

2016 Explanatory Notes
Hazardous Materials Management Program

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HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Purpose Statement

The Hazardous Materials Management Program (HMMP) provides leadership in six key environmental areas: (1) establishing annual funding priorities and funding hazardous material cleanups on USDA-managed lands and sites contaminated from past activities; (2) developing Departmental policies on environmental management systems, pollution prevention, and environmental compliance; (3) coordinating implementation of environmental management systems; (4) planning for, evaluating, and responding to natural and other incidents affecting the natural and built environment; (5) ensuring that USDA minimizes environmental liabilities associated with property transfers; and (6) representing USDA, which serves as a key Federal partner, in the national Brownfields program. Requirements, criteria, and procedures of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), and other environmental requirements guide decision making. The program also supports homeland security objectives by representing USDA on the National Response Team for oil and hazardous substance releases and several emergency support functions under the National Response Plan. HMMP also supports natural resources stewardship, quality-of-life goals for rural America, and Brownfields and Mine-Scarred Lands initiatives under the Small Business Liability Relief and Brownfields Revitalization Act.

The HMMP is headquartered in Washington, D.C. As of September 30, 2014, there were seven permanent full-time employees, with six located in the national office and one located in a field office.

GAO – Completed

#36148107-10-14

Programs to Clean Contaminated Federal Properties

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Available Funds and Staff Years (SYs)
(Dollars in thousands)

Item	2013 Actual		2014 Actual		2015 Enacted		2016 Estimate	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Salaries and Expenses:								
Discretionary Appropriations.....	\$3,992	6	\$3,592	7	\$3,600	7	\$3,630	7
Rescission.....	-108	-	-	-	-	-	-	-
Sequestration.....	-181	-	-	-	-	-	-	-
Adjusted Appropriation.....	3,703	6	3,592	7	3,600	7	3,630	7
Balance Available, SOY.....	1,213	-	1,345	-	656	-	-	-
Other Adjustments (Net).....	1,312	-	471	-	-	-	-	-
Total Available.....	6,228	6	5,408	7	4,256	7	3,630	7
Balance Available, EOY.....	-1,345	-	-656	-	-	-	-	-
Obligations.....	4,883	6	4,752	7	4,256	7	3,630	7

Permanent Positions by Grade and Staff Year Summary

Item	2013 Actual			2014 Actual			2015 Enacted			2016 Estimate		
	D.C.	Field	Total	D.C.	Field	Total	D.C.	Field	Total	D.C.	Field	Total
GS-15.....	2	-	2	1	-	1	1	-	1	1	-	1
GS-14.....	2	1	3	3	1	4	3	1	4	3	1	4
GS-9.....	-	-	-	1	-	1	1	-	1	1	-	1
GS-7.....	1	-	1	1	-	1	1	-	1	1	-	1
Total Perm.												
Positions.....	5	1	6	6	1	7	6	1	7	6	1	7
Unfilled, EOY.....	-	-	-	-	-	-	-	-	-	-	-	-
Total, Perm.												
Full-Time												
Employment,												
EOY.....	5	1	6	6	1	7	3	1	7	6	1	7
Staff Year Est.....	5	1	6	6	1	7	6	1	7	6	1	7

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

The estimates include appropriations language for this item as follows (new language underscored; deleted matter enclosed in brackets):

Hazardous Materials Management Program
(Including Transfer of Funds)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), [~~\$3,600,000~~] \$3,630,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

Lead-Off Tabular Statement

Budget Estimate, 2016.....	\$3,630,000
2015 Enacted.....	3,600,000
Change in Appropriation.....	<u>+ 30,000</u>

Summary of Increases and Decreases
(Dollars in thousands)

	2013 Actual	2014 Change	2015 Change	2016 Change	2016 Estimate
Discretionary Appropriations:					
Hazardous Materials Management Program.....	\$3,703	-\$111	+\$8	+\$30	\$3,630

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Project Statement

Adjusted Appropriations Detail and Staff Years (SYs)
(Dollars in thousands)

Program	<u>2013 Actual</u>		<u>2014 Actual</u>		<u>2015 Enacted</u>		<u>Inc. or Dec.</u>		<u>2016 Estimate</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Appropriations:										
Hazardous Materials Mgt.....	\$3,703	6	\$3,592	7	\$3,600	7	+30	-	\$3,630	7
Total Adjusted Approp.....	3,703	6	3,592	7	3,600	7	+30	-	3,630	7
Rescissions, Transfers, and Seq. (Net).....										
	289	-	-	-	-	-	-	-	-	-
Total Appropriation.....	3,992	6	3,592	7	3,600	7	+30	-	3,630	7
Rescission.....	-108	-	-	-	-	-	-	-	-	-
Sequestration.....	-181	-	-	-	-	-	-	-	-	-
Bal. Available, SOY.....	1,213	-	1,345	-	656	-	-656	-	-	-
Recoveries, Other (Net).....	1,312	-	471	-	-	-	-	-	-	-
Total Available.....	6,228	6	5,408	7	4,256	7	-626	-	3,630	7
Bal. Available, EOY.....	-1,345	-	-656	-	-	-	-	-	-	-
Total Obligations.....	4,883	6	4,752	7	4,256	7	-626	-	3,630	7

