate change considerations throughout all aspects of the Compliance Monitoring Program. EPA will track their EJ work through its performance measure focused on the percentage of inspections affecting communities with potential EJ concerns.

In FY 2025, EPA will focus on timely enforcement in communities with potential EJ concerns. The Program will continue to support tracking of CERCLA compliance and enforcement activities in ICIS and ECHO.

**Performance Measure Targets:**

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

	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>Units</b>
<b>Target</b>	10,000	10,000	10,000	10,000	10,000	10,000	11,000	12,000	Inspections & Evaluations
<b>Actual</b>	10,600	10,300	8,500	10,800	13,900	13,100			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$19.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also will support the ongoing operating and maintenance costs for ICIS.

**Statutory Authority:**

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

## **Cross-Agency Coordination, Outreach, and Education**

## Exchange Network

Program Area: Cross-Agency Coordination, Outreach, and Education  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$12,165	\$14,995	\$14,769	-\$226
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$1,018</i></b>	<b><i>\$1,328</i></b>	<b><i>\$1,328</i></b>	<b><i>\$0</i></b>
Total Budget Authority	\$13,183	\$16,323	\$16,097	-\$226
Total Workyears	23.2	30.2	30.2	0.0

### **Program Project Description:**

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

The Central Data Exchange (CDX) is the largest component of the EN Program and serves as the point of entry on the EN for environmental data transactions with the Agency.<sup>1</sup> CDX provides a set of core shared services that promote a leaner and more cost-effective service framework for the Agency by avoiding the creation of duplicative applications. It enables faster and more efficient transactions for internal and external EPA clients, resulting in reduced burden.

Working in concert with CDX is EPA's System of Registries, which is a system of shared data services designed to enhance efficiency, reduce burden on the regulated community, and improve environmental outcomes, including environmental justice (EJ). EPA and EN partners routinely reference these shared data registries, from commonly regulated facilities and substances to the current list of federally recognized tribes. They identify the standard or official names for these assets, which, when integrated into EPA and partner applications, foster data consistency and data quality as well as enable data integration.

### **FY 2025 Activities and Performance Plan:**

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

In FY 2025, EPA will continue to support core functions for the EN information technology (IT) systems. The EN Program will continue to be a pivotal component of EPA's Digital Strategy that

<sup>1</sup> For more information on the Central Data Exchange, please see: <https://cdx.epa.gov/>.

supports business process change agencywide. Under this strategy and the 21<sup>st</sup> Century Integrated Digital Experience Act,<sup>2</sup> the Agency is streamlining business processes and systems to reduce reporting burden on states and regulated facilities and to improve the effectiveness and efficiency of environmental programs for EPA, states, and tribes. EPA also is responsible for managing EN technical governance groups and administering the pre- and post-award phases of the EN grants to states, tribes, and territories. These efforts support a standards-based, secure approach for EPA and its state, tribal, and territorial partners to efficiently exchange and share environmental data electronically. The Agency also administers and implements the Cross-Media Electronic Reporting Regulation (CROMERR) that removes regulatory obstacles for e-reporting to EPA programs under Title 40 of the Code of Federal Regulations (CFR).

EPA aims to reduce burden and avoid costs while improving IT. With CDX's migration to the cloud, the Agency will continue to carry out baseline support for data exchange services leveraged by states and tribal partners. This also includes providing a technology framework – shared CROMERR services – which reduces the burden on programs and external reporters by providing CROMERR compliant solutions. For example, the shared electronic identity proofing and signature services for CROMERR supports 31 partner regulatory reporting programs to date. EPA estimates that partners adopting shared CROMERR services save \$120 thousand in development and at least \$30 thousand in operations each year, which results in a cost avoidance of greater than \$2.5 million for EN partners.

In FY 2025, EPA will continue to improve the functionality and use of the System of Registries.<sup>3</sup> In addition to streamlining the Registries, EPA will continue to implement a broader effort across the enterprise to engage organizations and facilitate the adoption of these data services through cloud technology and Representational State Transfer (REST or RESTful) application programming interfaces (API). Registries are shared data services in which common data are managed centrally but shared broadly. They improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information. An example of the Agency's effort to promote the adoption of data services is the integration of the tribal identification services (TRIBES) across EPA systems.

In FY 2025, EPA will continue implementing a solution related to shared facility identification information. Centralized facility management also is fundamental to better environmental management by bringing together EPA data across programmatic silos. Like facility data, substance information also is regulated across EPA programs, with many EPA programs relying on the Substance Registry Service (SRS) to improve data quality and reduce burden.

EPA tracks a wide range of data for each registry to measure customer usage and engagement. The Agency also tracks web service hits to measure the number of users leveraging publicly available APIs. For example, the SRS website has approximately 90 thousand pageviews per month; many of these pageviews are users visiting the SRS web area to understand regulatory information about chemicals. SRS also receives between 20 and 140 thousand web service hits per month (depending on reporting cycles), mostly by EPA systems that have incorporated the web services into their

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<sup>2</sup> For more information on the 21<sup>st</sup> Century Integrated Digital Experience Act, please refer to: <https://www.congress.gov/115/plaws/publ336/PLAW-115publ336.pdf>.

<sup>3</sup> For more information, please see: [https://ofmpub.epa.gov/sor\\_internet/registry/sysofreg/about/about.jsp](https://ofmpub.epa.gov/sor_internet/registry/sysofreg/about/about.jsp).

online reporting forms. FY 2025 priorities for EPA registries include continually improving registry technologies by migrating the registries to a cloud-based environment open-source platform to make them easier to locate, access, and utilize.

In FY 2025, EPA will continue to expand the number of EPA and partner systems that integrate registry services into their online reports and systems, reducing burden and improving data quality. This includes updating EPA's dataset registry to allow EPA scientists, external partners, and others to share information and make information easier to find in the cloud.

In FY 2025, EPA will continue to work with the Department of Homeland Security's Customs and Border Protection (CBP) to maintain, utilize, and improve systems to facilitate the import and export of legitimate goods and leverage big data and artificial intelligence tools to identify and prevent or stop illegal goods from entering or leaving the United States. EPA supports over 16 data exchange types within EPA and with CBP to automate and streamline over 8 million annual import and export filings. This automation is essential for managing a significantly increasing number of imports and exports (due to e-Commerce) and allows coordinators/officers to focus on compliance monitoring and key high value targeting activities for non-compliant imports and exports, and to better coordinate with CBP.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Federal Information Security Management Act (FISMA); Clean Air Act (CAA); Clean Water Act (CWA); Toxic Substances Control Act (TSCA); Federal Insecticide Fungicide and Rodenticide Act (FIFRA); Resource Conservation and Recovery Act (RCRA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA).

## **Enforcement**

## **Criminal Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$57,374	\$62,704	\$67,829	\$5,125
<b><i>Hazardous Substance Superfund</i></b>	<b>\$6,766</b>	<b>\$7,999</b>	<b>\$8,876</b>	<b>\$877</b>
Total Budget Authority	\$64,140	\$70,703	\$76,705	\$6,002
Total Workyears	252.7	269.3	299.4	30.1

### **Program Project Description:**

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

The Criminal Enforcement Program is strengthened by an ongoing collaboration with the Environmental Justice (EJ) Program, other EPA program offices, and Department of Justice (DOJ) to ensure Superfund enforcement work addresses the impacts of illegal environmental pollution activities nationwide and especially on overburdened communities.

Within the Criminal Enforcement Program, forensic scientists, attorneys, technicians, engineers, and other program experts support Special Agents in their investigations. EPA's criminal enforcement attorneys provide legal and policy support for all program's responsibilities, including forensics and expert witness preparation, to ensure that program activities are carried out in accordance with legal requirements and agency policies. The Agency's National Enforcement Investigations Center (NEIC) provides field investigation, laboratory analysis, toxicology, chemistry, engineering, and regulatory support to the Criminal Enforcement Program. These efforts support successful environmental crimes prosecutions primarily by the United States Attorneys and DOJ's Environmental Crimes Section. In FY 2023, the Criminal Enforcement Program opened 199 new cases. The conviction rate for criminal defendants charged in EPA criminal enforcement investigations in FY 2023 is 100 percent, with sentences totaling 106 years of incarceration.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency requests an additional \$166 thousand and 0.7 FTE to investigate environmental crimes related to the National Enforcement Compliance Initiatives (NECIs).<sup>4</sup> EPA will continue efforts to devote resources toward, and effectively focus on, those areas and communities that are disproportionately affected by pollution and environmental crime.

EPA will continue to address Superfund-related issues within criminal enforcement, including in overburdened communities. The Criminal Investigation Division (CID) works with partners at DOJ to jointly prosecute wrongdoing and reduce the impact pollution has on these areas through investigation, judicial actions, and settlements. The Environmental Justice Criminal Initiative focuses prioritization of investigative resources to overburdened and vulnerable communities, while maintaining case initiation standards and reducing the impact of pollution. In FY 2025, EPA will continue to prioritize criminal enforcement resources for investigations which involve vulnerable communities or those that have historically been overburdened by pollution. This effort has been focused as a Criminal Enforcement Program Initiative with an emphasis on addressing environmental crimes and crime victims in these areas. EPA program goals and priorities include the following:

- In FY 2025, EPA's Environmental Crime Victim Witness Assistance Program will continue to closely align its implementation of the Criminal Victims' Rights Act and the Victims' Rights and Restitution Act with EPA's EJ work.<sup>5</sup> Activities will include data mining and mapping to identify locations of vulnerable communities, environmental crime victims, and public health impacts overlap. This strategy will aid the Program in identifying sources of pollution impacting these communities to better focus criminal enforcement resources where overburdened and vulnerable populations need it most. Where appropriate, EPA will use environmental crime victim program resources and emergency funds to assist individuals in such communities. EPA conducts outreach to environmental crime victims and overburdened communities using the social media platform Nextdoor, sharing information relating to EJ, sources of pollution, and links to EPA's Report a Violation webpage directly to households in overburdened communities.
- In FY 2025, the Agency requests an additional \$741 thousand and 0.7 FTE to support efforts to interdict the illegal import, manufacture, and use of certain HFC products, pursuant to the American Innovation and Manufacturing (AIM) Act. The Criminal Enforcement Program, working with the Office of Air and Radiation, the Air Enforcement Division, and the Department of Homeland Security, will continue implementing its responsibilities as a part of the hydrofluorocarbon (HFC) Enforcement Task Force, whose permanent mission is to ensure U.S. compliance with the AIM Act. The Task Force will continue to identify, intercept, and interdict illegal HFC imports, share data to support allowances, train customs officers and enforcement personnel, and address common HFC import experiences with other countries. EPA will continue to collaborate with Customs and Border Protection (CBP), DOJ, and other federal partners to successfully enforce federal laws related to HFCs. Critically important to success in this program are dedicated analysts, which the Program is currently in the process

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<sup>4</sup> For additional information, please see: <https://www.govinfo.gov/content/pkg/FR-2023-01-12/pdf/2023-00500.pdf>.

<sup>5</sup> For more information, please visit: <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>.

of hiring, to research, assess, and coordinate with federal partners, private industry, and task force members.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$30.0) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$166.0 / +0.7 FTE) This program increase will enhance investigations for environmental crimes related to the NECIs, especially in areas and communities that are disproportionately affected by pollution. This includes \$158.0 thousand for payroll.
- (+\$741.0 / +0.7 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, transport, and store HFCs. The increase in FTE will allow analysts to research, assess, and coordinate with federal partners, private industry, and task force members. This investment includes \$158.0 thousand for payroll.

**Statutory Authority:**

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

## Forensics Support

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Detect Violations and Promote Compliance

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Science & Technology	\$14,152	\$15,532	\$19,337	\$3,805
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$1,597</i></b>	<b><i>\$1,240</i></b>	<b><i>\$1,720</i></b>	<b><i>\$480</i></b>
Total Budget Authority	\$15,749	\$16,772	\$21,057	\$4,285
Total Workyears	70.3	70.3	78.7	8.4

### Program Project Description:

The Forensics Support Program provides expert scientific and technical support for Superfund civil and criminal enforcement cases, as well as technical expertise for the Agency's compliance efforts. EPA's National Enforcement Investigations Center (NEIC) is an environmental forensic center accredited for both laboratory analysis and field sampling operations that generate environmental data for law enforcement purposes. It is fully accredited under International Standards Organization (ISO) 17025, the main standard used by testing and calibration laboratories, as recommended by the National Academy of Sciences.<sup>6</sup> The NEIC maintains a sophisticated chemistry and physical science laboratory, and a corps of highly trained inspectors and scientists with expertise across environmental media. The NEIC works closely with EPA's Criminal Enforcement Program to provide technical support (e.g., sampling, analysis, consultation, and testimony) to criminal investigations. The NEIC also works closely with other EPA programs to provide technical assistance, consultation services, and on-site inspection, investigation, and case resolution services in support of the Agency's Superfund Enforcement Program.

The Forensics Support Program will continue to provide expert scientific and technical support for EPA's Superfund enforcement efforts. The Program will focus its work on collecting and analyzing materials to characterize contamination and attribute it to an individual facility or source. The work the NEIC performs supports the most complex cases nationwide, requiring a level of expertise and equipment not found elsewhere in EPA. The laboratory will continue to coordinate its support for the Agency's Superfund, Research and Development, and Land and Emergency Management Programs to evaluate and leverage emerging technologies for enforcement solutions.

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<sup>6</sup> *Strengthening Forensic Science in the United States: A Path Forward*, National Academy of Sciences, 2009, available at: [http://www.nap.edu/catalog.php?record\\_id=12589](http://www.nap.edu/catalog.php?record_id=12589).

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.2, Detect Violations and Promote Compliance in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, NEIC will support the President's directive to deliver Environmental Justice (EJ) to communities across America and to hold polluters accountable for their actions.<sup>7</sup> To achieve these goals, the Agency will employ NEIC's environmental forensics expertise to investigate violations of environmental statutes, to prosecute environmental crimes in communities that are disproportionately affected by pollution and environmental crime, and to target those areas more effectively. NEIC supports EJ concerns by targeting critical industry inspections in overburdened or vulnerable communities and utilizes the data to work with EPA regional offices to take enforcement actions that could ultimately improve air and water quality in such communities. NEIC also will continue to further develop and deploy the Agency's Geospatial Measurement of Air Pollution (GMAP) van, a mobile tool to help identify Clean Air Act noncompliance throughout the United States.

In FY 2025, the NEIC will continue to streamline its forensics work and identify enhancements to the Agency's sampling and analytical methods, using existing and emerging technology. The NEIC is continuing to expand and modernize field and laboratory capabilities to support enforcement programs' investigations in support of the National Enforcement and Compliance Initiatives, including PFAS and drinking water. The NEIC will continue to build on its previous progress to maximize the efficiency and effectiveness of its operations, produce timely and high-quality civil inspection reports, improve procurement processes, and continue to identify and implement further efficiencies in laboratory operations. NEIC will continue to enhance the work completed in FY 2021 and FY 2022 to support criminal and civil program efforts to combat climate change.

## **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

## **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$76.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, changes to benefits costs, and changes to lab utilities and security costs.
- (+\$39.0 / +0.2 FTE) This program change will support civil investigations related to the National Enforcement Compliance Initiatives. This increase includes \$37.0 thousand for payroll.

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<sup>7</sup> For more information please visit: <https://www.federalregister.gov/documents/2021/01/25/2021-01765/protecting-public-health-and-the-environment-and-restoring-science-to-tackle-the-climate-crisis> or <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

- (+\$109.0 / +0.2 FTE) This program investment will ensure EPA has the capacity and technical expertise to investigate, analyze, sample, test, transport, and store PFAS and drinking water samples. This investment includes \$37.0 thousand for payroll.
- (+\$256.0) This program net increase will be used to support the Agency's forensics laboratory at the National Enforcement Investigations Center.

**Statutory Authority:**

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

**Superfund: Enforcement**

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$173,076</i></b>	<b><i>\$171,347</i></b>	<b><i>\$0</i></b>	<b><i>-\$171,347</i></b>
Total Budget Authority	\$173,076	\$171,347	\$0	-\$171,347
Total Workyears	732.2	771.3	771.8	0.5

In FY 2025, the Budget proposes to transition the Superfund Enforcement FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency’s FTE ceiling.

**Program Project Description:**

The Superfund Enforcement Program protects communities by ensuring prompt site cleanup using an “enforcement first” approach that maximizes the participation of liable and viable parties in performing and paying for cleanups which preserves federal dollars for sites where there are no liable or viable parties. The Superfund Enforcement Program obtains potentially responsible parties’ (PRPs) commitments to perform or pay for cleanups through judicial and administrative enforcement actions. The Superfund Enforcement Program works closely with the Superfund Remedial, Superfund Emergency Response and Removal Programs, and the U.S. Department of Justice (DOJ) to combine legal and technical skills to bring enforcement actions and address emerging issues. Superfund enforcement efforts ensure that Superfund sites with responsible parties or interested third parties are cleaned up in a timely manner and result in more site cleanups than would be possible using only government funds, which in turn supports reuse.

The Superfund Enforcement Program:

- Obtains cleanup commitments from responsible parties and third parties, thereby providing long term human health and environmental protections and making contaminated properties available for reuse.
- Takes enforcement actions, including negotiating site cleanup agreements to require cleanup and recover costs from responsible parties, thereby preserving federal taxpayer dollars for sites where there are no viable contributing parties.
- Develops cleanup enforcement policies and model documents.
- Issues guidance and utilizes tools to clarify potential cleanup liability to support the cleanup, reuse, and revitalization of contaminated properties.

In FY 2023, the Superfund Enforcement Program secured commitments for cleanup and cost recovery and billed parties for oversight costs, all totaling approximately \$1.2 billion. The use of Superfund enforcement tools contributed to the cleanup and redevelopment by private parties of 127 private party sites in FY 2023.

EPA may deposit payments received pursuant to settlement agreements with potentially responsible parties for EPA's past response costs, as well as cash-out payments received from parties for future site cleanup, into site-specific special accounts established for use consistent with a settlement agreement for a specific site. Site specific special accounts provide needed cleanup dollars at many sites that otherwise may not have received funding. In FY 2023, EPA collected \$185.3 million from potentially responsible parties to deposit into special accounts and disbursed or obligated approximately \$365.0 million from special accounts to perform cleanup actions at sites (excluding reclassifications).

The Superfund Enforcement Program obtains expeditious and protective cleanups of sites by PRPs through enforcement instruments that maximize program efficiencies by obtaining responsible party funding and performance of cleanups. The Superfund Enforcement Program also seeks to promote the redevelopment and reuse of sites by encouraging PRPs to invest in cleanups that facilitate reuse outcomes. In addition, the Superfund Enforcement Program supports the cleanup and reuse of sites by third parties through the development of guidance and other tools to address potential liability concerns that may pose a barrier to third-party investment. EPA also works to ensure that legally enforceable institutional controls and financial assurance requirements are in place at Superfund sites to ensure the long-term protectiveness of Superfund cleanup remedies.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President's Budget proposes to transition the Superfund Enforcement Program, including associated FTE costs, from the annual Superfund appropriated resources to the Superfund tax receipts.<sup>8</sup> The Program will continue to encourage and facilitate PRP's prompt site cleanup and investment by third parties in FY 2025 to preserve more tax dollars for cleanups where there are no viable parties. Superfund tax receipts from FY 2023, on top of annual appropriations, have bolstered the Program and will continue strengthening enforcement in future fiscal years, where granted.

In FY 2025, the Agency will continue to strengthen EPA's Superfund Enforcement Program, complement work in the Superfund Remedial and Superfund Emergency Response and Removal Programs, provide financial support for DOJ to pursue judicial actions to compel PRP cleanup, and support possible actions in response to lead and per- and polyfluoroalkyl substances (PFAS) releases. EPA will continue its work to achieve prompt site cleanup, maximize the work participation by PRPs, and secure third-party funding of cleanups. In addition, the Agency will prioritize its efforts on the most significant sites in terms of human health and environmental impact. To support the Agency's focus on Environmental Justice (EJ) and climate change, the Superfund Enforcement Program intends to:

- Require responsible parties to take early cleanup actions,
- Ensure prompt cleanup actions by responsible parties,

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<sup>8</sup> Please refer to the Superfund Tax Policy Paper in the Appendix that continues to raise EPA's concerns regarding the timing and uncertainty of tax collections.

- Develop robust enforcement instruments that address impacts on communities and climate change vulnerabilities,
- Increase oversight of enforcement instruments,
- Build trust and capacity through increased community engagement, and
- Integrate sustainability principles into enforcement tools, policies, and guidance used for the cleanup and reuse of contaminated sites.

The Agency will continue its efforts to establish site-specific special accounts to facilitate cleanup. As special account funds may only be used for sites and uses specified in the settlement agreement, special account resources, annually appropriated resources, and Superfund tax receipts are critical to the Superfund Program to clean up Superfund sites. In addition, the Agency continues to work under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to address lead and PFAS contamination by gathering information and developing cases to support possible actions under multiple statutory authorities in response to lead and PFAS releases. In anticipation of PFAS being potentially designated as CERCLA hazardous substances and the continued focus and updates on lead exposure levels that pose a threat to human health and the environment, the Agency expects the Superfund enforcement workload to increase significantly. In addition, the Superfund Enforcement Program will continue its efforts to address contamination at historically impacted communities, focusing on community engagement and facilitating cleanup at such sites.

DOJ's participation in CERCLA cases is statutorily mandated for settlements related to remedial action cleanups and most cost recovery settlements and is required for all judicial enforcement matters. DOJ's support will be prioritized to maximize PRP performance of cleanup, particularly protection of human health at sites located in historically impacted communities. EPA provides financial support to DOJ for these activities. In FY 2025, similar to the Superfund Enforcement Program, DOJ's support is proposed to be transitioned to the Superfund tax receipts through an interagency agreement. DOJ also will continue to support EPA on both the Superfund lead and PFAS cleanup work.

### **Cost Recovery Support**

In FY 2025, the Agency will continue to standardize the financial management processes for the financial management aspects of Superfund cost recovery and the collection of debt to the federal government. EPA's financial, programmatic, and legal offices will continue to maintain the accounting and billing of Superfund oversight costs attributable to responsible parties and third. These costs represent EPA's cost of overseeing Superfund site cleanup efforts by responsible and third parties as stipulated in the terms of settlement agreements. In FY 2023, the Agency collected \$238.4 million in cost recoveries, of which \$65.8 million were returned to the Superfund Trust Fund and \$ 185.3 million were deposited in site-specific, interest-bearing special accounts.

The Agency will continue to pursue an "enforcement first" approach that maximizes PRP participation at Superfund sites by performing enforcement activities such as conducting PRP searches, negotiating site-specific settlements, pursuing insurance and bankruptcy recoveries, and recovering costs through appropriate cash-out settlements. These activities ensure that responsible parties conduct or pay for cleanups and preserve federal dollars for sites where there are no viable

contributing parties. The Agency will continue to work to increase opportunities for community engagement at Superfund sites.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$171,347.0 / -771.3 FTE) In FY 2025, the Agency proposes to transition the Superfund Enforcement Program from the annual Superfund appropriation to the Superfund tax receipts. This includes an estimated \$154.0 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. As the Superfund Taxes were recently passed, there is much uncertainty regarding the tax collections. The Agency anticipates maintaining the pace of Superfund enforcement work with the Superfund tax receipts.
- (+771.8 FTE) In FY 2025, the Agency proposes to transition 771.8 Superfund Enforcement FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE.

**Statutory Authority:**

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

## Superfund: Federal Facilities Enforcement

Program Area: Enforcement

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$7,725</i></b>	<b><i>\$8,192</i></b>	<b><i>\$10,481</i></b>	<b><i>\$2,289</i></b>
Total Budget Authority	\$7,725	\$8,192	\$10,481	\$2,289
Total Workyears	35.8	40.9	45.2	4.3

### Program Project Description:

EPA’s Superfund Federal Facilities Enforcement Program monitors compliance and pursues enforcement primarily at sites where there is federal ownership or a federal operator, whether full or partial, and the federal owner conducts or is involved in cleanup under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA” or “Superfund”). After years of service and operation, many federal facilities are contaminated with hazardous substances, pollutants, per – and polyfluoroalkyl substances (PFAS), solvents, munitions, and radioactive wastes. Enforcement actions can facilitate timely and protective cleanup and potential redevelopment of these sites.

Pursuant to CERCLA Section 120, EPA must enter into Interagency Agreements, commonly referred to as Federal Facility Agreements (FFAs), with responsible federal agencies to ensure their cleanups at National Priorities List (NPL) sites are protective of public health and the environment, and to provide EPA with enforceable oversight of the investigation and cleanup processes. These FFAs govern cleanups at 175 federal facility Superfund sites, including many of the Nation’s largest and most complex cleanup projects. While only 10 percent of the NPL sites are federal facility sites, over 41 percent of the total operable units in the Superfund Program are at federal facilities.<sup>9</sup>

In the Federal Facilities Enforcement Program, EPA assesses the compliance of federal facilities with environmental statutes and regulations, and works in partnership with federal, state, tribal, and local agencies, where appropriate, to encourage compliance, compel regulated entities to correct and/or mitigate violations, and assess appropriate penalties for violations. Pollution from approximately 30,000 federal facilities can impact surrounding communities, federal employees, service members, and their children, potentially by contaminating drinking water, polluting the air, and lead-based paint hazards. By partnering with other federal agencies and departments, and using enforcement tools where needed, the Federal Facility Enforcement Program ensures that the

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<sup>9</sup> Operable units often comprise discrete areas of a cleanup site, depending on the complexity of the problems associated with the site. These operable units may address geographic areas of a site, specific site problems, or areas where a specific action is required. An example of a typical operable unit could include removal of drums and tanks from the surface of a site.

federal government sets a positive example by meeting its obligations under applicable environmental laws.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Agency will continue to support possible actions in response to significant contamination from federal facilities, including a request for an increase of approximately \$2.0 million and 4.3 FTE to address PFAS releases. Such actions include sampling private drinking water wells for PFAS in communities with Environmental Justice (EJ) concerns where such contamination has migrated from a military installation. The Agency seeks both to identify drinking water with significant PFAS contamination and to evaluate historic Department of Defense sampling results where no interim remedial actions to address PFAS contamination have occurred. EPA will continue to focus its enforcement resources on the highest priority sites, particularly those that may present an imminent and substantial endangerment, have human exposure not yet under control, have an impact on overburdened or vulnerable communities with EJ concerns, or have the potential for beneficial redevelopment. EPA also will negotiate and amend, as appropriate, FFAs for federal facility sites on the NPL, and continue to monitor FFAs for compliance. EPA will expedite cleanup and redevelopment of federal facility sites, particularly those located in communities with EJ concerns, and will use dispute resolution processes and other approaches to timely resolve formal and informal cleanup disputes. The Agency will continue to seek ways to improve its engagement with other federal agencies, and state, tribal, local governments, and their partners, emphasizing protective, timely cleanups that address communities' needs. EPA will work with its federal partners to encourage greater community outreach and transparency.

In FY 2025, the Agency will work to address PFAS contamination by developing information and, where needed, initiating investigations, to support possible actions under multiple statutory authorities, consistent with the PFAS National Enforcement and Compliance Initiative. Federal facilities (e.g., Department of Defense military installations and Department of Energy sites) are starting to address PFAS contamination at their NPL sites. As federal agencies conduct this work at their federal facility NPL sites, CERCLA requires EPA to oversee the work. An increased investment for EPA's Superfund Federal Facilities Enforcement Program will support EPA's efforts to monitor the increasing number of initiated PFAS remedial investigations projected to occur at federal facilities in the coming years. In FY 2025, the Program will pursue enforcement actions, where needed, to ensure compliance with CERCLA and other federal environmental laws to protect public health.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$264.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. This change includes critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$2,025.0 / +4.3 FTE) This program increase will be used to address PFAS contamination by overseeing the increasing number of initiated remedial investigations projected to occur at federal facilities. This investment includes \$802.0 thousand for payroll.

**Statutory Authority:**

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

## **Environmental Justice**

## Environmental Justice

Program Area: Environmental Justice

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

Objective(s): Embed Environmental Justice and Civil Rights into EPA’s Programs, Policies, and Activities

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$109,347	\$102,159	\$317,712	\$215,553
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$890</i></b>	<b><i>\$5,876</i></b>	<b><i>\$5,901</i></b>	<b><i>\$25</i></b>
Total Budget Authority	\$110,237	\$108,035	\$323,613	\$215,578
Total Workyears	116.4	223.6	264.6	41.0

### Program Project Description:

EPA’s Environmental Justice (EJ) Program coordinates the Agency’s efforts to address the needs of overburdened and vulnerable communities by decreasing environmental burdens, increasing environmental benefits, and building collaborative partnerships with all stakeholders to build healthy, sustainable communities based on residents’ needs and desires. EPA’s EJ Program focuses on collaboration as a central principle and method of advancing justice. The Program’s core philosophy is that EJ challenges need strong collaborative partnerships that include federal, state, local, and tribal governments along with the private sector, academia, and philanthropy to support communities in addressing multifaceted problems and positively changing conditions on the ground. The Program provides technical assistance and expert consultative support to communities, partners at all levels of government, and other stakeholders such as business and industry, to achieve protection from environmental and public health hazards for people of color, low-income communities, and indigenous communities at or near Superfund sites.

Work in this program directly supports Administrator Michael Regan’s message in the memo titled “Our Commitment to Environmental Justice” issued on April 7, 2021.<sup>10</sup> In addition, this work supports implementation of Executive Order (EO) 14096: *Revitalizing Our Nation’s Commitment to Environmental Justice for All*,<sup>11</sup> EO 14091: *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>12</sup> EO 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,<sup>13</sup> and EO

<sup>10</sup> For additional information, please refer to: <https://www.epa.gov/sites/default/files/2021-04/documents/regan-messageoncommitmenttoenvironmentaljustice-april072021.pdf>.

<sup>11</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>.

<sup>12</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2023/02/22/2023-03779/further-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal>.

<sup>13</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

14008: *Tackling the Climate Crisis at Home and Abroad*.<sup>14</sup> In accordance with the America's Water Infrastructure Act (AWIA) of 2018 (P.L. 115-270), every EPA regional office employs a dedicated EJ coordinator, and the Agency maintains a list of these persons on EPA's website.<sup>15</sup> The Superfund portion of this program has focused on issues that affect people of color, low income, and Indigenous communities at or near Superfund sites. The EJ Program complements the Agency's community outreach and other work accomplished under the Superfund Program at affected sites.

### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 2/Objective 2.2, Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities in the *FY 2022 - 2026 EPA Strategic Plan*.

EPA will advance implementation of EJ activities in support of the Superfund Program. The EJ Program will elevate and expand the use of coordinated and collaborative community-driven partnerships to address community priorities by promoting the active engagement of community-based organizations, other federal agencies, and tribal, state, and local governments. This will advance environmental protection and public health for overburdened communities at or near Superfund sites. The EJ Program will guide EPA's efforts to empower communities to identify and develop solutions to address environmental harms, working to utilize nationally consistent data that combines environmental and demographic indicators in mapping and prioritizing communities with EJ concerns at or near Superfund sites. These efforts help build healthy and sustainable communities through technical assistance, enabling overburdened and vulnerable communities to revitalize their local economies while also better facilitating EPA efforts to further focus federal resources and program design to benefit communities with EJ concerns and those most at risk of climate change impacts at or near Superfund sites.

The EJ Program will continue to partner with and support other agency programs in their efforts to fully integrate EJ considerations into all of EPA's policies, programs, and activities while also developing nationally consistent data that combines environmental and demographic indicators in mapping and prioritizing communities with EJ concerns at or near Superfund sites.

### **Performance Measure Targets:**

Work under this program supports performance results in the Environmental Justice Program under the EPM appropriation.

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<sup>14</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>15</sup> For additional information, please refer to: <https://www.epa.gov/environmentaljustice/forms/contact-us-about-environmental-justice>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$25.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

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

## **Homeland Security**

## Homeland Security: Preparedness, Response, and Recovery

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

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

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
Science & Technology	\$26,376	\$25,347	\$40,802	\$15,455
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$36,249</i></b>	<b><i>\$34,661</i></b>	<b><i>\$57,358</i></b>	<b><i>\$22,697</i></b>
Total Budget Authority	\$62,624	\$60,008	\$98,160	\$38,152
Total Workyears	116.1	124.1	145.3	21.2

### Program Project Description:

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

- National trainings and exercises;
- Participation in national interagency exercises and field studies with federal and state partners;
- Support for headquarters and regional Emergency Operations Centers;
- Enhancements for national information technology systems;
- Developing guidance and standard operating procedures for responding to CBRN incidents;
- Secured warehouse space for homeland security operations and storage; and
- Laboratory analyses of environmental samples and site decontamination projects.

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

EPA assists with multi-media training and exercise development and implementation for responders, which establishes and sustains coordination with states, local communities, tribes, and other federal agencies (OFAs). The Agency also provides technical assistance to OFAs, including DHS, the Department of Defense (DOD), the Department of Justice (DOJ), and the Department of Health and Human Services (HHS), in the areas of environmental characterization, decontamination, and waste disposal methods. In addition, the program operates a national environmental laboratory for chemical warfare agents and implements EPA's National Approach to Response.

## **FY 2025 Activities and Performance Plan:**

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

In FY 2025, the Homeland Security Preparedness, Response, and Recovery Program will:

- Initiate a multi-year plan for carrying out the White House's National Biodefense Strategy (NBS) and associated Implementation Plan. For FY 2025, EPA is requesting additional resources and FTE to: 1) acquire and sustain rapid and mobile analysis capabilities to characterize the extent of biological contamination at the incident location. This capability will inform immediate response actions and can continue to be leveraged through the remediation phases; 2) enhance planning and capacity of waste management in response to a biological incident through the procurement of commercial services and subject matter expertise; and 3) advance science to evaluate risk-based clearance goals to biological agents and procedures to determine re-occupancy through acquisition and subject matter expertise.
- Utilize the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft. ASPECT aids first responders by providing aerial surveillance screening for wide-area chemical, radiological, and nuclear detection, as well as infrared and advanced imagery products with real-time data delivery.
- Perform a multi-year strategic modernization of the ASPECT airborne screening capability to the Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) program. In FY 2025, EPA is requesting an increase of resources and FTE to support CIRRUS needed to expedite emergency response. EPA will transition this capability to remotely piloted platforms to more effectively and efficiently support emergency response, climate crisis, and environmental justice missions. This system will simultaneously reduce response time to a broader geographic area, enhance response redundancy, capitalize on potential cost-efficiencies of remotely piloted vehicles, and significantly reduce the hazards associated with crewed flight operations at extremely low altitudes.
- Operate, enhance, and significantly overhaul the aging Portable High-Throughput Integrated Identification System (PHILIS) capability. PHILIS units provide the Nation with mobile analytical “all hazards” confirmatory labs (qualitative and quantitative) with unique capability to analyze chemical warfare threat agents. PHILIS provides on-scene, high-throughput analyses of air, soil, and water samples in areas that have experienced a significant incident. PHILIS can support risk mitigation of contaminated sites which face climate change impacts and affect communities with environmental justice concerns by mobilizing laboratory capabilities to areas of need. In FY 2025, EPA is requesting additional resources to replace outdated PHILIS platforms and equipment, establish new analytical capabilities to support emergency response actions, and enable the program to be able to support more than one deployment at a time. The platform replacements will provide greatly improved long-distance mobility, reliability, maintenance and operating

costs, and operational uniformity. The FY 2025 equipment investment will procure state-of-the-art systems to increase overall automation, throughput, and sensitivity of the PHILIS assets as well as bring parity in capabilities between the two (“East” and “West”) PHILIS labs. The goal of the program is to allow for deployment of the laboratories to more than one emergency response at a time and for long-term sustainment of deployments lasting over one month, such as the Red Hill drinking water emergency in 2021/2022 and the East Palestine Train Derailment in 2023.

- Participate in trainings and exercises on CBRN preparedness and response topics with key federal response partners (*e.g.*, DHS, DOD, and DOJ) on select inter-agency workgroups.
- Target exercises to improve preparedness for communities with environmental justice concerns and increase incorporation of environmental justice into preparedness activities.
- Support the ERT, which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.
- Provide expertise on detection, environmental characterization, decontamination, and waste disposal methods following the release of a CBRN agent.
- Maintain operational support for the Emergency Management Portal and WebEOC response systems.
- Conduct research, through the Homeland Security Research Program (HSRP), to enhance response capabilities by developing methods, tools, and information for site characterization, decontamination, waste management, and clearance for priority chemical, biological, and radiological threats all while reducing time and cost and ensuring safety. This research includes testing commercially available technologies to support response and site cleanup capabilities.
- HSRP, in collaboration with Program and Regional Office partners and other federal, state, local, territorial, and tribal stakeholders, will conduct research to generate resources, tools, and training for risk communication outreach, building relationships, and community engagement to empower under-resourced communities and populations with environmental justice concerns.
- HSRP will proceed with the development of sample collection protocols and analysis methods for inclusion in EPA’s Environmental Sampling and Analytical Methods (ESAM)<sup>16</sup> on-line tool. EPA’s ESAM detection, sampling, and analysis tool helps local, state, territorial, tribal, and federal emergency response field personnel and their supporting laboratories more effectively and efficiently respond to incidents, enabling smooth transitions of samples and data from the field to the laboratory to decision makers.

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<sup>16</sup> For more information, please see: <https://www.epa.gov/esam>.

- Maintain a highly skilled, well-trained, and well-equipped response workforce that has the capacity to respond to simultaneous incidents as well as threats involving CBRN substances. This includes training On-Scene Coordinators, volunteers of the Response Support Corps (RSC), and members of Incident Management Teams. RSC volunteers provide critical support to headquarters and regional Emergency Operations Centers and assist with operations in the field. To ensure technical proficiency, this cadre of response personnel requires initial training and routine refresher training.

**Performance Measure Targets:**

Work under this program directly supports performance results in the Superfund: EPA Emergency Preparedness program under the Superfund appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$574.0 / +3.0 FTE) This program change is to plan to develop rapid, mobile, analytical capabilities to characterize the extent of biological contamination and to enhance planning and waste management capacity in response to a biological incident. This includes \$560.0 thousand in payroll.
- (+\$12,433.0 / +1.8 FTE) This program change is an increase in resources and FTE to support Chemical Incident and Radiological Reconnaissance on Unmanned Systems (CIRRUS) needed to expedite emergency response and provide additional assistance to EPA partners. These efforts improve preparedness for communities with environmental justice concerns, such as fenceline communities. This includes \$337.0 thousand in payroll costs and additional changes to fixed support costs.
- (+\$9,704.0) This program change is an increase in resources to replace outdated PHILIS equipment. These funds will allow the program to complete a PHILIS equipment upgrade, update all mobile lab technology, and replace vehicle platforms. These efforts will assist in improving preparedness for communities with environmental justice concerns, such as fenceline communities.
- (-\$164.0) This program change decreases non-payroll resources in order to support additional FTE costs for site characterization and decontamination research.
- (+\$150.0 / +1.2 FTE) This net program change is an increase in resources and FTE for research to enhance response capabilities by developing methods, tools, and information for site characterization and decontamination. This includes \$190.0 thousand in payroll costs and additional changes to fixed support costs.

**Statutory Authority:**

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

**Homeland Security: Protection of EPA Personnel and Infrastructure**

Program Area: Homeland Security

Goal: Safeguard and Revitalize Communities

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

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$6,059	\$5,188	\$5,158	-\$30
Science & Technology	\$625	\$625	\$501	-\$124
Building and Facilities	\$3,944	\$6,676	\$6,676	\$0
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$1,167</i></b>	<b><i>\$1,029</i></b>	<b><i>\$1,530</i></b>	<b><i>\$501</i></b>
Total Budget Authority	\$11,795	\$13,518	\$13,865	\$347
Total Workyears	12.3	13.3	13.3	0.0

Total workyears in FY 2025 include 13.3 FTE to support Homeland Security Working Capital Fund (WCF) services.

**Program Project Description:**

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

**FY 2025 Activities and Performance Plan:**

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

In FY 2025, EPA will:

- Expand efforts, under FEMA’s Federal Mission Resiliency (FMR) directives, including assessment of the FMR strategy, building upon existing National Continuity Policy, updating training and exercise materials to incorporate FMR constructs, and developing assessment tools to measure progress.
- Conduct selected annual reviews of regional COOP plans, PMEFS and MEFs, and make updates as needed.

- Monitor the continuity programs across the Agency, focusing on testing, training, and exercises as related to general COOP awareness and procedures.
- Undergo a monthly evaluation of the headquarters' COOP Program, including program plans and procedures, risk management, budgeting, and essential functions. Further, FEMA will perform an in-person biannual review of EPA's COOP Program and provide the results to the Administrator and to the Executive Office of the President.

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$501.0) This program change is an increase in resources to support EPA's COOP implementation and training.

**Statutory Authority:**

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

## **Indoor Air and Radiation**

**Radiation: Protection**

Program Area: Indoor Air and Radiation

Goal: Ensure Clean and Healthy Air for All Communities

Objective(s): Reduce Exposure to Radiation and Improve Indoor Air

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$8,390	\$9,088	\$11,748	\$2,660
Science & Technology	\$2,321	\$1,683	\$2,416	\$733
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$2,081</i></b>	<b><i>\$2,472</i></b>	<b><i>\$3,144</i></b>	<b><i>\$672</i></b>
Total Budget Authority	\$12,792	\$13,243	\$17,308	\$4,065
Total Workyears	57.3	54.8	67.2	12.4

**Program Project Description:**

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

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 4/Objective 4.2, Reduce Exposure to Radiation and Improve Indoor Air in the *FY 2022 - 2026 EPA Strategic Plan*.

Work in this program directly supports protecting communities from hazardous waste and environmental damage, thereby protecting human health and the environment, and contributing to the well-being of disadvantaged communities that may be disproportionately impacted by radioactive releases. In FY 2025, EPA’s National Analytical Radiation Environmental Laboratory (NAREL) in Montgomery, Alabama, and National Center for Radiation Field Operations (NCRFO) in Las Vegas, Nevada, will continue to provide analytical and field support to manage and mitigate radioactive releases and exposures. These two organizations provide analytical and technical support for the characterization and cleanup of Superfund and hazardous waste sites.

NAREL and NCRFO provide data evaluation and assessment, document review, and field support through ongoing fixed and mobile analytical capability. Thousands of radiochemical analyses are performed annually at NAREL on a variety of samples from contaminated sites. NAREL is EPA's only radiological laboratory with in-house radiochemical analytical capability. NCRFO provides field-based technical support for screening and identifying radiological contaminants at Superfund and non-Superfund sites across the country, including air sampling equipment and expert personnel.

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

**Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$119.0) This change to fixed and other costs is an increase due to the recalculation of lab utilities.
- (+\$553.0 / +2.4 FTE) This program change reflects an increase in program capacity for activities such as analytical and field support to assess, manage, and mitigate radioactive releases and exposures at contaminated sites. This investment includes \$423.0 thousand for payroll and additional changes to fixed support costs.

**Statutory Authority:**

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

**IT/ Data Management/ Security**

## Information Security

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$8,188	\$9,142	\$23,937	\$14,795
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$1,494</i></b>	<b><i>\$1,062</i></b>	<b><i>\$6,012</i></b>	<b><i>\$4,950</i></b>
Total Budget Authority	\$9,682	\$10,204	\$29,949	\$19,745
Total Workyears	10.3	14.1	17.1	3.0

### Program Project Description:

Digital information is a valuable national resource and a strategic asset that enables EPA to fulfill its mission to protect human health and the environment. The Information Security Program’s mission is to protect the confidentiality, integrity, and availability of EPA’s information assets. The information protection strategy includes, but is not limited to, risk management, oversight, and training; network management and protection; and incident management.