Project Statement

Obligations Detail and Staff Years (SYs)
(Dollars in thousands)

Program	<u>2013 Actual</u>		<u>2014 Actual</u>		<u>2015 Enacted</u>		<u>Inc. or Dec.</u>		<u>2016 Estimate</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Obligations:										
Hazardous Materials Mgt.....	\$4,883	6	\$4,752	7	\$4,256	7	-\$626	-	\$3,630	7
Total Obligations.....	4,883	6	4,752	7	4,256	7	-626	-	3,630	7
Bal. Available, EOY.....	1,345	-	656	-	-	-	-	-	-	-
Total Available.....	6,228	6	5,408	7	4,256	7	-626	-	3,630	7
Rescission.....	108	-	-	-	-	-	-	-	-	-
Sequestration.....	181	-	-	-	-	-	-	-	-	-
Bal. Available, SOY.....	-1,213	-	-1,345	-	-656	-	+656	-	-	-
Other Adjustments (Net).....	-1,312	-	-471	-	-	-	-	-	-	-
Total Appropriation.....	3,992	6	3,592	7	3,600	7	+30	-	3,630	7

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Justification of Increases and Decreases

- (1) An increase of \$30,000 for Hazardous Materials Management Program (\$3,600,000 and 7 staff years available in 2015).

Base funding is critical to the continued oversight, guidance, planning, and coordination of Department-wide efforts to advance the cleanup and site remediation activities of USDA agencies under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA) efforts. Further, the account pays for legal activities performed by the Office of the General Counsel staff to fix responsibility for pollution cleanup and recover costs from responsible parties. Monetary judgments awarded the Department resulting from these legal activities not only go to the individual USDA agency that has performed or contracted for cleanup work, proportional amounts are also credited to the Hazardous Materials Management account based on the value of legal services performed. In addition to the activities and functions specifically described in the budget request, current year and budget year base funds will be used to carry out activities and functions consistent with the full range of authorities and activities delegated to the office.

The funding change is requested for the following items:

- a. An increase of \$12,000 for pay costs (\$2,000 for annualization of the 2015 pay increase and \$10,000 for the 2016 pay increase).

This increase is needed to maintain the current level of staffing to ensure that the program can continue to provide leadership and coordination of Department-wide hazardous material cleanup efforts.

- b. An increase of \$18,000 for high-priority cleanup activities.

This increase will help enable HMMP cleanup efforts at USDA priority sites such as the Beltsville Agricultural Research Center, the Farm Service Agency's contaminated grain storage sites, and other designated sites that pose the greatest threats to human life and safety.

Geographic Breakdown of Obligations and Staff Years (Dollars in thousands and Staff Years (SYs))

State/Territory	2013 Actual		2014 Actual		2015 Enacted		2016 Estimate	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Colorado.....	\$177	1	\$172	1	\$174	1	\$176	1
District of Columbia.....	4,706	5	4,580	6	4,082	6	3,454	6
Obligations.....	4,883	6	4,752	7	4,256	7	3,630	7
Bal. Available, EOY.....	1,345	-	656	-	-	-	-	-
Total, Available.....	6,228	6	5,408	7	4,256	7	3,630	7

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Classification by Objects

(Dollars in thousands)

		2013	2014	2015	2016
		<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Estimate</u>
Personnel Compensation:					
	Washington D.C.....	\$643	\$617	\$629	\$648
	Field.....	135	135	136	137
11	Total personnel compensation.....	778	752	765	785
12	Personal benefits.....	177	183	187	191
	Total, personnel comp. and benefits.....	955	935	952	976
Other Objects:					
21.0	Travel and transportation of persons.....	11	18	11	11
23.3	Communications, utilities, and misc. charges...	14	25	14	14
24.0	Printing and reproduction.....	5	5	5	5
25	Other contractual services.....	6	34	40	40
25.3	Other purchases of goods and services				
	from Federal sources.....	3,891	3,732	3,231	2,581
26.0	Supplies and materials.....	-	1	1	1
31.0	Equipment.....	1	2	2	2
	Total, Other Objects.....	3,928	3,817	3,304	2,654
99.9	Total, new obligations.....	4,883	4,752	4,256	3,630
Position Data:					
	Average Salary (dollars), GS Position.....	\$130,000	\$107,000	\$109,000	\$113,000
	Average Grade, GS Position.....	14.7	14.1	14.2	14.2

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Status of Programs

Current Activities:

The Hazardous Materials Management Program (HMMP) provides leadership, policy development, and oversight of USDA's implementation of the nation's two primary statutes governing hazardous materials compliance: the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, 42 U.S.C. 9601 et seq.) and the Resource Conservation and Recovery Act (RCRA, 42 U.S.C. 6901 et seq.). Funds are appropriated yearly to HMMA for use in meeting requirements of CERCLA and RCRA on Federal and non-Federal lands.