### FY 2025 Activities and Performance Plan:

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

In FY 2025, EPA requests an additional \$5.0 million to support enhancements to protect the Agency’s information technology (IT) portfolio. This investment will improve EPA's IT resiliency and limit vulnerabilities in the event of a malicious attack. EPA will continue to work toward full compliance with high priority directives (Adoption of Multifactor Authentication, Encryption of Data At Rest, Encryption of Data In Transit, Cybersecurity Supply Chain Risk Management, Zero Trust Architecture, and Event Logging) in Executive Order (EO) 14028: *Improving the Nation’s Cybersecurity*.<sup>17</sup>

<sup>1</sup> Work in this program takes direction for IT implementation practices and priorities from the following:

- EO 14028: *Improving the Nation’s Cybersecurity* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/12/executive-order-on-improving-the-nations-cybersecurity/>).
- OMB Memo M-19-26: *Update to the Trusted Internet Connection (TIC) Initiative* (<https://www.whitehouse.gov/wp-content/uploads/2019/09/M-19-26.pdf>).
- OMB Memo M-21-30: *Protecting Critical Software Through Enhanced Security Measures* (<https://whitehouse.gov/wp-content/uploads/2021/08/M-21-30.pdf>).
- OMB Memo M-21-31: *Improving the Federal Government’s Investigative and Remediation Capabilities Related to Cybersecurity Incidents* (<https://www.whitehouse.gov/wp-content/uploads/2021/08/M-21-31-Improving-the-Federal-Governments-Investigative-and-Remediation-Capabilities-Related-to-Cybersecurity-Incidents.pdf>).
- OMB Memo M-22-01: *Improving Detection of Cybersecurity Vulnerabilities and Incidents on Federal Government Systems through Endpoint Detection and Response* (<https://www.whitehouse.gov/wp-content/uploads/2021/10/M-22-01.pdf>).

## Improving the Defense and Resilience of Government Networks

### *Zero Trust Architecture (ZTA)*

A key priority for EPA's information security will be implementing zero trust capabilities addressing gaps identified by the Agency to enable the development of networks which can resist malevolent actions regardless of their origin. ZTA will grant authorized users full access to the tools and resources needed to perform their jobs but limit access to unnecessary areas. Proper permissions for a given user's needs are a critical component of ZTA, and coding for more granular control over the network environment is an information security priority. The Agency also will focus addressing the need to ensure all devices in EPA's environment are compliant with information security requirements prior to accessing network resources. EPA will continue efforts to elevate awareness of and harden isolated environments with enhanced security measures by integrating those environments with continuous monitoring capabilities to improve visibility and reduce risk.

EPA will continue to improve defense and resilience of government networks in accordance with ZTA security principles, which focus on virtual identity management capabilities. These improvements ensure agency staff can access necessary software applications while providing resistance to malicious phishing campaigns and sophisticated online attacks. For those system environments not integrated into the larger enterprise system (*i.e.*, those that may not be compatible with the enterprise-wide identity management capabilities), EPA will continue efforts to harden those systems with continuous monitoring capabilities to reduce risk.

The Agency will continue to implement cybersecurity enhancements necessary to support a larger remote workforce, which includes strengthening cloud security monitoring and access to sensitive data, cyber incident response, and cloud platform management services. These enhancements allow agency staff to securely use systems and services in the cloud while also improving application performance associated with Trusted Internet Connections (TIC). The Agency also will pilot enterprise web application control tools to protect web applications by preventing malicious traffic from accessing the web application or agency data. The Agency will continue to build its Insider Threat Program for the unclassified network to monitor Privileged Users and Systems Administrators activity, as recommended by several cybersecurity assessments,<sup>18</sup> and to monitor and report on EPA networks and systems.

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- OMB Memo M-22-09: *Moving the U.S. Government Toward Zero Trust Cybersecurity Principles* (<https://www.whitehouse.gov/wp-content/uploads/2022/01/M-22-09.pdf>).
  - OMB Memo M-22-16: *Administration Cybersecurity Priorities for the FY 2024 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2022/07/M-22-16.pdf>).
  - OMB Memo M-23-03: *Fiscal Year 2023 Guidance on Federal Information Security and Privacy Management Requirements* (<https://www.whitehouse.gov/wp-content/uploads/2022/12/M-23-03-FY23-FISMA-Guidance-2.pdf>).
  - OMB Memo M-23-18: *Administration Cybersecurity Priorities for the FY 2025 Budget* (<https://www.whitehouse.gov/wp-content/uploads/2023/06/M-23-18-Administration-Cybersecurity-Priorities-for-the-FY-2025-Budget-s.pdf>).
  - NIST 800-53 (<https://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-53r5.pdf>).

<sup>18</sup> These assessments include Annual Assessments and Classified briefings with the Department of Homeland Security and EPA's Office of Homeland Security, as well as a 2017 OIG Report, available at: [https://www.epa.gov/sites/production/files/2017-10/documents/epaig\\_20171030-18-p-0031.pdf](https://www.epa.gov/sites/production/files/2017-10/documents/epaig_20171030-18-p-0031.pdf).

## *IT Modernization for Federal Cybersecurity by Design*

EPA will continue to strengthen IT assets and develop resiliency against potential cybersecurity threats. This work includes enhancing Multifactor Authentication to strengthen access controls to data and evaluating areas which still may require implementation of encryption for Data at Rest and Data in Transit to protect data. EPA has prioritized investments to protect the most sensitive systems and information. Additionally, EPA will work with the Department of Homeland Security and the Continuous Diagnostics and Mitigation (CDM) Program to ensure up-to-date technologies are implemented.

Cyberattacks are rapidly increasing in volume and sophistication, impacting both IT and operational technology systems. EPA's Agency IT Security and Privacy (AITSP) Program enables agencywide implementation, management, and oversight of the Chief Information Officer's (CIO) Information Security and Privacy Programs through continuous monitoring functions; one objective includes the maturation of the Continuous Authorization to Operate (ATO). These capabilities serve to identify and address security vulnerabilities and incidents quickly, ensuring that EPA's information environment remains safe.

EPA will continue to support the ongoing implementation of capabilities for data labeling and data loss prevention, which will improve security information and event management by collecting, synthesizing, managing, and reporting cybersecurity events for systems across the Agency.

The Information Security Program supports EPA's Enterprise Security Operations Center (SOC), which manages the Computer Security Incident Response Capability (CSIRC) processes to support identification, response, alerting, and reporting of suspicious activity. EPA will continue maturing the system logging capabilities in Event Logging (EL) Level 3 for Advanced Logging requirements at all criticality levels, leveraging Security Orchestration, Automation, and Response tools to streamline threat and vulnerability management, incident response, and security operations automation. Additionally, EL 3 will utilize User Behavior Monitoring analytics to enable early detection of malicious behavior. Through CSIRC, EPA will continue to collaborate with other federal agencies and law enforcement entities, as needed, to support the Agency's mission.

The Agency's Security Operations Center will continue maturing End Point Detection and Response capabilities with the CDM Program to support proactive detection of cybersecurity incidents, active cyber threat hunting, containment and remediation, and incident response. EPA will continue modernizing its network and system logging capabilities (on-premises systems and connections hosted by third parties, such as Cloud Service Providers) for both investigation and remediation purposes.

EPA leverages CDM capabilities to address the Agency's cybersecurity security gaps and efficiently identify and respond to government-wide cybersecurity threats and incidents. In FY 2025, as part of the work with the Department of Homeland Security to support implementation of current and future Phase CDM requirements, the CDM Program will continue closing remaining gaps in asset management. Privileged access to EPA's network will continue to provide critical security controls for the Agency's cloud applications. The CDM Program also will review interior EPA network boundary protection from interconnections to external networks and expand

endpoint detection and response capabilities. EPA also will continue to mature and promote utilization of the CDM dashboard to rapidly identify and respond to potential threats in the information technology environment. EPA will continue collaborating with DHS on enhancing threat hunting capabilities. In line with Office of Management and Budget (OMB) and DHS direction, the CDM Program will implement priority capabilities as they are identified. In FY 2025, EPA estimates a \$15 million budget for the CDM Program.

## **Strengthening the Foundations of our Digitally-Enabled Future**

### *Securing Infrastructure Investments*

The Agency collects Federal Information Security Modernization Act (FISMA) metrics and evaluates related processes, tools, and personnel to identify gaps and opportunities for improvement.<sup>19</sup> EPA's CIO, who also is the Senior Agency Official for Privacy (SAOP), in coordination with the Chief Information Security Officer, will continue to monitor and report on these metrics. EPA will:

- Modernize and automate the methodology and workflow for collecting Federal Information Registry data supporting the System of Record Notice Management process.
- Continue implementing Ground Truth Testing to validate security and find weaknesses through manual and automated penetration testing and red team exercises.

The Agency continues to work on refinements to improve the ability to track and report on critical software used by the Agency in compliance with Federal Information System Reporting and OMB direction. EPA includes cybersecurity and privacy components in senior leadership program reviews. These reviews enhance CIO oversight by enabling better risk area determination and targeted improvement to system and mission program managers. While EPA program and regional offices maintain responsibility for improving their performance in specific cybersecurity measures, EPA's senior leadership routinely reviews performance results and potential challenges for achieving continuous improvement.

The Agency will be making investments in securing mission activities from risks posed by leading edge technologies such as Generative Artificial Intelligence (AI), Robotic Process Automation (RPA) and Quantum Computing.<sup>20</sup> These investments will help to ensure that agency personnel can perform their business mission activities efficiently and securely with the implementation of the necessary controls to allow use of leading-edge technologies within the environment and prevent malicious actors from leveraging these technologies to disrupt business operations.

### *Human Capital*

EPA will further enhance agency-specific role-based training to ensure personnel in key cybersecurity roles have a comprehensive understanding of modern, secure IT and cybersecurity

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<sup>19</sup> Including those found in Federal Information Security Modernization Act of 2014 and Federal Information Security Cybersecurity Act of 2015.

<sup>20</sup> OMB Memo 23-02: Migrating to Post-Quantum Cryptography: <https://www.whitehouse.gov/wp-content/uploads/2022/11/M-23-02-M-Memo-on-Migrating-to-Post-Quantum-Cryptography.pdf>.

requirements, with the skills, knowledge, and capabilities to effectively support EPA’s cybersecurity posture.

*Technology Ecosystems*

EPA will build on efforts to fully implement the Agency’s Cybersecurity Supply Chain Risk Management Controls to comply with the Government Accountability Office findings.<sup>21</sup> This work includes coordinating across the Agency with personnel from Information Technology, Information Security, and Procurement to update the policy and obtain the necessary tools to address these critical security requirements. EPA will continue to implement standards, procedures, and criteria to harden and secure software development environments, and investigate the addition of automated tools to secure the development environment.

**Performance Measure Targets:**

**(PM ALR) Implementation of advanced event logging requirements (EL3) across EPA networks.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target					EL1	EL3	EL3	EL3	Tier
Actual					EL0	EL0			

**(PM DAR) Percentage of EPA data at rest in compliance with encryption requirements.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target						90	95	100	Percent
Actual						93			
Numerator						110			Systems
Denominator						118			

**(PM DIT) Percentage of EPA data in transit in compliance with encryption requirements.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target						90	98	100	Percent
Actual						98			
Numerator						116			Systems
Denominator						118			

**(PM MFA) Percentage of EPA systems in compliance with multifactor authentication requirements.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target					75	85	100	100	Percent
Actual					48	79			
Numerator					223	321			Applications
Denominator					463	406			

<sup>21</sup> Government Accountability Office Report on information and communications technology (ICT) Supply Chain: GAO-21-164SU.

**(PM ZTA) Percentage of “Zero Trust Architecture” projects completed on time.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target						100	100	100	Percent
Actual						50			
Numerator						1			Projects
Denominator						2			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$4,950.0) This program change supports enhancements to protect the Agency’s information technology infrastructure portfolio and advance the implementation of EO 14028: *Improving the Nation’s Cybersecurity*. This investment will increase EPA’s information technology resiliency and limit vulnerabilities in the event of a malicious attack.

**Statutory Authority:**

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

## IT / Data Management

Program Area: IT / Data Management / Security  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$95,631	\$91,821	\$108,601	\$16,780
Science & Technology	\$3,489	\$3,197	\$3,346	\$149
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$22,040</i></b>	<b><i>\$19,764</i></b>	<b><i>\$19,645</i></b>	<b><i>-\$119</i></b>
Total Budget Authority	\$121,160	\$114,782	\$131,592	\$16,810
Total Workyears	457.5	490.9	510.9	20.0

Total work years in FY 2025 include 175.0 FTE to support IT/Data Management working capital fund (WCF) services.

### **Program Project Description:**

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

### **FY 2025 Activities and Performance Plan:**

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

In FY 2025, in accordance with Executive Order 14110<sup>22</sup> on Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence, EPA will encourage the use of AI in the federal space, and do so with transparency, responsibility, safety, and ethical standards. The Agency will maintain EPA’s current AI Inventory and develop a compliance plan, strategy, and AI governance committee. EPA forecasts that workforce demand for AI tools and training will increase and is addressing this need through the development of training and pilot programs. Security and privacy risks are of utmost importance and governance channels already exist which are constantly evaluating risks associated with AI. EPA will be working to integrate AI into these existing governance channels.

<sup>22</sup> For more information, please see: <https://www.federalregister.gov/documents/2023/11/01/2023-24283/safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence>.

In FY 2025, in line with OMB Memoranda M-23-15 *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*, EPA will make investments in IT infrastructure to support meaningful, in-person work across the Agency. Investments include modernizing and enhancing available tools to ensure the workforce has the proper technology to operate as effectively as possible in a modern capacity to implement the Agency's mission. Additionally, resources will be utilized to provide a high-quality service delivery experience for the public.

In FY 2025, EPA will continue implementation of its agencywide Digitization Strategy, which includes the operation of two EPA digitization centers and the operation of the Agency Records Management System (ARMS), which is necessary to meet the requirements of Memoranda M-19-21 *Transition to Electronic Records* issued by the Office of Management and Budget and the National Archives and Records Administration.<sup>23</sup> In FY 2025, EPA will digitize, validate, and upload electronic files into the ARMS. Additionally, EPA will leverage artificial intelligence and machine learning to assist staff with appropriately scheduling electronic records that are saved to ARMS. The Agency will operate the Paper Asset Tracking Tool (PATT) to track paper records as they are submitted and processed through the digitization centers.

The Agency also will continue implementing the 21<sup>st</sup> Century Integrated Digital Experience Act (P.L. 115-336), which includes modernization of internal and public-facing websites and digital services, as well as digitization of paper forms and non-digital services. EPA will continue digitizing the Agency's public-facing paper forms in compliance with the 21<sup>st</sup> Century Integrated Digital Experience Act and based on the completed inventory of the Agency's forms.

In FY 2025, EPA will continue to maintain and manage its core IT/DM services, including Information Collection Requests, the National Library Network, the Agency's Docket Center, and EPA's Section 508 Program, which directly supports the requirements under Executive Order (EO) 14035: *Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce*.<sup>24</sup>

Key initiatives include:

- Further strengthening the Agency's IT acquisition and portfolio review process as part of the implementation of FITARA. In the most recent FITARA scorecard, released in September 2023,<sup>25</sup> EPA scored an overall B. EPA will continue to use the results of the FITARA scorecard to drive agency priorities and investments.
- Continuing work to convert internal administrative paper or analog workflows into modern digital workflows to speed up routine administrative tasks, reduce burdensome paperwork for EPA employees and managers, improve internal data collection and reporting, and improve cross-agency data interoperability and delivery to the public. In FY 2025, application development work will continue to automate processes identified in the Agency high priority list.

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<sup>23</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2019/08/M-19-21-new-2.pdf>.

<sup>24</sup> For more information, please refer to Executive Order: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/06/25/executive-order-on-diversity-equity-inclusion-and-accessibility-in-the-federal-workforce/>.

<sup>25</sup> For additional information, please refer to: <https://fitara.meritalk.com/>.

- Continuing to implement EPA’s Controlled Unclassified Information Program to standardize, simplify, and improve information management and IT practices to facilitate the sharing of important sensitive data within the Agency, with key stakeholders outside of the Agency, and with the public, meeting federal standards as required by Executive Order 13556: *Controlled Unclassified Information*.<sup>26</sup>
- Increasing the use of registries, continue migration to a cloud infrastructure, and improve registry quality by modernizing from custom built solutions to commercial off-the-shelf tools with expanded capabilities. Registries are shared data services in which common data are managed centrally but shared broadly; they improve data quality in EPA systems, enable integration and interoperability of data across program silos, and facilitate discovery of EPA information publicly and internally.

EPA’s Customer Experience (CX) Program will focus on improving the mission support experience of EPA staff to improve their ability to serve the public, in line with the guidance in Executive Order 14058.<sup>27</sup> The Program focuses on collaborations such as the Hiring and Onboarding process, which collects feedback from IT professionals, hiring managers, regions, programs, and other stakeholders to improve the experience for hiring authorities and new employees at EPA. The CX Program collects customer feedback, conducts data analytics, assesses priorities within a governing community of practice, and presents recommendations to senior leaders to allocate resources to improve CX initiatives.

In FY 2025, the Agency will continue to support the essential capabilities of GeoPlatform, a shared technology enterprise for geospatial information and analysis. By implementing geospatial data, applications, and services such as the Facility Registry System, the Agency can integrate, interpret, and visualize multiple data sets and information sources to support environmental decisions. The Agency will continue developing and increasing capabilities of EPA’s Data Management and Analytics Platform, which has both internal and public facing elements, such as Envirofacts. EPA will partner with other agencies, states, tribes, and academic institutions to propose innovative ways to use, analyze, and visualize data through EPA’s Data Management and Analytics Platform. In FY 2025, EPA will continue implementation of a governance framework for enterprise data life cycle approach for managing regulated facility data.

In FY 2025, Web Infrastructure Management will continue to modernize EPA’s web presence to support internal and external users with information on EPA business, support employees with internal information, and provide a clearinghouse for the Agency to communicate initiatives and successes. EPA also will continue to upgrade its web infrastructure to ensure that it meets current statutory and evolving security requirements.

The EPA Chief Data Officer (CDO), with support from the Agency’s Data Governance Council (DGC) will continue to develop enterprise scale data governance, including data policies, procedures, and standards to ensure all priority data assets are fully available. Additionally, they will promote data management that emphasizes equitability and FAIR (Findable, Accessible,

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<sup>26</sup> For more information, please refer to Executive Order: <https://www.federalregister.gov/documents/2010/11/09/2010-28360/controlled-unclassified-information>.

<sup>27</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/12/16/2021-27380/transforming-federal-customer-experience-and-service-delivery-to-rebuild-trust-in-government>.

Interoperable, and Reusable) data principles. EPA's enterprise data governance implementation plans depend on coordination across the Agency's program offices and regions. Currently, EPA relies on a network of data managers and stewards across the Agency to implement governance. To facilitate effective communication between the DGC and responsible parties, as well as to ensure development and implementation of the most effective data policies, procedures, and standards, EPA has established a data officer position in each EPA program office and region. These data officers fulfill essential communication and coordination functions and serve as anchors for building a stronger culture of utilizing data to build evidence and support decision making across EPA.

**Performance Measure Targets:**

Work under this program supports performance results in the Information Technology/Data Management Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$119.0) This net change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.

**Statutory Authority:**

Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98-80, 97 Stat. 485 (codified at Title 5, App.) (EPA's organic statute); Federal Information Technology Acquisition Reform Act; Federal Information Security Modernization Act (FISMA); Government Performance and Results Act (GPRA); Government Management Reform Act (GMRA); Clinger-Cohen Act (CCA); Rehabilitation Act of 1973 § 508; Foundations for Evidence-Based Policy Making Act of 2018; Geospatial Data Act of 2018.

**Legal / Science / Regulatory / Economic Review**

**Alternative Dispute Resolution**

Program Area: Legal / Science / Regulatory / Economic Review

Goal: Enforce Environmental Laws and Ensure Compliance

Objective(s): Hold Environmental Violators and Responsible Parties Accountable

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$845	\$972	\$2,820	\$1,848
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$758</i></b>	<b><i>\$791</i></b>	<b><i>\$1,841</i></b>	<b><i>\$1,050</i></b>
Total Budget Authority	\$1,602	\$1,763	\$4,661	\$2,898
Total Workyears	4.7	5.9	14.0	8.1

**Program Project Description:**

EPA’s Alternative Dispute Resolution (ADR) Program offers cost-effective processes for preventing and resolving conflicts on Superfund Program matters as an alternative to litigation and to support collaboration. The Program provides facilitation, mediation, public involvement, training, and consensus building advice and support for the entire Agency. The Program’s ADR services support the Superfund Program’s work with communities, Potentially Responsible Parties, and other stakeholders, and in particular assist the Superfund Program in meeting their legal requirements to engage meaningfully with communities by helping to develop collaborative and effective partnerships.

Significantly, the ADR Program provides conflict resolution and community engagement support for the Superfund Program to assist with contentious situations at some of the most challenging sites. In FY 2023, the ADR Program provided ongoing facilitation support for community engagement in East Palestine, OH following the Norfolk Southern freight train derailment. In addition to the conflict prevention and resolution support that the ADR Program provides at several Superfund sites across the country, the ADR Program also supports the Superfund Program’s needs for training in negotiation, public involvement, and other similar topics. In FY 2023, the ADR Program delivered conflict resolution training for the Community Involvement Training Program, the National Association of Remedial Project Managers Training Program, and the On-Scene Coordinators Readiness Training Program. The Program expects to do so again in FY 2025.

**FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 3/Objective 3.1, Hold Environmental Violators and Responsible Parties Accountable in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, EPA requests an additional \$1.05 million and 2.4 FTE to build its ADR program to meet the requests in the areas of environmental justice and Title VI civil rights cases. EPA will continue to provide conflict prevention and ADR services on an increasing number of Superfund Program matters. This program also supports implementation of Executive Order (EO) 13985:

*Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.*<sup>28</sup>

Specifically, the ADR Program will:

- Administer its five-year Environmental Collaboration and Conflict Resolution Services (ECCRS) contract, which will be awarded in Spring 2024 and is expected to have a \$70 million capacity. The ADR Program provides most of its conflict prevention and resolution services to the Agency through this contract. The contract supports more than 50 Superfund projects by providing facilitators and mediators to resolve conflicts at Superfund sites and is expected to take on an additional 20 to 30 projects in FY 2025, for an expected total of 70-80 Superfund projects supported through the ECCRS contract in FY 2025. The ADR Program has experienced an increase in requests for contract services to support community involvement at Superfund sites in FY 2023 and the trend is expected to continue. Contract support contributes to more productive engagement between the Superfund Program and affected communities, especially underserved and overburdened communities.
- Provide the services described above through the four conflict resolution specialists on staff and Regional Environmental Collaboration and Conflict Resolution (ECCR) Specialists, who perform environmental ADR work as collateral duty with support from the ADR Program. The ADR Program expects to provide support through conflict resolution specialists and ECCR Specialists for agency programs and stakeholders by providing facilitation of public meetings, mediation, or other consensus building support on six to ten Superfund projects in FY 2025, which is an increase in direct services (provided by staff) from two to four in FY 2023. As with contract support, direct staff support promotes greater collaboration and the inclusion of underserved and overburdened communities at Superfund sites experiencing conflict.
- Provide training to EPA staff in conflict resolution concepts and skills. The ADR Program offers this training through eight interactively designed courses to all national program offices and regional offices. The ADR Program delivered three trainings to agencywide Superfund audiences in FY 2023, including conflict resolution training for the Superfund Community Involvement biannual training program and negotiation training for the National Association for Remedial Project Managers' annual conference. The ADR Program expects to increase routine training for Superfund Community Involvement Coordinators in FY 2025. Trainings include the building of critical skills for Superfund personnel, such as working across cultural divides and supporting productive dialogue. These skills help Superfund Program staff better engage with communities.
- Help to achieve the goals of President Biden's Justice40 initiative by tracking the number of ADR projects in which services are provided to underserved and overburdened communities. From January to December 2023, the ADR Program initiated 22 new projects that provide conflict prevention or ADR services to benefit underserved and overburdened communities, and the Program expects to increase services in FY 2025.

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<sup>28</sup> For more 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/>.

The following are examples of FY 2023 accomplishments supporting the Superfund Program:

- Provided facilitation and mediation assistance for more than 50 agency supported Superfund projects, an increase of 18 percent over FY 2022, including multiple sites with challenging community engagement issues.
- Assisted with process design and facilitated a town hall meeting with Rep. Debbie Dingell to address community concerns related to the Norfolk Southern freight train derailment. EPA Region 5 Regional Administrator Debra Shore participated in the meeting, which was held in Belleville, MI, along with representatives from the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Norfolk Southern, Republic Services, and other state and local officials. Over 150 people attended the town hall, and nearly 50 engaged with the panelists.
- Provided facilitation support for the Meeker Avenue Plume Superfund Site in Region 2 as part of the Superfund Pilot Workshop Series. The workshops are a form of conflict prevention and are designed to build early relationships with communities affected by Superfund sites; the workshop for the Meeker Avenue Site drew over 100 participants, who learned about the site and engaged with EPA in an informational setting.
- Provided training support for Superfund audiences, including negotiation and other courses for Community Involvement Coordinators, Remedial Project Managers, and others working on Superfund sites.

#### **Performance Measures Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

#### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$14.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,036.0 / +2.4 FTE) This program change is an increase for the use of alternative dispute resolution processes, such as mediation and facilitation, to promote equity by including underserved communities in negotiations. This investment includes \$497.0 thousand for payroll.

#### **Statutory Authority:**

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

## **Legal Advice: Environmental Program**

Program Area: Legal / Science / Regulatory / Economic Review  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$60,207	\$60,061	\$86,615	\$26,554
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$844</i></b>	<b><i>\$599</i></b>	<b><i>\$482</i></b>	<b><i>-\$117</i></b>
Total Budget Authority	\$61,051	\$60,660	\$87,097	\$26,437
Total Workyears	258.8	273.3	352.5	79.2

Total Workyears in FY 2025 include 8.3 FTE funded by TSCA fees and 22.0 FTE to support Legal Advice working capital fund (WCF) services.

### **Program Project Description:**

The Legal Advice: Environmental Program provides legal representation, legal counseling, and legal support for environmental activities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) through the Office of General Counsel's (OGC) Solid Waste and Emergency Response Law Office (SWERLO). Funding supports legal counseling activities necessary for the Superfund Program's extensive work to clean up contaminated sites, which advances environmental justice (EJ) for neighboring communities, and supports EPA's state, tribal, and local partners. For example, the Program provides legal analysis and advice to help inform EPA's decisions regarding the assessment of certain contaminants at a given Superfund site under federal law and a party's potential liability under CERCLA.

The Program supports EPA's Superfund work at thousands of sites and spans a wide array of Superfund legal issues regarding removal and remedial cleanups costing billions of dollars. The Program is essential to providing the high-quality legal work to help ensure defensibility of EPA's decisions to protect human health and the environment.

### **FY 2025 Activities and Performance Plan:**

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

In FY 2025, EPA will prioritize legal support for the Superfund Program to assist with the Administration's priorities including: tackling the climate crisis, advancing EJ, and supporting state, tribal, and local partners. The Program's increasing work to support CERCLA activities and these priorities includes but is not limited to counseling on how to address EJ and climate resiliency in EPA's remedy decisions at Superfund sites, counseling on authorities to address emergencies and disasters, counseling on the defensibility of agency actions, drafting significant portions of agency actions, and participating in litigation in defense of agency actions.

In particular, the Program expects a continued significant increase in work to provide key legal advice and support related to cleanups, enforcement, rulemakings, guidance, and litigation concerning per- and polyfluoroalkyl substances (PFAS). The Program provides critical legal advice on actions that are part of the EPA's *PFAS Strategic Roadmap*<sup>29</sup>, an Administration priority which takes a whole-of-agency approach to address PFAS. For example, the Program will provide significant counsel on EPA's proposal to designate PFAS as a CERCLA hazardous substance, an action that, if finalized, could significantly advance EJ goals for communities across the country impacted by PFAS. Similarly, the Program provides legal counsel on other agency actions, including an advance notice of proposed rulemaking on various PFAS and guidance related to the destruction and disposal of PFAS. Legal support is critical to the Superfund Program at many points throughout the cleanup process. This program also provides legal advice and counseling for final rules adding Superfund sites to the National Priorities List (NPL), an important step in advancing cleanup at the Nation's most contaminated sites. This benefits states, tribes, and local communities, who may not have adequate resources to address these sites on their own. The Program also provides legal advice on the statutory and regulatory requirements governing the remedy selection process (such as the consideration of state and tribal standards). This work also benefits states, tribes, and local communities to allow for state/tribal and public engagement on cleanups in their communities.

The following are examples of FY 2023 accomplishments, which illustrate the Program's important role in implementing the Agency's core priorities and mission:

- The Program served as the lead on several noteworthy litigation matters. For example:
  - The Program led EPA's efforts to develop the Agency's position on a legal issue of first impression related to CERCLA's statute of limitations for contribution actions. Program attorneys drafted EPA's letter to the Solicitor General and advocated to ensure EPA's interests will be reflected in the United States brief in *Georgia-Pacific Consumer Products v. International Paper Company*, No. 22-465 (U.S.) to be filed soon.
  - Program attorneys, with the U.S. Department of Justice (DOJ), successfully obtained from the U.S. Court of Appeals for the Tenth Circuit a favorable opinion affirming a district court's dismissal of a landowner's claims seeking injunctive relief to expedite a CERCLA response action. *Resort Center Association v. Regan*, No. 21-4150 (10th Cir., May 26, 2023).
  - Program attorneys, with DOJ, successfully obtained from the U.S. Court of Appeals for the Ninth Circuit a favorable opinion in *U.S. v. Shell USA*, No. 21-55320 (9th Cir., Nov. 7, 2022). The court held that the United States rightfully sought cost recovery under CERCLA section 107, and rejected a claim that the United States was required to seek contribution under CERCLA section 113. The court ultimately upheld the appellant's liability for approximately \$50 million at the McColl Superfund Site in Fullerton, California.

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<sup>29</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

- The Program provided critical legal counseling on Superfund PFAS issues and the Program’s legal advice has been central to advancing EPA’s efforts on a top Administration priority to address PFAS contamination. For example, program attorneys:
  - Provided essential legal guidance on EPA’s proposed rule to designate Perfluorooctanoic acid (PFOA)/Perfluorooctane sulfonic acid (PFOS) as CERCLA hazardous substances;
  - Provided further counsel to EPA on the use of CERCLA authority to compel potentially responsible parties to investigate and address PFAS, the use of enforcement discretion, and on the impacts of proposed legislation on EPA’s authorities; and
  - Played a lead role in advocating for EPA’s work protecting human health and the environment during interagency discussions on how the federal government approaches PFAS investigation and cleanup, including at military bases.

**Performance Measure Targets:**

EPA’s FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$117.0) This net change is a decrease due to a slight reduction to the program. It is offset by an increase to fixed and other costs due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs. The Program will continue to provide legal representation, counsel, and support for the Agency’s CERCLA activities.

**Statutory Authority**

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

## **Operations and Administration**

## Acquisition Management

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

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$33,034	\$37,251	\$42,085	\$4,834
Leaking Underground Storage Tanks	\$173	\$181	\$136	-\$45
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$22,835</i></b>	<b><i>\$27,247</i></b>	<b><i>\$34,172</i></b>	<b><i>\$6,925</i></b>
Total Budget Authority	\$56,042	\$64,679	\$76,393	\$11,714
Total Workyears	268.9	307.7	355.7	48.0

### Program Project Description:

Superfund resources in the Acquisition Management Program support EPA’s contract activities, which cover planning, awarding, and administering contracts for the Agency. Efforts include issuing acquisition policy and interpreting acquisition regulations; administering training for contracting and program acquisition personnel; providing advice and oversight to regional procurement offices; and providing information technology (IT) improvements for acquisition.

### FY 2025 Activities and Performance Plan:

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

In FY 2025, EPA requests an additional \$6.9 million and 28.0 FTE for this program. The Agency will continue to strengthen EPA’s capacity to process new, increased, and existing contract award actions in a timely manner; advance EPA utilization of small and disadvantaged businesses; support "Made in America" initiatives; and address supply chain risk management activities for information and communication technology. EPA processes and awards contract actions in line with Federal Acquisition Regulation (FAR) and guidance from the Office of Management and Budget’s (OMB) Office of Federal Procurement Policy (OFPP).

In FY 2025, EPA will continue to support the implementation of supply chain risk requirements in Section 889 of the 2019 National Defense Authorization Act and the “Made in America Laws” referenced in Executive Order 14005, *Ensuring the Future Is Made in All of America by All of America's Workers*,<sup>30</sup> while furthering Category Management. The Agency has developed a Made in America Acquisition training curriculum to train EPA’s acquisition workforce and has developed a comprehensive EPA Made in America intranet site which includes resources on Agency and Federal Market Resources, compliance requirements and process guidance for both

<sup>30</sup> For additional information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/25/executive-order-on-ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers/>.

procurement and assistance agreements. EPA also has established a Supply Chain Risk Management (SCRM) Program Management Office and task force to formally develop a comprehensive architecture for the Agency's supply chain, as well as mechanisms to identify and mitigate risk.

In FY 2025, EPA will continue working to eliminate barriers to full and equal participation in agency procurement and contracting opportunities for all communities and will continue serving as an active member of the Procurement Equity Workgroup. The Agency will promote the equitable delivery of government benefits and opportunities by making contracting and procurement opportunities available on an equal basis to all eligible providers of goods and services. This work aims to increase the percentage of EPA contract spend awarded to small businesses located in Historically Underutilized Business Zones (HUBZones). These businesses often lack dedicated resources and in-house capacity to capitalize on agency acquisition and financial assistance opportunities.

In FY 2025, in support of Administration climate sustainability initiatives, EPA will work with applicable program offices to identify and prioritize procurement plans that spur innovation, commercialization, and deployment of clean energy technologies.

EPA remains committed to leveraging Category Management principles and enabling Spend Under Management (SUM) in each of its programs and purchasing areas to save taxpayer dollars and improve mission outcomes. In FY 2025, EPA will continue to utilize data provided by OFPP and the General Services Administration, to implement spend analysis, trend analysis, and data visualization tools to measure progress toward EPA's Category Management goals.

OMB's SUM initiative focuses on managed total acquisition spend and agency activities which transition spend to contract vehicles aligned with Category Management principles. Since FY 2023, EPA has elevated its focus on employing Category Management from purely strategic sourcing to broader monitoring and management of EPA's primary spend categories—Facilities & Construction, Professional Services, IT, Industrial Products & Services, Office Management, and Human Capital. Category Liaisons were established to oversee and improve progress with EPA's development of Category-level strategies in the primary spend categories. In FY 2025, EPA Category Liaisons will partner with Federal and EPA Category Managers to execute established Category-level strategies to enable greater SUM and improve the Agency's ability to achieve its Category Management goals.

In FY 2025, EPA will continue to implement SUM principles to leverage pre-vetted agency and government-wide contracts. Through SUM solutions, acquisition experts will optimize spending within the government-wide category management framework and increase the transactional data available for agency-level analysis of buying behaviors. To modernize the acquisition process and remove barriers to entry for obtaining government contracts, EPA has developed two innovative tools available agencywide: the EPA Solution Finder, which provides solution and ordering information for all EPA enterprise-wide contract solutions; and the SUM Opportunity Tool, which recommends existing solutions to address newly identified agency requirements for commodities and services and those supported on expiring contracts.

EPA also will elevate its focus on the Category Management approach to improve management and results of its portfolio of contracts. EPA will continue to maximize considerations for implementing Strategic Sourcing Initiatives (SSIs), thereby enhancing purchase coordination, improving price uniformity and knowledge-sharing, and leveraging small business capabilities to meet acquisition goals. EPA will continue to implement strategic sourcing initiatives first launched in FY 2023 in the areas of Lab Equipment Maintenance; Diversity, Equity, Inclusion, and Accessibility; Organizational Development and Coaching; Business and Financial Services; and Intellitrak software.

**Performance Measure Targets:**

Work under this program supports performance results in the Small Minority Business Assistance Program under the EPM appropriation.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$1,713.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$5,212.0 / +28.0 FTE) This net program change will strengthen EPA's capacity to process new, increased, and existing award contract actions in a timely manner; advance EPA utilization of small and disadvantaged business; support "Made in America" initiatives; and support supply chain risk management activities for information and communication technology. The change is partially offset by program efficiencies realized, reducing acquisition system costs. This investment includes \$5.3 million for payroll.

**Statutory Authority:**

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

## Central Planning, Budgeting, and Finance

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

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$85,840	\$87,099	\$100,595	\$13,496
Leaking Underground Storage Tanks	\$373	\$457	\$474	\$17
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$32,914</i></b>	<b><i>\$31,338</i></b>	<b><i>\$30,512</i></b>	<b><i>-\$826</i></b>
Total Budget Authority	\$119,128	\$118,894	\$131,581	\$12,687
Total Workyears	441.2	472.0	486.7	14.7

Total workyears in FY 2025 include 2.0 FTE funded by TSCA fees.

Total workyears in FY 2025 include 45.7 FTE to support Central Planning, Budgeting, and Finance working capital fund (WCF) services.

### Program Project Description:

EPA’s financial management community maintains a strong partnership with the Superfund Program. EPA’s Office of the Chief Financial Officer (OCFO) supports this continuing partnership by providing a full array of financial management support services and systems necessary to pay Superfund bills, recoup cleanup and oversight costs for the Trust Fund. EPA’s OCFO manages Superfund activities under the Central Planning, Budgeting, and Finance Program in support of integrated planning, budget formulation and execution, financial management, performance and accountability processes, financial cost recovery, and systems to ensure effective stewardship of Superfund resources. This program supports agency activities to meet requirements of the Government Performance and Results Modernization Act (GPRMA) of 2010,<sup>31</sup> as amended by the Foundations for Evidence-Based Policymaking Act of 2018 (“Evidence Act”), with an emphasis on Title I of the Act;<sup>32</sup> the Digital Accountability and Transparency (DATA) Act of 2014;<sup>33</sup> the Federal Information Technology Acquisition Reform Act (FITARA) of 2015;<sup>34</sup> the Federal Management Financial Integrity Act (FMFIA);<sup>35</sup> the Inspector General Act of 1978.<sup>36</sup>

### FY 2025 Activities and Performance Plan:

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

<sup>31</sup> For more information, please see: <https://www.congress.gov/111/plaws/publ352/PLAW-111publ352.pdf>.

<sup>32</sup> For more information, please see: <https://www.congress.gov/115/plaws/publ435/PLAW-115publ435.pdf>.

<sup>33</sup> For more information, please see: <https://www.congress.gov/113/plaws/publ101/PLAW-113publ101.pdf>.

<sup>34</sup> FITARA became law as a part of the National Defense Authorization Act for Fiscal Year 2015 (Title VIII, Subtitle D), <https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf>.

<sup>35</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/STATUTE-96/pdf/STATUTE-96-Pg814.pdf>.

<sup>36</sup> For more information, please see: <https://www.govinfo.gov/content/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-app-inspector.pdf>.

In FY 2025, EPA requests an additional 0.5 FTE in this program. This increase invests in a solution that would move the Agency forward in assessing enterprise and programmatic risk, internal control, and audit management. EPA will continue to provide resource stewardship to ensure that all agency programs operate with fiscal responsibility, management integrity, financial services are efficiently and consistently delivered nationwide, and programs demonstrate results. The Program will maintain key planning, budgeting, and financial management activities. The Program will ensure secure efficient maintenance operations of core agency financial management systems: Compass, PeoplePlus (Time and Attendance), Budget Formulation System, which includes a Performance Module, and related financial reporting systems. The Agency is reviewing its financial systems for modernization and innovation opportunities to support greater effectiveness of targeting legacy systems for replacement. Dashboards are now in place to support payroll, FTE management, and to support GPRMA performance planning and systematic tracking of progress.

In FY 2025, EPA also will continue to standardize and streamline business processes and operations to promote transparency and efficiency. The Program will apply Lean Management techniques and leverage input from customer-focused councils, advisory groups, and technical workgroups to continue improve. At the beginning of FY 2023, EPA began processing new interagency agreements within G-invoicing, as per the Treasury guidelines. G-invoicing will streamline processing and improve management of Interagency Agreements (IA) with the Army Corps of Engineers for Superfund site clean-up. The system implementation will continue to evolve over the next few years as more agencies come online and start to do business with the Agency in G-invoicing. EPA will continue to work transferring its entire catalog of interagency agreements to G-invoicing by the end of FY 2025, however this transfer is dependent on the trading partners' ability to access G-invoicing.

In FY 2025, the Program will continue to focus on core responsibilities in the areas of strategic planning and budget preparation, financial reporting, transaction processing, and Superfund Cost Recovery. In FY 2023, EPA successfully implemented the new billing and cost recovery system, e-Recovery, for Superfund, Federal Emergency Management Agency, and Oil Spill. The Agency will continue to implement FITARA requirements in accordance with EPA's Implementation Plan.<sup>37</sup> The Chief Information Officer will continue to be engaged throughout the budget planning process to ensure that information technology (IT) needs are properly planned and resourced in accordance with FITARA.

The Program will continue to conduct internal control program reviews and use the results and recommendations from the Office of Inspector General (OIG) to provide evidence of the financial soundness of EPA's financial management program and identify areas for further improvement. Annually, EPA conducts internal control reviews of multiple programs. In FY 2023, EPA enhanced its enterprise risk management and risk assessment processes in order to help with the collection and analysis of agency's risks and mitigating controls. The Program will continue to collect key operational statistics for its financial management program to further evaluate its operations and for management decision-making. In future years, the Agency will continue to refine and implement controls on payments by re-evaluating and adjusting its Payment Integrity operations to allow for broader reviews of payment transactions. At the end of the current fiscal

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<sup>37</sup> For more information please see: <http://www.epa.gov/open/fitara-implementation-plan-and-chief-information-officer-assignment-plan>.

year, the Program will provide assurance to the OIG of the validity of financial statements and overall financial reporting.

With increased focused on internal controls, audit management, and enterprise risk assessment, in FY 2025, the Agency will continue to expand the Program's efforts in this area including implementing a new internal control tool. The new tool will allow the Agency to easily crosswalk the anticipated increase in the number of audits for program integrity to the 600+ risks and internal controls. The tool also will help the Agency to better monitor the effectiveness, impact and testing of the internal controls set in place.

EPA has made significant strides in recent years to strengthen programs considered susceptible to improper payment. However, the Agency continues to be vigilant in reducing fraud, waste, and abuse, and strengthening internal controls over improper payments. In addition, as required by the Payment Integrity Information Act of 2019 (PIIA) (P.L. 116-117)<sup>38</sup> and OMB Memorandum *M-21-19 Appendix C*,<sup>39</sup> EPA conducts risk assessments of all its payment streams. Other improvements include the recent implementation of upgraded systems used for payments and invoice processing through which the Agency anticipates even fewer payment errors moving forward. To strengthen our processes, EPA is developing risk assessment plans for significant increases for new funding the Agency receives. These risk assessments will outline potential areas that may require additional guidance for tracking and reporting, performance measures, and internal controls to prevent and detect possible improper payment activities.

### **Performance Measure Targets:**

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

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$997.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE from annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. It also includes support for critical agencywide infrastructure support for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$92.0 / +0.5 FTE) This program change invests in a management integrity tool to turn manual data collection and analysis activities into a streamlined, customer-focused and agencywide tool that meets the analytical needs of enterprise risk, internal control, and audit environments. The FTE will support system configuration, training, on-going administrative functions and expanded agency analysis and compilation activities. This investment includes \$92.0 thousand for payroll.

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<sup>38</sup> For more information, please see: <https://www.congress.gov/116/plaws/publ117/PLAW-116publ117.pdf>.

<sup>39</sup> For more information, please see: <https://www.whitehouse.gov/wp-content/uploads/2021/03/M-21-19.pdf>.

- (-\$1,915.0) This program disinvestment reflects the cost savings from decommissioning the SCORPIOS cost recovery system. In FY 2023, EPA successfully implemented and replaced SCORPIOS with the new e-Recovery system. This program change also includes efficiencies gained in adopting G-Invoicing for IAs and reflects fulfillment of a one-time cost to complete enhancements for the Agency infrastructure investment for devolution and continuity of operations projects and other workforce support needs.

**Statutory Authority:**

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

## Facilities Infrastructure and Operations

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

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
Environmental Programs & Management	\$275,614	\$283,330	\$308,134	\$24,804
Science & Technology	\$65,328	\$67,500	\$72,906	\$5,406
Building and Facilities	\$17,502	\$42,076	\$98,893	\$56,817
Leaking Underground Storage Tanks	\$803	\$754	\$729	-\$25
Inland Oil Spill Programs	\$692	\$682	\$643	-\$39
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$74,115</i></b>	<b><i>\$65,634</i></b>	<b><i>\$72,349</i></b>	<b><i>\$6,715</i></b>
Total Budget Authority	\$434,054	\$459,976	\$553,654	\$93,678
Total Workyears	304.7	321.8	331.1	9.3

Total work years in FY 2025 include 6.1 FTE to support Facilities Infrastructure and Operations Working Capital Fund (WCF) services.

### Program Project Description:

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

### FY 2025 Activities and Performance Plan:

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

In FY 2025, EPA requests an additional \$6.7 million and 0.5 FTE in the Facilities Infrastructure and Operations Program to support agencywide climate sustainability and resiliency initiatives, and EPA facilities' operating costs and projects. Investing in the reconfiguration of EPA's workspaces enables the Agency to release office space and avoid long-term rent costs, consistent with the *Federal Assets Sale and Transfer Act*.<sup>40</sup> These resources are essential to help EPA reduce the number of occupied leased facilities, consolidate and optimize space within owned facilities, and reduce square footage. The Agency's space consolidation and energy efficiency efforts result in cost avoidances due to projected rent and utility increases in out-years. For FY 2025, the Agency requests a total of \$41.59 million in rent, \$2.84 million in utilities, and \$8.8 million for security in

<sup>40</sup> For additional information, please refer to: <https://www.congress.gov/bill/114th-congress/house-bill/4465>, *Federal Assets Sale and Transfer Act of 2016*.

the Superfund appropriation. EPA uses a standard methodology to ensure that rent charging appropriately reflects planned and enacted resources at the appropriation level.

EPA will continue conducting climate resiliency assessments at EPA-owned facilities to identify critical upgrades that are necessary to improve facility resiliency against the impacts of climate change, such as roof stabilization or seawall construction projects. EPA also will continue incorporating natural hazard and climate vulnerability assessments into their real property risk management process. In FY 2025, EPA will conduct climate assessments at the Andrew W. Breidenbach Environmental Research Center, and Center Hill Research Facility in Cincinnati, OH, and the National Vehicle and Fuel Emissions Laboratory in Ann Arbor, MI. As a result of FY 2022 assessments, EPA initiated two high priority projects in FY 2023: a feasibility study to improve the resilience of the causeway leading to the Gulf Ecosystem Measurement and Modeling Division campus in Gulf Breeze, FL, and a solar array feasibility study at the research facility in Narragansett, RI.

Space consolidation and reconfiguration enables EPA to reduce its footprint to create a more efficient, collaborative, and technologically sophisticated workplace. In FY 2025, the Agency will continue to reconfigure EPA's workplaces to ensure the space footprint can accommodate a growing and hybrid workforce.<sup>41</sup> EPA will consider all opportunities for supporting organizational health, in line with OMB Memoranda M-23-15 – *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*.<sup>42</sup> Even if modifications are kept to a minimum, each move requires initial funding to achieve long-term cost avoidance and sustainability goals. These investments support sustainable federal infrastructure and the clean energy goal of net-zero emissions by 2050.

In FY 2025, EPA will implement energy, water, and building infrastructure requirements with emphasis on environmental programs (e.g., Environmental Management Systems, Environmental Compliance Programs, Leadership in Energy and Environmental Design Certification, alternative fuel use, fleet reductions, telematics, and sustainability assessments). This funding will support investments in infrastructure (e.g., architectural and design) and mechanical systems (e.g., Optimized Building Management Systems for heating and cooling with load demand driven controls). In line with federal sustainability goals, EPA will work to utilize 100 percent carbon pollution-free electricity on a net annual basis by 2030.

EPA also will meet regulatory Occupational Safety and Health Administration (OSHA) obligations determined through audits and assessments and will provide health and safety training to field staff (e.g., inspections, monitoring, and on-scene coordinators). The Agency will continue its partnership with GSA to utilize shared services solutions, *USAccess*, and Enterprise Physical Access Control System (ePACS) programs. *USAccess* provides standardized HSPD-12 approved Personal Identity Verification (PIV) card enrollment and issuance and ePACS provides centralized access control of EPA facilities, including restricted and secure areas.

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<sup>41</sup> Work in this program takes direction for climate change and sustainability related initiatives from the following: EO 14008: *Tackling the Climate Crisis at Home and Abroad* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>) and EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* (<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/>).

<sup>42</sup> For additional information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

**Performance Measure Targets:**

**(PM CAA) Number of EPA-owned facility climate adaptation assessments completed.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>					2	7	11	14	Assessments
<b>Actual</b>					1	7			

**(PM CRP) Percentage of priority climate resiliency Projects for EPA-owned facilities initiated within 24 months of a completed facility climate assessment and Project prioritization.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>						100	100	100	Percent
<b>Actual</b>						100			
<b>Numerator</b>						1			Projects
<b>Denominator</b>						1			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$279.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$1,275.0) This increase includes adjustments to rent, utilities, security, and transit subsidy needs.
- (+\$5,161.0 / +0.5 FTE) This program change supports implementation of EO 14057: *Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability* requirements that will require EPA to increase facility resiliency against the impact of climate change and to advance sustainability of EPA operations. EPA will invest in facility climate assessments and Optimized Building Managements Systems; EPA facilities projects to optimize space, avoid costs, and increase efficiency; and EPA’s Climate Adaptation Plan. This investment includes \$93.0 thousand for payroll.

**Statutory Authority:**

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

## Financial Assistance Grants / IAG Management

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

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
Environmental Programs & Management	\$28,225	\$30,188	\$34,745	\$4,557
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$4,855</i></b>	<b><i>\$4,002</i></b>	<b><i>\$4,660</i></b>	<b><i>\$658</i></b>
Total Budget Authority	\$33,079	\$34,190	\$39,405	\$5,215
Total Workyears	145.5	156.8	184.5	27.7

### Program Project Description:

Superfund resources in the Financial Assistance Grants and Interagency Agreement (IA) Management Program support the management of grants and IAs as well as suspension and debarment activities for assistance and procurement programs. Grants and IAs historically comprise approximately a significant percentage of EPA’s annual appropriations. Resources in this program ensure that EPA manages grants and IAs to meet the highest fiduciary standards and achieve measurable results for environmental programs and agency priorities, and that the government’s financial resources and business interests are protected from fraud and mismanagement. These objectives are critically important for the Superfund Program, as a substantial portion of the Program is implemented through IAs with the U.S. Army Corps of Engineers and the U.S. Coast Guard.

### FY 2025 Activities and Performance Plan:

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

In FY 2025, EPA requests an additional \$658.0 thousand and 4.7 FTE for this program. The Agency will continue implementing the FY 2021-2025 Grants Management Plan, focusing on efficient award and management of assistance agreements, enhancing partnerships within the grants management community, promoting environmental justice (EJ), and ensuring effective grant oversight and accountability.

EPA will continue to provide technical assistance and outreach to recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and process financial assistance agreements in a timely manner. EPA will conduct a robust training program for EPA staff and grant applicants and recipients that will focus on:

- 1) Helping applicants find and apply for competitive and non-competitive grant opportunities.
- 2) Providing compliance assistance to ensure applicants and recipients are prepared to receive and administer funding from the annual appropriations as well as the Infrastructure

Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), and Congressionally Directed Spending.

3) Ensuring recipients understand and comply with the federal requirements that apply to them and primary recipients.

EPA will use and adapt the grant competition and grant-making processes to promote equity and support for underserved communities. For example, EPA will provide technical assistance to potential grantees from underserved communities on sound financial management practices to reduce barriers to competition for EPA grant resources. EPA also will track grant place of performance to help determine whether underserved communities realize the benefits of EPA grant programs.

EPA will continue to ensure compliance with the Build America, Buy America Act and policies in its financial assistance programs, consistent with Executive Order 14005 and Office of Management and Budget (OMB) Memorandum M-24-02.<sup>43,44</sup> These efforts include establishing appropriate terms and conditions, developing information to share with recipients, conducting market research and industrial engagement, and, where absolutely necessary, providing limited and targeted waivers consistent with statutory requirements and OMB directive.

In FY 2025, the Agency will continue to make use of discretionary debarments and suspensions as well as statutory disqualifications under the Clean Air Act and Clean Water Act to protect the integrity of federal assistance and procurement programs. Congress and federal courts have long recognized federal agencies' inherent authority and obligation to exclude non-responsible parties from eligibility to receive government contracts and federal assistance awards (e.g., grants, cooperative agreements, loans, and loan guarantees).

### **Performance Measure Targets:**

EPA's FY 2025 Annual Performance Plan does not include annual performance goals specific to this program.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$306.0)) This change to fixed and other costs is a decrease due to the recalculation of base workforce costs for existing FTE, adjustments to provide essential workforce support, and changes to benefits costs.
- (+\$964.0 / +4.7 FTE) This program change will support technical assistance and outreach to first time recipients of federal funding; improve capacity for oversight and tracking of new and increased grant investments; and the timely processing of financial assistance agreements. This investment includes \$884.0 thousand for payroll.

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<sup>43</sup> For more information, please refer to: <https://www.federalregister.gov/documents/2021/01/28/2021-02038/ensuring-the-future-is-made-in-all-of-america-by-all-of-americas-workers>.

<sup>44</sup> For more information, please refer to: <https://www.whitehouse.gov/wp-content/uploads/2023/10/M-24-02-Buy-America-Implementation-Guidance-Update.pdf>.

**Statutory Authority:**

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

## Human Resources Management

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

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$51,882	\$51,261	\$68,124	\$16,863
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$7,382</i></b>	<b><i>\$7,419</i></b>	<b><i>\$9,303</i></b>	<b><i>\$1,884</i></b>
Total Budget Authority	\$59,264	\$58,680	\$77,427	\$18,747
Total Workyears	210.6	254.4	328.7	74.3

Total work years in FY 2025 include 1.5 FTE to support Human Resources Management working capital fund (WCF) services.

### **Program Project Description:**

Superfund resources for the Human Resources (HR) Management Program support human capital management (HCM) activities throughout EPA. HCM activities include diverse outreach, recruitment, hiring, employee development, performance management, leadership development, strategic planning (including workforce planning, succession management, employee acclimation and experience management), data analysis and labor union engagement. These factors are critical for building, developing, and retaining a diverse and talented workforce at EPA. Additional HCM activities supported by EPM resources include personnel and payroll processing through the Human Resources Line of Business. EPM resources also support overall federal advisory committee management and Chief Human Capital Officer Council activities under applicable statutes and guidance, including the Agency’s Human Capital Operating Plan.

### **FY 2025 Activities and Performance Plan:**

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

In FY 2025, EPA requests an additional \$18.75 million and 74.3 FTE across EPM and Superfund resources for the HR Management Program to continue to implement EPA’s Diversity, Equity, Inclusion, and Accessibility (DEIA) Strategic Plan, establish a centralized EPA intern program, implement evidence-gathering and application under EPA’s Learning Agenda, and strengthen agencywide capacity to hire and onboard staff in a timely and equitable manner. The activities supported by EPA’s HR Management Program contribute to effective workforce management and are critical for strengthening the workforce, retaining expertise, and capturing institutional knowledge. EPA continues developing mechanisms to ensure employees have the right skills to successfully achieve the Agency’s core mission today and in the future.

EPA is committed to advancing equity, in line with President Biden’s Executive Orders (EOs) 13985,<sup>45</sup> 13988,<sup>46</sup> 14020,<sup>47</sup> 14035,<sup>48</sup> and 14075.<sup>49</sup> In FY 2025, in line with EO 14035, EPA requests an additional \$7.826 million to implement the actions identified in the DEIA Strategic Plan and to assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable. EPA will undertake an evidence-based and data-driven approach to determine whether, and to what extent, agency practices result in inequitable employment outcomes, and whether agency actions may help to overcome systemic societal and organizational barriers. Further, the Agency’s Chief Diversity Officer will oversee the assessment of the status and effects of existing DEIA initiatives or programs and review the institutional resources available to support human resources activities. For areas where evidence is lacking, the Agency will propose opportunities to advance DEIA. EPA will continue to involve employees at all levels of the organization in the assessment of DEIA initiatives and programs.

In FY 2025, EPA will manage and propose an additional \$1.360 million investment in its Senior Executive Service Candidate Development Program. The Program will focus on incorporating DEIA strategies to ensure future executives reflect the diversity of the American population and possess the skills necessary to lead a diverse and talented workforce operating in a hybrid work environment. The Agency will continue to implement a centralized paid internship program and with the additional funds requested, will expand on existing internship opportunities across the Agency and to strengthen talent and workforce acquisition. This paid internship program focuses on expanding federal work experience opportunities for underrepresented and underserved populations which may have experienced barriers to applying or fully participating in existing opportunities. EPA’s program will provide a total of approximately 180 four-month internship opportunities across EPA Programs and Regional Offices. Additionally, EPA will implement a plan to convert eligible interns to permanent federal service based on performance and completing program requirements.

EPA has increased efforts to improve DEIA with virtual outreach events targeting diverse networks such as veterans, persons with disabilities, Returned Peace Corps Volunteers, and Historically Black Colleges and Universities and other Minority Serving Institutions. To recruit EPA’s next generation of employees, EPA will continue outreach to new potential sources for future employees and use all available hiring authorities including Schedule A and recruitment incentives. In FY 2025, EPA will continue to work with Science, Technology, Engineering, and Mathematics-focused institutions and organizations such as the Society of Hispanic Professional Engineers and National Society of Black Engineers. EPA also will participate in the President’s Management Council Interagency Rotational Program to create leadership development

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<sup>45</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

<sup>46</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01761/preventing-and-combating-discrimination-on-the-basis-of-gender-identity-or-sexual-orientation>.

<sup>47</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/03/11/2021-05183/establishment-of-the-white-house-gender-policy-council>.

<sup>48</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/06/30/2021-14127/diversity-equity-inclusion-and-accessibility-in-the-federal-workforce>.

<sup>49</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2022/06/21/2022-13391/advancing-equality-for-lesbian-gay-bisexual-transgender-queer-and-intersex-individuals>.

assignments for GS 13-15 level employees. EPA will continue to review applicant flow diversity data every quarter to assess progress and identify areas for improvement.

In FY 2025, in line with OMB Memoranda M-23-15 - *Measuring, Monitoring, and Improving Organizational Health and Organizational Performance in the Context of Evolving Agency Work Environments*,<sup>50</sup> EPA will continue to implement, and update as necessary, its Work Environment Plan in a manner that emphasizes meaningful in-person work and advances organizational health and performance. EPA will continue to assess and implement any necessary investments in information technology and real property necessary to implement its Work Environment Plan. EPA also will continue to support front-line supervisor training for managing individuals and teams working in hybrid environments and effectively delivering results to customers and stakeholders. EPA will continue to support a data-driven culture which routinely uses performance measures for measuring, monitoring, and improving organizational health and organizational performance.

The Agency will continue to build Talent Teams to effectively expand recruitment and hiring to meet critical agency skill needs, as well as continue to leverage childcare subsidies to support retention. EPA also will continue to support and invest in evidence-building activities to carry out a workforce strategy guided by data-driven decisions as part of its implementation of the Evidence Act through the Workforce Planning learning priority area in EPA's Learning Agenda. This work also addresses implementing OMB's Statistical Policy No. 15, Standards for the Classification of Federal Data on Race and Ethnicity. This work includes determining Mission Critical Competencies, enhancement of EPA's competency assessment tool, conducting a skills gap analysis across the Agency, and implementing knowledge transfer strategies to support Succession Management.

In FY 2025, EPA will continue to operate and maintain the Talent Enterprise Diagnostic (TED) tool to allow EPA to make data-driven, strategic workforce decisions. TED data will serve a crucial role in EPA's Workforce Planning and Succession Management activities by identifying potential competency gaps across the Agency and by increasing management's understanding of where needed skill sets should reside within EPA. Additionally, EPA will continue to maintain and operate dashboards related to Mission Critical Occupations, Workforce Demographics, and Diversity. These dashboards provide data visualizations and easy-to-understand information about the current workforce, assisting EPA with Succession Management by identifying workforce gaps due to anticipated retirements and attrition trends. This is critical considering approximately 22 percent of EPA's workforce is retirement eligible and another 15 percent of the current workforce will become retirement eligible over the next five years.

The Agency will continue to implement Executive Order 14003, *Protecting the Federal Workforce*,<sup>51</sup> issued on January 22, 2021. EPA reviewed its unions' agreements to identify and eliminate provisions influenced by four revoked executive orders and will increase the focus on pre-decisional involvement and interest-based bargaining. In FY 2025, EPA will continue working to reset and repair relationships and involve unions in a collaborative way, promoting the Agency's

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<sup>50</sup> For additional information, please see: <https://www.whitehouse.gov/wp-content/uploads/2023/04/M-23-15.pdf>.

<sup>51</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/22/executive-order-protecting-the-federal-workforce/>.

and the unions' shared goal of the positive and equitable treatment of newly empowered employees.

Finally, EPA's advisory committees have proven effective in building consensus among the Agency's diverse external partners and stakeholders. In line with President Biden's *Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking*,<sup>52</sup> EPA remains committed to ensuring highly qualified external experts serve on agency committees and members and future nominees of EPA advisory committees reflect the diversity of America in terms of gender, race, ethnicity, geography, and other characteristics.

### **Performance Measure Targets:**

Work under this program supports performance results in the Human Resources Management Program under the EPM appropriation.

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$64.0) This net change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, changes to benefits costs, and changes to workers compensation and childcare.
- (+\$691.0 / +10.0 FTE) This program change is an increase to continue to develop and diversify its new paid internship program to strengthen talent and workforce acquisition and focus on expanding federal work experience opportunities for underrepresented and underserved populations. This investment includes \$590.0 thousand for payroll.
- (+\$569.0) This program change is an increase to support the implementation of Executive Order 14035 – Diversity, Equity, Inclusion, and Accessibility (DEIA) in the Federal Workforce, carry out the actions identified in EPA's DEIA Strategic Plan, and assess whether agency recruitment, hiring, promotion, retention, professional development, performance evaluations, pay and compensation policies, reasonable accommodations access, and training policies and practices are equitable.
- (+\$360.0) This program change is an increase to support the continuation of the Senior Executive Service Candidate Development Program with a goal that EPA senior leaders reflect the diversity of the American people and will include a special focus on developing diversity, equity, accessibility, and inclusivity competencies.
- (+\$200.0 / +0.6 FTE) This program change is an increase in support of the Foundations for Evidence-Based Policymaking Act of 2018. Resources will be used for Learning Agenda's evidence-gathering activities. This investment includes \$79.0 thousand for payroll.

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<sup>52</sup> For additional information, please see: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/memorandum-on-restoring-trust-in-government-through-scientific-integrity-and-evidence-based-policymaking/>.

**Statutory Authority:**

Title 5 of the U.S.C.; Reorganization Plan No. 3 of 1970, 84 Stat. 2086, as amended by Pub. L. 98–80, 97 Stat. 485 (codified at Title 5, App.) (EPA’s organic statute).

## **Research: Chemical Safety and Sustainability**

## Health and Environmental Risk Assessment

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Science & Technology	\$40,119	\$39,918	\$45,746	\$5,828
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$9,225</i></b>	<b><i>\$4,901</i></b>	<b><i>\$5,040</i></b>	<b><i>\$139</i></b>
Total Budget Authority	\$49,345	\$44,819	\$50,786	\$5,967
Total Workyears	156.6	155.9	179.9	24.0

### **Program Project Description:**

EPA's Health and Environmental Risk Assessment (HERA) Research Program is focused on generating assessments that inform decisions made by EPA and others, including states and tribes. These assessments provide the scientific basis for decisions under an array of environmental laws including the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). With funding from Superfund, the HERA program supports the risk assessment needs of the Agency's Superfund Program and regional risk assessors by providing Provisional Peer-Reviewed Toxicity Values (PPRTVs) and other fit-for-purpose human health assessments. The HERA Research Program also provides technical support on the application of human health and ecological risk assessment practices at hazardous waste sites for Superfund. These assessment tools and activities support risk-based management decisions at contaminated Superfund and hazardous waste sites.

The HERA Research Program supports the Agency's mission to protect human health and the environment by identifying and characterizing the health hazards of chemicals of concern to the Superfund Program and responding to technical requests on topics relevant to human health or ecological risk assessment at hazardous waste sites. EPA scientists in the HERA Research Program synthesize available scientific information on the potential health and environmental impacts of exposures to individual chemicals and chemical mixtures in the environment, such as per- and polyfluoroalkyl substances (PFAS). PPRTVs and other assessments under the HERA program are important sources of toxicity information and toxicity values to ensure improvements in human health and the environment in communities near Superfund sites.

Priorities for PPRTV development are based on the needs of the Agency's Office of Land and Emergency Management (OLEM), with input from Agency regional offices, and are re-evaluated annually. Research areas under the HERA program include applying new data; computational tools; enhancement of supporting data/knowledge bases; and efficiency of derivation for PPRTV values.

There are over 1,300 Superfund sites on the National Priorities List.<sup>53</sup> Communities near Superfund sites or in emergencies are faced with an urgent need for coordinated assistance to assess and address environmental contamination issues. The HERA Research Program anticipates environmental contamination issues. It develops new assessment approaches to enhance rapid response and screening capabilities and to augment toxicity value derivation procedures for human health toxicity assessments.

### **Recent Accomplishments of the HERA Research Program include:**

The HERA Research Program has developed assessment products that inform science-based decision-making, enhance timely responses, improve screening capabilities, and augment toxicity value derivations for use in risk assessments.

- **Portfolio of Chemical Assessments:** In FY 2023, EPA finalized seven PPRTV assessments under the HERA program, including PPRTVs that apply analogue read-across analysis for chemicals with limited data such as the *PPRTV for Perylene*.<sup>54</sup> In FY 2024, EPA anticipates delivering six to nine additional high-priority PPRTV assessments<sup>55</sup> based on the needs and priorities of EPA's Superfund Program. The HERA Research Program also continues to support the needs of EPA's Office of Land and Emergency Management through the development of assessments for other priority chemicals, such as PFAS, polychlorinated biphenyls, methylmercury, hexavalent chromium, and inorganic arsenic.<sup>56</sup>
- **Advancements in Lead Modeling:** The Agency anticipates finalizing updates to the All-Ages Lead Model (AALM)<sup>57</sup> in FY 2024 which will include improved lead biokinetic modeling in adults and children.
- **Technical Support:** The HERA Research Program responds to ongoing requests for scientific support on human and ecological assessment via the Superfund Health Risk Technical Support Center<sup>58</sup> and Ecological Risk Assessment Support Center.<sup>59</sup> Recent efforts have included providing risk assessment support at Saint-Gobain McCaffrey Street (New York), Plattsburg Air Force Base (Vermont), Velsicol Chemical Corp (Michigan), Tittabawassee River (Michigan), LA. Clarke & Son (Virginia), and ASARCO Superfund Site (Nebraska). Ongoing requests include assistance with employing new approach methods, review of probabilistic risk assessment models, and continued stakeholder engagement on complex science to address the needs of Superfund sites across the United States.

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<sup>53</sup> For more information, please see: <https://www.epa.gov/superfund/superfund-national-priorities-list-npl>.

<sup>54</sup> For more information, please see: [https://cfpub.epa.gov/ncea/pprtv/chemicalLanding.cfm?pprtv\\_sub\\_id=1845](https://cfpub.epa.gov/ncea/pprtv/chemicalLanding.cfm?pprtv_sub_id=1845).

<sup>55</sup> For more information, please see: <https://www.epa.gov/pprtv>.

<sup>56</sup> For more information, please see: <https://www.epa.gov/iris/iris-recent-additions>.

<sup>57</sup> For the current All-Ages Lead Model, please see: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=343670>.

<sup>58</sup> For more information, please see: <https://www.epa.gov/land-research/superfund-health-risk-technical-support-center-stsc>.

<sup>59</sup> For more information, please see: <https://www.epa.gov/land-research/epas-technical-support-centers>.

## FY 2025 Activities and Performance Plan:

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

In FY 2025, the HERA Research Program's work will focus explicitly on efforts integral to achieving the Agency's priorities and informing EPA's implementation of key environmental regulations. Examples of this work include:

- **PFAS Research:** PFAS are a class of chemicals of concern in the environment. Decision-making on PFAS chemicals is hindered by a limited number of standard toxicity values. There are still large numbers of PFAS, of high interest to partners, that currently have no federally published, peer-reviewed toxicity values. As described in the *PFAS Strategic Roadmap*,<sup>60</sup> within the HERA Research Program, EPA is prioritizing additional PFAS for the development of peer-reviewed toxicity values. This will result in an expanded set of high-quality peer-reviewed toxicity values for use by federal, state, and tribal officials that must make risk assessment and management decisions.
- **PPRTV Assessments:** In FY 2025, the HERA Research Program anticipates delivering six to nine additional high-priority PPRTV assessments as prioritized by EPA's Office of Land and Emergency Management.
- **Portfolio of Assessment Products:** In FY 2025, EPA will complement the PPRTVs by providing additional human health assessment products for priority chemicals. By developing a range of fit-for-purpose assessment products, the Agency will match the assessment scope and problem formulation with program needs to increase efficiency.
- **Linking Databases and Management Tools:** In FY 2025, the HERA Program will continue to collaborate with the Chemical Safety for Sustainability (CSS) Research Program to link the architecture of assessment databases and literature management tools, including *Health and Environmental Research Online*<sup>61</sup> and the *Health Assessment and Workplace Collaborative*<sup>62</sup> with the *CompTox Chemicals Dashboard*.<sup>63</sup>
- **Rapid Technical Support:** In FY 2025, the HERA Program will continue essential technical assistance across EPA to provide rapid technical support to programs and regions. These activities will provide expedited technical support for evaluating chemical-specific exposures at Superfund and contaminated sites, as well as incorporating case-specific information related to urgent situations.
- **Lead:** Childhood lead exposure continues to be one of the highest priorities for EPA. To advance the application of lead exposure and biokinetic models in EPA regulatory decisions

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<sup>60</sup> For more information, please see EPA's PFAS Strategic Roadmap at: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

<sup>61</sup> For more information, please see: <https://hero.epa.gov/hero/>.

<sup>62</sup> For more information, please see: <https://hawcprd.epa.gov/>.

<sup>63</sup> For more information, please see: <https://comptox.epa.gov/dashboard>.

and site assessments, the HERA Research Program will enhance, evaluate, and apply lead biokinetic models for estimating potential blood lead levels for regulatory determinations.<sup>64</sup> Additionally, the Exposure Factors Handbook<sup>65</sup> will be continually updated to provide up-to-date data on various human factors, including soil and dust ingestion rates, used by risk assessors.

Please note that certain activities within this program could have implications associated with the Administration's Cancer Moonshot Initiative.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of Agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>66</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>67</sup> is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and Agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

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<sup>64</sup> For more information, please see: <https://www.epa.gov/superfund/lead-superfund-sites-software-and-users-manuals>.

<sup>65</sup> For more information, please see: <https://cfpub.epa.gov/ncea/risk/recordisplay.cfm?deid=236252>.

<sup>66</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>67</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**Performance Measure Targets:**

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

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$139.0) This program change reflects an increase for the Health and Environmental Assessment program. This increase will assist in advancing science assessments like PPRTV's as well as analytical approaches for the applications of risk assessments and additional changes to fixed support costs.

**Statutory Authority:**

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

## Research: Chemical Safety for Sustainability

Program Area: Research: Chemical Safety for Sustainability  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Environmental Programs & Management	\$153	\$0	\$0	\$0
Science & Technology	\$96,828	\$92,550	\$106,217	\$13,667
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$5,476</i></b>	<b><i>\$8,060</i></b>	<b><i>\$8,060</i></b>	<b><i>\$0</i></b>
Total Budget Authority	\$102,457	\$100,610	\$114,277	\$13,667
Total Workyears	268.8	276.7	315.4	38.7

### Program Project Description:

EPA's Chemical Safety for Sustainability (CSS) Research Program provides scientific and technical approaches, information, tools, and methods to support the Agency and others in making better-informed and more timely decisions about chemicals and their potential risks to human health and the environment.<sup>68</sup> CSS products strengthen the Agency's ability to use the best available science to evaluate and predict human health and ecological impacts from the use, reuse, recycling, and disposal of manufactured and naturally occurring chemicals and their by-products.

The CSS Research Program informs Agency decisions about chemicals, accelerates the pace of chemical assessment and decision-making, and helps to replace, reduce, and refine the use of mammals used to evaluate chemical risks to ecological and human health. CSS products under the Superfund appropriation conduct mitigation activities at Superfund sites under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Research activities under CSS are coordinated with the activities of other national research programs to inform high-priority research topics, such as research focused on per- and polyfluoroalkyl substances (PFAS). Coordination with the Health and Environmental Risk Assessment (HERA) Program ensures that the approaches, tools, and information produced under the CSS Research Program can be used to improve chemical risk assessments, reduce uncertainties associated with those assessments, and increase the speed of delivering chemical information to the Agency.

The CSS program's PFAS research provides great value to EPA's overall PFAS research efforts, with significant contributions to the development of the EPA National PFAS Testing Strategy,<sup>69</sup> the issuance of Toxic Substances Control Act (TSCA) Section 4 Test Orders for PFAS,<sup>70</sup> and the issuance of Drinking Water Health Advisories for PFAS.<sup>71</sup>

<sup>68</sup> For the CSS StRAP, please see: [Strategic Research Action Plans Fiscal Years 2023-2026 | US EPA](#).

<sup>69</sup> National PFAS Testing Strategy: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/national-pfas-testing-strategy>.

<sup>70</sup> TSCA Section 4 Test Orders: <https://www.epa.gov/assessing-and-managing-chemicals-under-tsca/tsca-section-4-test-orders>.

<sup>71</sup> PFAS Drinking Water Health Advisories: <https://www.epa.gov/sdwa/drinking-water-health-advisories-has>.

## Recent Accomplishments of the CSS Research Program include:

- **Inclusion of PFAS Chemicals in Comptox Dashboard:** Assembly and curation of PFAS chemical lists<sup>72</sup> and relevant PFAS data were included in the most recent CompTox Chemicals Dashboard<sup>73</sup> release and will continue to be added in future releases. Specifically, Dashboard users can now access a variety of PFAS data on chemical properties, chemical structure categories, and chemical hazards.
- **Inclusion of PFAS Chemical Data in *invitroDB*:** Additional data on hundreds of perfluorinated chemicals also can be accessed through *invitroDB*,<sup>74</sup> a database of data generated from testing of chemicals in high-throughput screening assays.

These efforts to assemble and curate PFAS chemical data for inclusion in the Dashboard and *invitroDB* will continue in FY 2025.

## FY 2025 Activities and Performance Plan:

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

In FY 2025, the CSS Research Program will continue to provide the information needed to inform Agency decisions about PFAS. PFAS are a large class of fluorinated substances of concern. PFAS chemicals will be acquired to expand and maintain the existing PFAS physical library of compounds to include those PFAS of interest to the Agency and external partners. EPA is committed to supporting tribes, states, and local communities to understand and manage risks associated with these chemicals.<sup>75</sup> EPA research on PFAS represents a major integrative effort that will provide systematic information on a broad range of topics. EPA scientists will continue to identify, curate, evaluate, and extract available physicochemical, structural, exposure, and toxicological data from the published and gray literature to inform study design, categorization approaches, and interpretation of emerging studies.

In FY 2025, PFAS fate, transport, occurrence, and persistence in the environment and in consumer products will be evaluated to help understand exposure scenarios. CSS will execute a tiered toxicity testing strategy, which utilizes new approach methods (NAMs) to evaluate single PFAS chemicals and mixtures in a high throughput manner, followed by targeted *in vivo* testing for chemicals identified as priorities. This testing approach will include several systems-specific toxicity tests, including developmental neurotoxicity, thyroid toxicity, immunotoxicity, and developmental and reproductive toxicity. Various types of modeling will be used to translate *in vitro* results into *in vivo* outcomes and will include the use of adverse outcome pathway (AOP) models that link *in vitro* results to outcomes relevant to regulatory objectives and *in silico*

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<sup>72</sup> For more information, please see: <https://www.frontiersin.org/articles/10.3389/fenvs.2022.850019/full>.

<sup>73</sup> For more information, please see: <https://comptox.epa.gov/dashboard>.

<sup>74</sup> For more information, please see: <https://www.epa.gov/chemical-research/exploring-toxcast-data>.

<sup>75</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024#engagement>.

predictive toxicity models. NAMS can be used to group and prioritize chemicals, *e.g.*, as illustrated in the recent PFAS categorization paper.<sup>76</sup>

In the ecological domain, EPA is developing multispecies approaches to evaluate species sensitivity differences across taxa to inform aquatic risk benchmarks. Furthermore, work continues to determine the bioaccumulation of PFAS in aquatic species, because fish consumption is relevant to human health and exposure. Resources requested in FY 2025 will build upon the research foundation formed from completed work outlined in the *PFAS Strategic Roadmap*.<sup>77</sup>

### **Research Planning:**

EPA's research is built around six integrated and transdisciplinary research programs. Each of the six integrated and transdisciplinary research programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of Agency program and regional offices, states, and tribes, and is implemented with their active collaboration and involvement. Each research program has developed and published the fourth generation of the StRAPs,<sup>78</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA's Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA's state engagement<sup>79</sup> is designed to inform states about their role within EPA and EPA's research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and agency representatives of mutual benefit and responsibility to work collaboratively on environmental science issues.

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<sup>76</sup> For more information, please see <https://www.sciencedirect.com/science/article/pii/S246811132200038X>.

<sup>77</sup> For more information, please see: <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>.

<sup>78</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>79</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**Performance Measure Targets:**

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

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- There is no change in program funding.

**Statutory Authority:**

Clean Air Act §§ 103, 104; Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Children’s Health Act; 21st Century Nanotechnology Research and Development Act; Clean Water Act; Federal Food, Drug, and Cosmetic Act (FFDCA); Federal Insecticide, Fungicide and Rodenticide Act (FIFRA); Pollution Prevention Act (PPA); Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); Toxic Substances Control Act (TSCA).

## **Research: Sustainable Communities**

## Research: Sustainable and Healthy Communities

Program Area: Research: Sustainable Communities  
Cross-Agency Mission and Science Support

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
Science & Technology	\$147,279	\$137,857	\$149,498	\$11,641
Leaking Underground Storage Tanks	\$292	\$341	\$356	\$15
Inland Oil Spill Programs	\$785	\$675	\$683	\$8
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$18,525</i></b>	<b><i>\$16,937</i></b>	<b><i>\$17,517</i></b>	<b><i>\$580</i></b>
Total Budget Authority	\$166,880	\$155,810	\$168,054	\$12,244
Total Workyears	427.2	421.8	451.3	29.5

### Program Project Description:

This area of EPA’s Sustainable and Healthy Communities (SHC) Research Program within the Superfund appropriation responds directly to the Superfund law requirements for a comprehensive and coordinated federal “program of research, evaluation, testing, development, and demonstration of alternative or innovative treatment technologies...which may be utilized in response actions to achieve more permanent protection of human health and welfare and the environment.”<sup>80</sup>

SHC has made a commitment to foster environmental, public health, and economic benefits for overburdened communities. Superfund remedial technologies will directly support communities with environmental justice concerns and accelerate solutions to ameliorate the negative impacts Superfund sites and per- and polyfluoroalkyl substances (PFAS) pose for underserved communities. The research will emphasize remediation technologies that improve long-term site resilience including the current and potential future impacts of climate change (e.g., flooding, fire, sea level rise). SHC will apply an integrated systems approach to incorporate diverse data streams to increase understanding of linkages between the total environment (built, natural, and social) and public health to support communities and will highlight climate change and Environmental Justice related research throughout the program.

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

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<sup>80</sup> 42 U.S.C. § 9660(b).

Recent Accomplishments of the SHC Research Program include:

**PFAS Research to Support EPA’s Destruction and Disposal Guidance for PFAS and PFAS-Containing Materials (June 2021 - July 2023)<sup>81,82</sup>**

This research addresses PFAS transport and fate in environmental systems, as it relates to municipal solid waste landfills (leachate and gases) and thermal treatment (oxidizers, combustors, and incinerators). Major findings include: 1) PFAS (terminal acids and precursors) were detected in landfill leachates and gas condensates at high but variable concentrations, and concentrations varied across landfills; 2) Leachate treatment technologies ranged in efficacy from no treatment to 99%; 3) Encouraging results for thermal treatment studies indicate that Aqueous film-forming foams burned at >1000C resulting in high PFAS destruction efficiencies and mostly non-detectable products of incomplete combustion (PIC). As injection temperatures fall, fluorinated PICs increase; 4) Bench scale studies are providing evidence that reactive sorbents and catalysts reduce the energy necessary to destroy PFAS; with nearly complete PFAS destruction and minimal PIC formation at temperatures below 600C for calcium oxide (CaO) and 500C for aluminum oxide (Al<sub>2</sub>O<sub>3</sub>) and; 5) Models are now available to predict destruction behavior of the short-chain fluorocarbons and work continues to develop new kinetics for larger (C4-C8) PFAS. This research directly supports EPA’s development of updated Destruction and Disposal Guidance required by the 2020 National Defense Authorization Act.

**ORD Technical Support for Superfund Site Remediation Report (published September 2023)<sup>83</sup>**

Produced annually, this report provides regions, program offices, and states a summary of the previous year’s technical support and assistance activities. The document describes ORD’s site-specific technical support to programs and regions to help with risk management decisions at contaminated sites, including for remediating soil, surface waters, groundwaters, sediment, subsurface contaminant transport and fate, cross-media contaminant influence and mine-related contamination issues. In FY 2022, ORD coordinated 131 technical support activities, most of which were related to Superfund sites. The support allows authorities and regulators to work more quickly, efficiently, and cost effectively and increases the technical knowledge of the EPA remediation team.

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<sup>81</sup> For more information on landfill leachate and gas condensate, please see:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10463282/>; <https://pubmed.ncbi.nlm.nih.gov/36764258/>.

<sup>82</sup> For more information on thermal treatment, please see: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8525658/>; [https://cfpub.epa.gov/si/si\\_public\\_record\\_report.cfm?Lab=CEMM&dirEntryId=354179](https://cfpub.epa.gov/si/si_public_record_report.cfm?Lab=CEMM&dirEntryId=354179;); <https://pubmed.ncbi.nlm.nih.gov/37158498/>.

<sup>83</sup> Source: ArcGIS website (<https://storymaps.arcgis.com/collections/484b9e0079db49b5a952f3e2e38d74f5>).

## **Practical Considerations for Transitioning to Passive Sampling for Remedial Monitoring at Superfund Sites and Guidance for Using Passive Sampling in Remedial Cap Performance Monitoring (December 2022, June 2023)<sup>84,85</sup>**

Biomonitoring is commonly performed at Superfund sites, to assess remediation effectiveness. In recent years, passive sampling has been proposed as a cost-effective, scientifically robust, and data-comparable alternative to biomonitoring. The first part of this research aims to help remedial project managers interpret field deployment data when transitioning from biomonitoring to passive sampling. The research evaluated over a three-year period the bioaccumulation of selected polychlorinated biphenyls (PCBs) by mussels in water column deployments compared to co-developed passive samplers. It showed that, in general, mussel bioaccumulation and passive sampler accumulation of PCBs were significantly correlated. Notably, agreement on the magnitude of accumulation was optimal when bioaccumulation and passive sampler uptake were not corrected for non-equilibrium conditions. The second part of this research was a literature review to: 1) identify sites where passive samplers have been used to support clean-up efforts; 2) assess how passive sampling-derived remedial endpoints compare to conventional metrics; and 3) perform broad semi-quantitative and selective quantitative concurrence analyses, evaluating the magnitude of agreement between passive sampling and conventional metrics. Considering the agreement between bioaccumulation and passive sampler uptake, researchers propose further study to enhance utilization of passive sampling devices.

### **FY 2025 Activities and Performance Plan:**

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

In FY 2025, SHC will conduct research, and provide technical assistance and support, to inform analyses and decisions by the Office of Land and Emergency Management (OLEM), regional offices, tribes, and states regarding characterization, remediation, and management of contaminated soil, sediment, and groundwater—issues which are especially concerning to vulnerable, overburdened communities. The tools developed under the SHC Research Program will help the Agency address complex contamination problems, which may be made more complex by the impacts of climate change at Superfund, Resource Conservation Recovery Act (RCRA), and Brownfields sites in the United States. EPA research personnel and associated support staff also will identify, monitor, and develop options to control vapor intrusion to reduce exposures, reduce contaminant sources, and define sampling strategies that address when, where, and how to sample. SHC researchers will evaluate source control technologies at mine waste sites and investigate remediation and recovery for reuse of critical minerals from contaminated sites. Scientific journal articles, datasets, models, and tools will be published and used to support communities.

PFAS will continue to be a priority research topic for SHC. SHC will develop methods to evaluate PFAS presence and characteristics in wastes, soils, and sediments, and investigate PFAS fate and transport in the environment to support the need of EPA partners, states, tribes, and local

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<sup>84</sup> For more information, please see: <https://setac.onlinelibrary.wiley.com/doi/full/10.1002/etc.5536>.

<sup>85</sup> For more information, please see: <https://pubs.acs.org/doi/full/10.1021/acs.est.3c00232>.

communities to identify and characterize PFAS concentrations and distributions at contaminated sites and solid waste sites. Additionally, SHC will identify locations and source contributors to high potential human exposure for children and other populations by evaluating multimedia PFAS sources and pathways. SHC also will investigate approaches, methodologies, and technologies to treat, remove, destroy, and dispose of PFAS in environmental matrices.

### **Research Planning:**

EPA research is built around six integrated and transdisciplinary research programs. Each of the six programs is guided by a Strategic Research Action Plan (StRAP) that reflects the research needs of agency program and regional offices, states, and tribes, and is planned with their active involvement. Each research program has developed and published its fourth generation of the StRAPs,<sup>86</sup> which will continue the practice of conducting innovative scientific research aimed at solving the problems encountered by the Agency and its stakeholders.

The Office of Research and Development (ORD) works with various groups, including communities, to ensure the integrity and value of its research through a variety of mechanisms that include:

- EPA’s Board of Scientific Counselors (BOSC)
  - ORD meets regularly with this committee, which provides advice and recommendations to ORD on technical and management issues of its research programs.
- State Engagement
  - EPA’s state engagement<sup>87</sup> is designed to inform states about their role within EPA and EPA’s research programs, and to better understand the science needs of state environmental and health agencies.
- Tribal Partnerships
  - Key tribal partnerships are established through the Tribal Science Program which provides a forum for the interaction between tribal and Agency representatives. These interactions identify research of mutual benefit and lead to collaborations on important tribal environmental science issues.

### **Performance Measure Targets:**

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

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<sup>86</sup> The StRAPs are available and located here: <https://www.epa.gov/research/strategic-research-action-plans-fiscal-years-2023-2026>.

<sup>87</sup> For more information, please see: <https://www.epa.gov/research/epa-research-solutions-states>.

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$30.0) This change to fixed and other costs is an increase due to the recalculation of laboratory fixed costs.
- (+\$550.0) This program change reflects an increase to the Sustainable and Healthy Communities Research Program. This increase will build capacity to help respond directly to the Superfund law requirements and additional changes to fixed support costs.

**Statutory Authority:**

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

## **Superfund Cleanup**

## Superfund: Emergency Response and Removal

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$256,354</i></b>	<b><i>\$195,000</i></b>	<b><i>\$0</i></b>	<b><i>-\$195,000</i></b>
Total Budget Authority	\$256,354	\$195,000	\$0	-\$195,000
Total Workyears	278.7	247.7	250.7	3.0

In FY 2025, the Budget proposes to transition the Superfund Removal FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency's FTE ceiling.

### Program Project Description:

The Emergency Response and Removal Program (Superfund Removal) is the cornerstone and principal institution of federal emergency response to releases of hazardous substances, pollutants, or contaminants. The program is paramount to managing threats and dangers that occur. During a national emergency, EPA takes action to prevent, limit, mitigate, or contain chemical, oil, radiological, biological, or hazardous materials releases. Circumstances requiring emergency response and removal actions vary considerably in size, nature, and location, and include chemical releases, fires or explosions, natural disasters, and other threats to people from exposure to hazardous substances. EPA's 24-hour-a-day response capability is a critical component of the National Contingency Plan.<sup>88</sup> Further, this program is responsible for the Agency's only Primary Mission Essential Function. Superfund Removal cleanups vary in complexity and contain a wide variety of contaminants including lead, mercury, and asbestos.<sup>89</sup>

Since 2013, EPA has completed or managed more than 2,420 Superfund removal actions across the country. Responses are a multilayered activity that can fluctuate due to requirements for supplies and customized instruments, specialized training and instruction, and the intricate measures taken to ensure ongoing assessments and responses are appropriate to meet the demands of site conditions. Superfund Removal sites are found in remote rural areas as well as large urban settings. Nearly 43 million people, or about 13 percent of the U.S. population, live within 3 miles of a Superfund Removal site where EPA addressed a removal action between FY 2018 and FY 2022.<sup>90</sup> In addition, over 41 percent of removal completions in FY 2019 and FY 2020, and 36 percent in FY 2021 were in communities with populations surpassing the 80<sup>th</sup> percentile for being people of color, low income, or having less than a high school education.<sup>91</sup> These benefits occurred in due course of the Program's operation, and were not created from specific targeting efforts.

<sup>88</sup> For more information, please refer to: <https://www.epa.gov/emergency-response/national-oil-and-hazardous-substances-pollution-contingency-plan-nep-overview>.

<sup>89</sup> Data from US EPA Superfund Enterprise Management System.

<sup>90</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: 1) Superfund removal site information from SEMS from FY2018-FY2022; and 2) population data from the 2017-2021 American Community Survey.

<sup>91</sup> Data from US EPA Superfund Enterprise Management System and US EPA EJ Screen.

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

EPA Federal On-Scene Coordinators (OSCs) make up the core of the Superfund Removal Program. These trained and equipped EPA personnel respond to, assess, mitigate, and clean up hazardous substance releases and oil discharges. States, local, and tribal communities rely upon the OSC's experience and assistance to address environmental emergencies that are beyond their capabilities and resources.

Climate change, emerging contaminants, and new scientific developments are adding to the demands of the Superfund Removal Program. The greater frequency of intense weather events that lead to releases of hazardous substances, pollutants, or contaminants increases the workload on the Program. In addition, emerging contaminants such as per- and polyfluoroalkyl substances (PFAS) are expected to significantly expand demands on the Program as the understanding of the toxicity levels of these compounds continues to drive down cleanup levels. Changing lead screening values and actions surrounding this effort could limit Program coverage essential to meeting the demand where resources needed are not fully supported. This work will include coordinating with EPA counterparts to apply EPA's January 2024 "Updated Soil Lead Guidance for CERCLA Sites and RCRA Corrective Action Facilities," which lowered lead screening levels for residential properties to reflect the best available science. EPA expects a significant number of properties to undergo evaluation based on this change, which could trigger additional work where cleanup efforts are required.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President's Budget proposes to transition the Superfund Removal Program from the annual Superfund appropriation to the Superfund tax receipts. The Program will continue to:

Respond to and provide technical assistance for emergency responses and removal assessments and time critical response actions (non-emergency responses). The removal program conducts its work with an emphasis on advancing environmental justice and equitable outcomes by working through possible candidate time critical actions that exist in the regions.

Address abandoned uranium mines (AUM) impacts on the Navajo Nation (NN) in concert with other EPA programs. EPA officially opened the Flagstaff, Arizona field office in July 2023, where dedicated EPA Region 9 staff work with the Navajo Nation staff and communities to advance cleanup through removal actions at NN AUM sites. This field office assists EPA and NN in

accelerating actions articulated in the 2020 Ten Year Plan: Federal Actions to Address Impacts of Uranium Contamination on the Navajo Nation.

Conduct and participate in selected multi-media training and exercises for emergency responders. These events ensure readiness by focusing on necessary coordination and consistency across the Agency, enhance specialized technical skills and expertise, and strengthen partnerships with state, local, tribal, and other federal responders.

Support the environmental response team (ERT), which provides nationwide assistance and consultation for emergency response actions, including unusual or complex incidents. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.

**Performance Measure Targets:**

**(PM 137) Number of Superfund removals completed.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>	175	175	141	141	183	183	183	183	Removals
<b>Actual</b>	242	233	197	150	195	194			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$195,000.0 / -247.7 FTE) In FY 2025, the Superfund Emergency Response and Removal Program is proposed to be transitioned from the annual Superfund appropriated resources to the Superfund tax receipts. This includes an estimated \$48.9 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. However, as the Superfund Taxes were recently reauthorized, there is much uncertainty regarding the tax collections. The Agency anticipates maintaining the pace of work with the Superfund tax receipts.
- (+250.7 FTE) In FY 2025, the Agency proposes to transition 250.7 Superfund Removal FTE from the annual Superfund appropriation to the Superfund tax receipts as reimbursable FTE.

**Statutory Authority:**

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

## Superfund: EPA Emergency Preparedness

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

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

(Dollars in Thousands)

	FY 2023 Final Actuals	FY 2024 Annualized CR	FY 2025 President's Budget	FY 2025 President's Budget v. FY 2024 Annualized CR
<i>Hazardous Substance Superfund</i>	\$7,696	\$8,056	\$8,541	\$485
Total Budget Authority	\$7,696	\$8,056	\$8,541	\$485
Total Workyears	33.6	37.4	37.4	0.0

### Program Project Description:

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

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

### FY 2025 Activities and Performance Plan:

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

The Superfund Emergency Preparedness Program participates in national and local exercises and drills, coordinates with stakeholders to develop Area and Regional Contingency Plans, and provides technical assistance to industry, states, tribes, and local communities. Specific activities include:

- Chair the NRT<sup>92</sup> and co-chair the 13 RRTs. The NRT and RRTs are the only active environmentally focused interagency executive committees addressing oil and hazardous

<sup>92</sup> For more information, please refer to: <https://www.nrt.org/>.

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

- Lead Inland Area Committees to ensure policies, procedures and tools are in place to assist federal, state, tribal, local, and industry responders in effectively addressing spills.
- Participate in the development of limited, scenario-specific exercises and regional drills designed to assess national emergency response management capabilities. These activities will involve the RRTs, NRT, and/or principal level participants.

**Performance Measure Targets:**

**(PM ER01) Number of emergency response and removal exercises that EPA conducts or participates in.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target					120	120	120	120	Exercises
Actual				120	164	185			

**(PM ER02) Percentage of emergency response and removal exercises that EPA conducts or participates in that incorporate environmental justice.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
Target					14	30	40	40	Percent
Actual					49	53			
Numerator					80	98			Exercises
Denominator					164	185			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$391.0) This change to fixed and other costs is an increase due to the recalculation of base workforce costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs. This increase includes critical agencywide infrastructure for Executive Order 14028 cybersecurity requirements, electronic discovery for FOIA and litigation support, and implementation of Trusted Vetting 2.0.
- (+\$94.0) This program change increases essential support for Superfund Emergency Preparedness Program core activities, such as national and local exercises and drills.

**Statutory Authority:**

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

**Superfund: Remedial**

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$612,890</i></b>	<b><i>\$618,740</i></b>	<b><i>\$300,000</i></b>	<b><i>-\$318,740</i></b>
Total Budget Authority	\$612,890	\$618,740	\$300,000	-\$318,740
Total Workyears	889.8	890.8	874.8	-16.0

In FY 2025, the Budget proposes to transition the Superfund Remedial FTE from the annual Superfund appropriated resources to the Superfund tax receipts as reimbursable FTE. These FTE are built into the Agency’s FTE ceiling.

**Program Project Description:**

The Superfund Remedial Program addresses many of the worst contaminated areas in the United States by investigating contamination and implementing long-term cleanup remedies at sites on the National Priorities List (NPL). The Program also oversees response work conducted by potentially responsible parties (PRPs) at NPL and Superfund Alternative Approach (SAA) sites.

By cleaning up and returning land to productive use, the Superfund Remedial Program improves the health and livelihood of all Americans and supports the Administration’s goal to reduce exposure to Superfund site contamination, especially in disadvantaged communities. Approximately 23 percent of the U.S. population lives within three miles of a Superfund site, and this population is more minority, low income, linguistically isolated, and less likely to have a high school education than the U.S. population as a whole.<sup>93</sup>

In FY 2023, more than 75 percent of Superfund Remedial annual appropriations and Infrastructure Investment and Jobs Act (IIJA) site-specific funds were obligated to Superfund NPL sites where there is potential for addressing environmental justice concerns. In the same period, more than 60 percent of the Superfund sites that achieved Human Exposure Under Control and more than 50 percent of sites that achieved Sitewide Ready for Anticipated Reuse had potential for environmental justice concerns.

While conducting cleanup at NPL and SAA sites, remedial construction projects can enhance national infrastructure while addressing harmful exposures. For example, recent research indicates that Superfund cleanup actions lowered the risk of elevated blood lead levels by roughly 13 to 26 percent for children living within two kilometers of a Superfund NPL site where lead is a contaminant of concern.<sup>94</sup> For Superfund sites contaminated with lead within one mile, 17 percent

<sup>93</sup> U.S. EPA, Office of Land and Emergency Management 2023. Data collected includes: 1) Superfund site information from SEMS as of the end of FY 2022 and site boundary data updated in 2023 by Shared Enterprise Geodata and Services (SEGS) ; and 2) population data from the 2017-2021 American Community Survey.

<sup>94</sup> Heather Klemick, Henry Mason, and Karen Sullivan. 2020. “Superfund Cleanups and Children’s Lead Exposure,” Journal of Environmental Management, 100. doi: [10.1016/j.jeem.2019.102289](https://doi.org/10.1016/j.jeem.2019.102289).

of the surrounding population is below poverty level, 14 percent is without a high school diploma, and 40 percent of the population is minority.

By addressing the human health and environmental risks posed by releases at NPL and SAA sites, the Superfund Remedial Program strengthens the economy and spurs economic growth for all Americans by returning Superfund sites to productive use. Reuse and restoration of Superfund NPL sites directly support the Administration's Justice40 initiative<sup>95</sup>, as articulated in President Biden's Executive Order (EO) 14008: *Tackling the Climate Crisis at Home and Abroad* (January 27, 2021)<sup>96</sup>, as this EO acknowledges the urgent need to restore lands and natural assets.<sup>97</sup> The Superfund Remedial Program is one of EPA's Justice40 pilot programs. The Superfund Remedial Program considers environmental burdens and other socio-economic challenges when developing community involvement and cleanup plans. Assessing environmental justice concerns in the communities EPA serves provides important information which influences how the Agency communicates, makes cleanup decisions, and plans for future reuse of Superfund sites. The Program works to maximize cleanup benefits as well as state and tribal benefits, enforcement opportunities, enhancements to community involvement, and the Superfund Redevelopment Program.

In FY 2023, an additional 14 sites were made sitewide ready for anticipated use and three sites were retracted. The retractions in FY 2023 were the result of a review which identified sites which no longer met protectiveness requirements due to detection of per- and polyfluoroalkyl substances (PFAS) and other emerging contaminants, aging remedies, and new exposure pathways requiring new institutional controls. The continued remediation of NPL sites produces clear environmental and economic benefit. As of FY 2022, EPA data show that approximately 1,000 Superfund sites are in reuse - more than half the total number of sites placed on the NPL over the Program's existence. EPA has data on more than 10,253 businesses at 671 of these sites. These businesses' ongoing operations generate annual sales of \$74.1 billion. These businesses provided more than 236 thousand jobs which earned a combined income of \$18.6 billion. Over the last twelve years, these businesses generated at least \$590 billion in sales. A similar economic analysis is planned for FY 2025.

Additionally, cleanup work under the Superfund Remedial Program improves property values. A study conducted by researchers at Duke University and the University of Pittsburgh found that residential property values within three miles (4.8 kilometers) of Superfund sites increased between 18.7 and 24.4 percent when sites were cleaned up and deleted from the NPL.<sup>98</sup>

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<sup>95</sup> For more information, please refer to: <https://www.whitehouse.gov/environmentaljustice/justice40/>.

<sup>96</sup> For more information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>97</sup> For more information, please refer to: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>.

<sup>98</sup> Shanti Gamper-Rabindran and Christopher Timmons. 2013. "Does cleanup of hazardous waste sites raise housing values? Evidence of spatially localized benefits," *Journal of Environmental Economics and Management* 65(3): 345-360, <http://dx.doi.org/10.1016/j.jeem.2012.12.001>.

## **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the President’s Budget proposes to fund the Superfund Remedial Program with a combination of annual Superfund appropriated resources and Superfund tax receipts. EPA will continue to execute its non-delegable, federal responsibility to remediate sites and protect human health, welfare, and the environment. EPA endeavors to maximize the use of special account resources collected from PRPs for site-specific response actions as stipulated in settlement agreements so that available EPA Superfund resources are prioritized for sites without other sources of funding. More than half of non-federal sites on the final NPL do not have an associated open special account and available Superfund resources are critical to the Superfund Remedial Program to clean up sites.

The IJA invested \$3.5 billion in environmental remediation at Superfund NPL sites and reinstated the Superfund chemical taxes, and the Inflation Reduction Act reinstated the Superfund petroleum taxes.<sup>99</sup> These laws provide one of the largest investments in American history to address the legacy pollution that harms public health in communities and neighborhoods, creating good-paying jobs, and advancing economic and environmental justice in the process.

In FY 2025, EPA will continue to initiate new work on remedial construction projects, as well as continue ongoing cleanups at NPL sites across the country. As IJA funds available for site work are anticipated to be fully allocated in FY 2024 based on current site information, the FY 2025 President’s Budget proposes using a combination of Superfund tax receipts and annual appropriations to continue funding construction work.

In FY 2025, the Superfund Remedial Program will continue to start and complete critical pre-construction projects such as site characterization and construction design. The Program will continue to support Superfund community involvement and outreach activities at sites. These activities play a pivotal role in ensuring communities have the resources they need to meaningfully participate in the decision-making process, including an increased involvement of communities to develop their visions for revitalization by identifying economic drivers and connecting community needs to federal investments. The Program will continue to support capacity building technical assistance and the Superfund Job Training Initiative.

In FY 2025, EPA will reduce exposure to lead and associated health impacts including the risk of elevated blood lead levels for children by completing 45 Superfund lead cleanup projects. This work will include applying EPA’s January 2024 “Updated Soil Lead Guidance for CERCLA Sites

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<sup>99</sup> On November 15, 2021, the Infrastructure Investment and Jobs Act [(IIJA), P.L. 117-58] reinstated and modified the excise taxes on certain listed chemicals and imported substances that are used as materials in their manufacture or production one or more of those listed chemicals (“Superfund chemical taxes”). The Superfund chemical taxes went into effect beginning July 1, 2022, and expire on December 31, 2031. On August 16, 2022, the Inflation Reduction Act [(IRA), P.L. 117-169] reinstated and modified the taxes on oil and petroleum products (“Superfund petroleum taxes”). The Superfund petroleum taxes went into effect on January 1, 2023, and do not have an expiration date. On December 29, 2022, the Consolidated Appropriations Act 2023 (P.L. 117-328) allowed all tax receipts collected in the Superfund Trust Fund from the prior fiscal year to be available to carry out the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, without further appropriation by Congress and designated as emergency funding.

and RCRA Corrective Action Facilities,” which lowered lead screening levels for residential properties to reflect the best available science. EPA expects a significant number of properties to undergo evaluation based on this change, which could trigger additional work across the pipeline. EPA also will continue to: support the cleanup of PFAS and will collaborate on agencywide crosscutting strategies and a multi-pronged implementation plan for the CERCLA PFAS rule; advance new science and assess the nature and extent of PFAS contamination and other contaminants of concern at sites; develop coordinated policies, regulations, and communications; and engage with affected states, tribes, communities, and stakeholders. Completing these cleanup projects, which include legacy sites that expose Americans to contaminants shown to pose increased cancer risks, advances work in cancer prevention as part of President Biden’s Cancer Moonshot Initiative.

EPA’s regional laboratories will continue to provide cutting-edge science to inform immediate and near-term, multi-media decisions on environmental conditions, emergency response, and enforcement. Regional laboratory science also helps inform communities about the risks the site may pose in terms of chemical exposures and cumulative environmental impacts. This work will support the ambitious environmental and clean up goals of the Program.

The Program also will continue to support the Environmental Response Team (ERT), which provides nationwide assistance, direct field expertise, and consultation for Superfund cleanup including emergency response actions, unusual or complex incidents, and other site support. In such cases, the ERT supplies subject matter experts, with special equipment and technical or logistical assistance.

**Performance Measure Targets:**

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

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>	8	12	10	10	12	12	12	12	Sites
<b>Actual</b>	32	17	20	13	-14	-3			

**(PM 155) Number of Superfund cleanup projects completed that address lead as a contaminant.**

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>					45	45	45	45	Projects
<b>Actual</b>				56	45	49			

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

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>	95	95	80	80	80	75	75	75	Projects
<b>Actual</b>	87	89	91	75	74	69			

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

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Units
<b>Target</b>	51	51	51	51	25	15	10	7	Sites
<b>Actual</b>	51	48	34	26	-48	11			

**FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (-\$318,740.0 / -890.8 FTE) In FY 2025, the Superfund Remedial Program is proposing a partial transition from annual appropriated resources to Superfund Tax receipts. This includes the transition of approximately \$168.4 million for payroll. In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund taxes which will be available for use in FY 2025 across EPA Superfund programs. However, as the Superfund taxes were recently reauthorized, there is much uncertainty regarding the tax collections. The Agency will continue its efforts to sustain cleanup work to prevent developing a backlog.
- (+874.8 FTE) In FY 2025, the Agency proposes to fund 874.8 Superfund Remedial FTE from the Superfund tax receipts as reimbursable FTE rather than annual Superfund appropriated resources.

**Statutory Authority:**

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

## **Superfund: Federal Facilities**

Program Area: Superfund Cleanup

Goal: Safeguard and Revitalize Communities

Objective(s): Clean Up and Restore Land for Productive Uses and Healthy Communities

(Dollars in Thousands)

	<b>FY 2023 Final Actuals</b>	<b>FY 2024 Annualized CR</b>	<b>FY 2025 President's Budget</b>	<b>FY 2025 President's Budget v. FY 2024 Annualized CR</b>
<b><i>Hazardous Substance Superfund</i></b>	<b><i>\$26,167</i></b>	<b><i>\$26,189</i></b>	<b><i>\$37,680</i></b>	<b><i>\$11,491</i></b>
Total Budget Authority	\$26,167	\$26,189	\$37,680	\$11,491
Total Workyears	103.6	113.2	112.7	-0.5

Total work years in FY 2025 include 6.5 Superfund Reimbursable FTE.

### **Program Project Description:**

The Superfund Federal Facilities Program oversees and provides technical assistance for the protective and efficient cleanup and reuse of Federal Facility National Priorities List (NPL) sites. Program responsibilities include: 1) inventory and assess potentially contaminated sites; 2) select and implement protective remedies; 3) facilitate early transfer of property; and 4) ensure ongoing protectiveness of completed cleanups.

The Federal Facility NPL sites, where the other federal agencies (OFAs) are the lead agency and EPA is the lead oversight agency, are among the largest in the Superfund Program and can encompass specialized environmental contaminants such as munitions and radiological waste, and contaminants of emerging concern such as per- and polyfluoroalkyl substances (PFAS). EPA jointly selects site remedies with OFAs and uses its oversight authority to provide an independent assessment of federal cleanups to ensure work conducted is in accordance with site cleanup plans and yields protective remedies. To ensure efficiencies and consistent approaches to cleanup, the Program collaborates with OFAs and state, local, and Tribal governments. There are 175 Federal Facility sites on the NPL, which are part of the approximately 2,400 sites on the Federal Agency Hazardous Waste Compliance Docket (Docket) maintained by EPA. The sites result in nearly \$9 billion per year expended by OFAs under EPA oversight. The resulting cleanup, restoration, and reuse of Federal Facility NPL sites contributes significantly to Superfund program accomplishments. In FY 2023, the Program completed response action decisions at 36 federal facility sites to address environmental contamination. The Program also achieved 24 Remedial Action Project Completions and reviewed 36 Five-Year Reviews to confirm protective remedies remain in place.

The Superfund Federal Facilities Program supports President Biden's Executive Order (EO) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*<sup>100</sup> by recognizing and working to repair inequities that serve as barriers to equal opportunity in the Federal Facility Superfund Program. This is accomplished by working to

<sup>100</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/01/25/2021-01753/advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government>.

improve the health and livelihood of communities through cleaning up and returning land to productive use. Nearly 80 percent of Federal Facility NPL sites are in communities disproportionately affected by environmental burdens. Cleaning up contaminated sites at federal facilities also can serve as a catalyst for economic growth and community revitalization.

The Superfund Federal Facilities Program has successfully worked with EPA's partners to facilitate the redevelopment of Federal Facility NPL sites across the country. Since Federal Facility NPL sites often encompass thousands of acres with buildings, roads, and other infrastructure, their effective and efficient cleanup and reuse can play a pivotal role in a community's economic growth and environmental vitality. Reuse and restoration of Federal Facility NPL sites directly support President Biden's EO 14008: *Tackling the Climate Crisis at Home and Abroad*.<sup>101</sup> Redevelopment projects have included ecological preserves, recreational areas, cultural/historical resources, public transit infrastructure, and alternative energy sources. A 2022 economic analysis of 70 Federal Facility Superfund Sites identified over 2,400 businesses that generated \$28 billion in annual sales, provided over 450,000 jobs, and \$44 billion in estimated annual employment income.<sup>102</sup> A similar analysis is planned for FY 2025. Future climate actions by the Program include piloting Climate Vulnerability Assessments at several federal facility NPL sites, and continuing collaboration with OFAs to include climate impact considerations in remedial actions.

#### **FY 2025 Activities and Performance Plan:**

Work in this program directly supports Goal 6/Objective 6.1, Clean Up and Restore Land for Productive Uses and Healthy Communities in the *FY 2022 - 2026 EPA Strategic Plan*.

In FY 2025, the Superfund Federal Facilities Program, as part of its statutorily mandated oversight responsibilities, will support EPA's PFAS Strategic Roadmap by overseeing the growing number of PFAS cleanups at Department of Defense (DoD), the Department of Energy (DOE), and OFA sites. The Program will benefit from a significant investment to keep pace with the surge of PFAS cleanups under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and adjust core program capacity. Currently, the Program provides oversight at over 110 Federal Facility NPL sites with PFAS detections.

In FY 2025, EPA proposes an investment of \$11.5 million in the Superfund Federal Facilities Program. This investment will allow EPA to minimize disruptions and delays to its oversight responsibilities, enable DoD to meet their Congressional cleanup obligations for PFAS under the 2022 National Defense Authorization Act and subsequent CERCLA response actions, and adjust EPA core capacity in its cleanup oversight for legacy contamination such as radioactive waste and unexploded ordnance. EPA plans to utilize the additional resources to leverage knowledge and best practices developed from Federal Facilities PFAS investigations to aid PFAS cleanups across the country.

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<sup>101</sup> For additional information, please refer to: <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>.

<sup>102</sup> For additional information, please refer to: <https://www.epa.gov/fedfac/redevelopment-economics-federal-facilities>.

In addition to the growing workload related to PFAS, the Program will prioritize and continue to partner with OFAs; state, local, and Tribal governments; and communities to limit human exposure to potentially harmful levels of lead in the environment. EPA will continue to oversee complex cleanups at Federal Facility NPL sites, such as contamination in groundwater, munitions and explosives of concern, contaminants of emerging concern, and contamination from legacy nuclear weapons development and energy research. For example, while the DOE has completed cleanup work at many of its sites, DOE estimates that the remaining legacy Cold War sites will take decades to complete due to groundwater, soil, and waste processing. Similarly, the DoD inventory includes sites that contain chemical and explosive compounds which require special handling, storage, and disposal practices, as well as cleanup. EPA will continue to provide oversight and technical assistance at DoD's military munitions response sites and support DoD's development of new technologies to streamline cleanups.

To ensure the long-term protectiveness of the remedies, the Agency will continue monitoring, overseeing progress, and improving the quality and consistency of Five-Year Reviews conducted at federal sites where waste has been left in place and land use is restricted. Five-Year Reviews are required under Section 121(c) of CERCLA and EPA's role is to concur or make its own independent protectiveness determination. EPA has been working collaboratively with DoD, DOE, and Department of the Interior (DOI) to improve the technical quality, timeliness, and cost of the five-year review reports and to ensure engagement with pollution-burdened and underserved communities. In FY 2025, the Superfund Federal Facilities Program will review approximately 32 five-year review reports to fulfill statutory requirements and to inform the public about the protectiveness of remedies.

In FY 2025, the Superfund Federal Facilities Program will target the highest risk sites and focus on activities that bring human exposure and groundwater migration under control. In addition, EPA manages the Docket which contains information reported by federal facilities that manage hazardous waste or from which hazardous substances, pollutants, or contaminants have been or may be released. The Docket: 1) identifies all federal facilities that must be evaluated through the site assessment process; 2) determines whether they pose a risk to human health and the environment sufficient to warrant inclusion on the NPL; and 3) provides a mechanism to make the information available to the public. The Docket is updated semi-annually and has approximately 2,400 facilities listed. EPA anticipates additional engagement on non-NPL federal facilities on the Docket to address new information and ensure appropriate assessment and referral of these sites to appropriate cleanup programs.

### **Performance Measure Targets:**

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

### **FY 2025 Change from FY 2024 Annualized CR (Dollars in Thousands):**

- (+\$353.0) This change to fixed and other costs is an increase due to the recalculation of base payroll costs for existing FTE due to annual payroll increases, adjustments to provide essential workforce support, and changes to benefits costs.

- (+\$11,138.0 / -0.5 FTE) This net program change will help address critical gaps in EPA's ability to oversee DoD PFAS cleanup under CERCLA and to adjust core program capacity, including keeping pace with the Agency's oversight role at Federal Facility NPL sites.

**Statutory Authority:**

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

## **Superfund Special Accounts**

## Superfund Special Accounts

### Background

EPA has the authority to collect funds from parties to support Superfund investigations and cleanups. Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) authorizes EPA to retain and use funds received pursuant to a settlement agreement with a party to carry out the purpose of that agreement. Funds are deposited in Superfund special accounts for cleanup at the sites designated in individually negotiated settlement agreements. Through use of special accounts, EPA ensures responsible parties pay for cleanup so that annually appropriated resources from the Superfund Trust Fund, resources made available through the Infrastructure Investment and Jobs Act of 2021, and available Superfund tax receipts are generally conserved for sites where no viable or liable potentially responsible parties (PRPs) can be identified. Each account is set up separately and distinctly and may only be used for the sites and uses outlined in the settlement(s) with the party or parties.

Special accounts are sub-accounts in the Superfund Trust Fund. Pursuant to the specific agreements, which typically take the form of an Administrative Order on Consent or a Consent Decree, EPA uses special account funds to finance site-specific CERCLA response actions at the site for which the account was established. Of the current 1,336 Superfund sites listed as final on the National Priorities List, more than half do not have special account funds available for use. As special account funds may only be used for sites and uses specified in the settlement agreement, special account resources, Superfund tax receipts, and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

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

### FY 2023 Special Account Activity

Since the inception of special accounts through the end of FY 2023, EPA has collected approximately \$8.3 billion from parties and earned approximately \$895.9 million in interest. Approximately 61 percent of the funds have been disbursed or obligated for response actions at sites and plans have been developed to guide the future use of the remaining 39 percent of available special account funds. In addition, at sites with no additional work planned or costs to be incurred by EPA, EPA has transferred approximately \$65.8 million to the Superfund Trust Fund. As of the

end of FY 2023, approximately \$5.0 billion has been disbursed for site response actions and approximately \$596.3 million has been obligated but not yet disbursed.

The Agency continues to receive site-specific settlement funds that are placed in special accounts each year, so progress on actual obligation and disbursement of funds may not be apparent upon review solely of the cumulative available balance. In FY 2023, EPA deposited approximately \$185.3 million into special accounts and disbursed over \$186.4 million from special accounts (including reclassifications). At the end of FY 2023, the cumulative amount available in special accounts was over \$3.5 billion.

Special accounts vary in size. A limited set of accounts represent the majority of the funds available. At the end of FY 2023, 5 percent of open accounts had greater than \$10 million available and held approximately 70 percent of all available funds in open accounts. There are many accounts with lower available balances. 71 percent of all open accounts with up to \$1 million available represent approximately 5 percent of available funds in all open accounts.

The balance of over \$3.5 billion is not equivalent to an annual appropriation. Unlike annually appropriated, IJA, and Superfund tax funds, the funds collected under settlements and deposited in special accounts are intended to finance future response work at particular sites for the length of the project(s). EPA is carefully managing those funds that remain available for site response work and develops plans to utilize the available balance. EPA will continue to plan the use of funds received to conduct site-specific response activities or reclassify and/or transfer excess funds to the Superfund Trust Fund to make annually appropriated funds available for use at other Superfund sites.

For some Superfund sites, although funds are readily available in a special account, remedial action(s) selected for a site may take time to initiate and complete. The timeframe required to implement selected remedial actions for a site is driven largely by site-specific conditions, such as the specific requirements for special account use set forth in the settlement agreement, the stage of site cleanup, the viability of other responsible parties to conduct site cleanup, and the nature of the site contamination. EPA has plans to spend approximately \$981.2 million of currently available special account funds over the next five years, but funds also are planned much further into the future to continue activities, such as conducting five-year reviews or remedy optimization, at sites where waste has been left in place.

Over the past five fiscal years, EPA has obligated or disbursed approximately \$1.3 billion from special accounts (excluding reclassifications), resulting in the Superfund Program performing a significant amount of work in addition to work the Agency performed using annually appropriated and IJA funds. In FY 2023, EPA disbursed and obligated approximately \$365.0 million from special accounts (excluding reclassifications) for response work at more than 700 Superfund sites. Site-specific examples of this work include \$37.6 million to support work at the Old American Zinc Plant site in Illinois; \$35.5 million for the Cornell Dubilier Electronics Inc. site in New Jersey, \$26.5 million for the Bonita Peak Mining District site in Colorado, and \$25.1 million for the Tronox Navajo Area Uranium Mines (NAUM) Cove Station on the Navajo Nation. In the absence of special account funds, annually appropriated and/or IJA funds would have been necessary for these response actions to be funded. In other words, EPA was able to fund approximately \$365.0

million in response work at sites in addition to the work funded through appropriated and IJA funds obligated or disbursed in FY 2023.

The summary charts below provide additional information on the status of special accounts. Exhibit 1 illustrates the cumulative status of open and closed accounts, FY 2023 program activity, and planned multi-year uses of the available balance. Exhibit 2 provides the prior year (FY 2023), current year (FY 2024), and estimated future budget year (FY 2025) activity for special accounts. Exhibit 3 provides prior year data (FY 2023) by EPA regional offices to exhibit the geographic use of the funds.

**Exhibit 1: Summary of FY 2023 Special Account Transactions  
and Cumulative Multi-Year Plans for Using Available Special Account Funds**

<b>Account Status<sup>1</sup></b>		<b>Number of Accounts</b>
Cumulative Open		1,105
Cumulative Closed		518
<b>FY 2022 Special Account Activity</b>		<b>\$ in Thousands</b>
	Beginning Available Balance	\$3,600,504.1
	FY 2023 Activities	
	+ Receipts	\$185,340.5
	- Transfers to Superfund Trust Fund (Receipt Adjustment)	(\$6,825.3)
	+ Net Interest Earned	\$98,298.6
	- Net Change in Unliquidated Obligations	(\$179,769.1)
	- Disbursements - For EPA Incurred Costs	(\$172,768.9)
	- Disbursements - For Work Party Reimbursements under Final Settlements	(\$1,615.7)
	- Reclassifications	(\$12,017.4)
	End of Fiscal Year (EOFY) Available Balance <sup>2</sup>	\$3,511,146.8
<b>Multi-Year Plans for EOFY 2023 Available Balance<sup>3</sup></b>		<b>\$ in Thousands</b>
	2023 EOFY Available Balance	\$3,511,146.8
	- Estimates for Future EPA Site Activities based on Current Site Plans <sup>4</sup>	\$3,352,146.4
	- Estimates for Potential Disbursement to Work Parties Identified in Final Settlements <sup>5</sup>	\$86,164.5
	- Estimates for Reclassifications for FYs 2024-2026 <sup>6</sup>	\$32,206.5
	- Estimates for Transfers to Trust Fund for FYs 2024-2026 <sup>6</sup>	\$22,390.8
	- Available Balance to be Planned for Site-Specific Response <sup>7</sup>	\$18,238.5

<sup>1</sup> FY 2023 data is as of 10/01/2023. The Beginning Available Balance is as of 10/02/2022.

<sup>2</sup> Numbers may not add due to rounding.

<sup>3</sup> Planning data were recorded in the Superfund Enterprise Management System (SEMS) as of 10/30/2023 in reference to special account available balances as of 10/01/2023.

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

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

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

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

**Exhibit 2: Actual and Estimated Special Account Transactions FY 2023 – FY 2025<sup>1</sup>**

	FY 2023	FY 2024 estimate	FY 2025 estimate
	<b>\$ in Thousands</b>		
Beginning Available Balance	\$3,600,504.1	\$3,511,146.8	\$3,669,719.1
Receipts <sup>1</sup>	\$185,340.5	\$350,000.0	\$350,000.0
Transfers to Trust Fund (Receipt Adjustment) <sup>2</sup>	(\$6,825.3)	(\$7,429.0)	(\$7,429.0)
Net Interest Earned <sup>3</sup>	\$98,298.6	\$100,000.0	\$100,000.0
Net Obligations <sup>2,4</sup>	(\$354,153.7)	(\$269,624.7)	(\$269,624.7)
Reclassifications <sup>2</sup>	(\$12,017.4)	(\$14,374.0)	(\$14,374.0)
End of Year Available Balance <sup>5</sup>	\$3,511,146.8	\$3,669,719.1	\$3,828,291.4

<sup>1</sup> The estimates for Receipts are in line with more typical years.

<sup>2</sup> The estimates for Transfers to Trust Fund, Net Obligations, and Reclassifications are based on a three-year historical average.

<sup>3</sup> Net interest earned in FY 2024 and FY 2025 are estimated utilizing economic assumptions for the FY 2025 President's Budget.

<sup>4</sup> Net Obligations reflect special account funds no longer available for obligation, excluding reclassifications and receipts transferred to the Trust Fund.

<sup>5</sup> Numbers may not add due to rounding.

**Exhibit 3: FY 2023 Special Account Transactions by EPA Regional Offices**  
*\$ in Thousands*

	Beginning Available Balance	Receipts	Transfers to Trust Fund (Receipt Adjustment)	Net Interest Earned	Net Obligations	Reclassifications	End of Year Available Balance <sup>1,2</sup>
Region 1	\$166,708.8	\$6,546.2	(\$5,864.0)	\$4,712.6	(\$3,678.7)	(\$3,031.8)	\$165,393.1
Region 2	\$519,118.1	\$18,492.7	\$0.0	\$15,699.5	(\$108,995.0)	(\$2,679.9)	\$441,635.3
Region 3	\$155,853.5	\$5,604.1	(\$4.1)	\$4,471.8	(\$18,552.0)	(\$416.1)	\$146,957.2
Region 4	\$60,208.1	\$6,034.0	(\$0.9)	\$1,615.5	(\$7,323.0)	(\$805.5)	\$59,728.1
Region 5	\$496,886.9	\$44,895.4	(\$18.9)	\$12,009.3	(\$57,443.4)	(\$360.5)	\$495,968.8
Region 6	\$417,809.1	\$6,206.4	(\$289.8)	\$10,460.2	(\$8,196.6)	(\$861.2)	\$425,128.1
Region 7	\$130,741.5	\$5,672.0	(\$145.2)	\$3,573.8	(\$9,098.2)	(\$1,006.3)	\$129,737.6
Region 8	\$352,082.6	\$62,980.0	(\$26.1)	\$10,986.5	(\$54,579.5)	(\$1,732.7)	\$369,710.9
Region 9	\$1,134,267.1	\$14,906.3	(\$61.8)	\$29,436.9	(\$64,332.3)	(\$634.6)	\$1,113,581.7
Region 10	\$166,828.4	\$14,003.4	(\$414.6)	\$5,332.5	(\$21,955.0)	(\$488.8)	\$163,305.9
<b>Total</b>	\$3,600,504.1	\$185,340.5	(\$6,825.3)	\$98,298.6	(\$354,153.7)	(\$12,017.4)	\$3,511,146.8

<sup>1</sup> FY 2023 data is as of 10/01/2023. The Beginning Available Balance is as of 10/02/2022.

<sup>2</sup> Numbers may not add due to rounding.

## **Superfund Tax Receipts**

## Superfund Tax Receipts

(Dollars in Thousands)

	FY 2023	FY 2024 Estimated Collections Available <sup>103</sup>	FY 2025 Estimates of Collections to Be Available <sup>104</sup>
Superfund Chemical Taxes	\$159,777	\$472,793	\$1,152,000
Superfund Taxes on Oil and Petroleum Products	\$0	\$732,075	\$1,022,000
<b>Hazardous Substance Superfund Tax Total Receipts</b>	<b>\$159,777</b>	<b>\$1,204,868</b>	<b>\$2,174,000</b>

### Background

On November 15, 2021, the Infrastructure Investment and Jobs Act (IIJA), P.L. 117-58, reinstated and modified the excise taxes on certain listed chemicals and imported substances that use as materials in their manufacture or production one or more of those listed chemicals (“Superfund chemical taxes”).<sup>105</sup> The Superfund chemical taxes went into effect beginning July 1, 2022, and will expire on December 31, 2031. On August 16, 2022, the Inflation Reduction Act (IRA), (P.L. 117-169), reinstated and modified the taxes on oil and petroleum products. The oil and petroleum taxes went into effect on January 1, 2023. On December 29, 2022, the Consolidated Appropriations Act, 2023 (P.L. 117-328) included legislative language that allows all tax receipts collected in the Superfund Trust Fund from the prior fiscal year to be available to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) without further congressional appropriation and to be designated as emergency funding.

### FY 2023 Superfund Tax Receipts Activity

In August 2023, EPA issued approximately \$159.8 million in realized collections from the prior year to advance priority work across the Agency’s Superfund programs. Of these resources, \$104 million went to the Superfund Emergency Response and Removal Program, the Superfund Remedial Program, and the Superfund Federal Facilities Program. Some of the major program investments included: \$30 million for emergency work in East Palestine to meet commitments to the community for EPA oversight; \$42.7 million to focus on additional lead soil removal and ensure protection at established levels; more than \$20.6 million to expand capacity to complete additional Superfund removals arising from State referrals and lead; \$4.8 million to keep pace with the growing cleanup oversight workload at Superfund Federal Facility sites; and \$3 million to support work on abandoned uranium mines. In addition, more than \$26.1 million has been invested in the Superfund Enforcement and Superfund Federal Facilities Enforcement programs to continue the Agency’s “enforcement first” approach at private sites before turning to a Fund-lead cleanup, and to address current needs and emerging challenges regarding Superfund enforcement work at

<sup>103</sup> Estimate provided by the U.S. Treasury Bureau of the Fiscal Service as of September 30, 2023: <https://treasurydirect.gov/ftp/dfi/tfmb/dfihs0923.pdf>. The final amount collected in FY 2023 will be determined by the U.S. Treasury in the 2nd quarter FY 2024.

<sup>104</sup> Estimates are developed by the U.S. Treasury and based on their economic assumptions.

<sup>105</sup> The original Superfund taxes expired on December 31, 1995, and applied to crude oil and imported petroleum products, chemicals used in the production of hazardous substances listed in Title 26 section 4661 and imported substances that use hazardous chemicals as a feedstock, and corporate modified alternative minimum taxable income more than \$2 million a year.

federal facilities, such as addressing per- and polyfluorinated substances (PFAS) contamination at and near many federal facility National Priorities List (NPL) sites. EPA will continue to prioritize the Superfund tax receipts to support site-specific response activities. Superfund tax receipts, special accounts, and annually appropriated resources are critical to the Superfund Program to clean up Superfund sites.

### **FY 2024 and FY 2025 Superfund Tax Receipt Activity**

As the Superfund Taxes were only recently passed, there is much uncertainty concerning the projected collections each year. As of September 30, 2023, there is an estimated \$1.205 billion of tax receipts in the Superfund Trust Fund which are available to utilize in FY 2024.<sup>106</sup> EPA is in the process of developing its budget priorities for the Superfund tax receipts available in FY 2024. EPA will utilize the Superfund tax receipts to implement CERCLA and continue to plan for the use of available tax receipts in FY 2025.

In FY 2024, the U.S. Treasury forecasts collecting a total of \$2.17 billion in Superfund tax receipts which will be available for use in FY 2025. The FY 2025 President's Budget proposes to transition the Superfund Emergency Response and Removal and the Superfund Enforcement programs solely to the Superfund tax receipts, while Superfund Remedial will be partially transitioned to the tax receipts. EPA anticipates sufficiently funding these programs from the tax receipts to support mission critical functions. EPA will then evaluate available budgets and resources across the Agency's Superfund programs to determine the most appropriate use of the tax receipts. EPA will prioritize the Superfund tax receipts to leverage all funding available to continue to clean up NPL sites at their optimal pace. The Agency will continue its "enforcement first" policy to pursue and compel responsible parties to conduct response work or finance cleanups. By doing so, annually appropriated and Superfund tax receipt resources will be conserved for cleanups at sites and activities where potentially responsible party (PRP) resources are not available. This will allow the Agency to maximize progress in returning sites to community use, as well as allow the Agency to implement agency initiatives (e.g., Environmental Justice (EJ), PFAS, and lead). EPA also will continue to start new construction projects to avoid the creation of another backlog of new construction projects awaiting funding to start; more efficiently fund ongoing construction projects; promptly address emergency and short-term CERCLA response actions; and implement Administration and Agency priorities (e.g., EJ, per- and polyfluorinated substances, lead, etc.).

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<sup>106</sup> Please see: <https://treasurydirect.gov/ftp/dfi/tfmb/dfihs0923.pdf>. The final amount collected in FY 2023 will be determined by the U.S Treasury in the 2nd quarter FY 2024.