HMMP continues to devote available funding to cleanup projects that pose the greatest risk to human health and the environment. In 2014, HMMP obligated \$2,187,500 to fund three cleanup projects at the Agricultural Research Service, Farm Service Agency, and Forest Service. HMMP continues its efforts to reduce USDA's environmental liabilities by reviewing environmental assessments for land transactions involving significant environmental concerns. HMMP continues to leverage HMMA dollars via environmental enforcement against and cost recovery from responsible parties.

A portion of the account is used to fund staff within the Office of Procurement and Property Management (OPPM) and within the Office of the General Counsel (OGC). Program staff provide Departmental leadership through the development and implementation of policy and guidance, and provide oversight of the CERCLA and RCRA activities of the Department. OGC develops agreements for reimbursement and cleanup work by parties responsible for contamination on Federal lands managed by the Department and provides legal assistance for the program.

Selected Examples of Recent Progress:

- Made substantial progress on a multimillion dollar remediation at the low-level radioactive waste burial site at the Beltsville Agricultural Research Center. The project is now nearly complete. This facility is on the U.S. Environmental Protection Agency's (EPA's) National Priorities List, EPA's list of the Nation's worst contaminated sites on private and Federal land.
- Funded the Farm Service Agency's cleanup of carbon tetrachloride-contaminated groundwater in the vicinity of Hanover, Kansas. The carbon tetrachloride contamination is not only a concern for area drinking water supplies, it is known to express itself as a toxic vapor in homes and businesses. The agency has already installed vapor mitigation systems in five homes. The money provided in 2014 will partially fund a groundwater extraction and treatment system. HMMP did not have enough available appropriated dollars to fully fund the cleanup system this year.
- Contributed funds to the Forest Service cleanup of the Telegraph and Foxtail mines. These mines are adjacent to the Gila River in New Mexico and contain arsenic at levels 200 times EPA action levels. Before these mines were cleaned up, the arsenic contaminated material was a danger to those recreating in the area. During rain or dust storms, the material was being carried downstream or downwind to local ranches and a village.
- Represented USDA on the interagency National Response Team to develop policies on Federal preparedness, training, and response to releases of oil and hazardous substances resulting from natural and man-made disasters.
- Reviewed over a dozen proposed USDA property transfers to minimize potential environmental liabilities.

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Summary of Budget and Performance Statement of Department Goals and Objectives

The Hazardous Materials Management Program (HMMP) provides leadership in six key environmental areas: (1) establishing annual funding priorities and funding hazardous material cleanups on USDA-managed lands and sites contaminated from past activities; (2) developing Departmental policies on environmental management systems, pollution prevention, and environmental compliance; (3) coordinating implementation of environmental management systems; (4) planning for, evaluating, and responding to natural and other incidents affecting the natural and built environment; (5) ensuring that USDA minimizes environmental liabilities associated with property transfers; and (6) representing USDA, which serves as a key Federal partner, in the national Brownfields program.

Hazardous Materials Management has one strategic goal and one objective that contribute to one of the Department's strategic goals.

USDA Strategic Goal: Ensure Our National Forests and Private Working Lands Are Conserved, Restored, and Made More Resilient to Climate Change, While Enhancing Our Water Resources.

USDA Strategic Objectives: Improve the Health of the Nation's Forests, Grasslands, and Working Lands by Managing our Natural Resources. (Objective 2.1)
Contribute to Clean and Abundant Water by Protecting and Enhancing Water Resources on National Forests and Working Lands. (Objective 2.3)

<u>Agency Strategic Goal</u>	<u>Agency Objective</u>	<u>Programs that Contribute</u>	<u>Key Outcome</u>
Improve the Health of the Nation's Forests, Grasslands, and Working Lands by Managing our Natural Resources.	Promote the efficient and economical use of USDA's resources to support customers, promote organizational productivity, and ensure accountability.	Hazardous Materials Management Program	Protect public health and natural resources by addressing hazardous materials contamination on lands under USDA jurisdiction, custody, or control.

Key Performance Measure:

Percent of available HMM resources distributed to priority cleanup activities							
	2010 Actual	2011 Actual	2012 Actual	2013 Actual	2014 Actual	2015 Target	2016 Target
Percent	100%	100%	100%	100%	100%	100%	100%
Cost*	\$3,946	\$5,356	\$2,545	\$3,842	\$3,683	\$3,182	\$2,532

*Amounts in thousands

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Selected Past Accomplishments towards Achievements of the Key Outcome:

- As of January 2015, USDA has spent \$46 million for investigations and cleanups at Beltsville Agricultural Research Center (BARC) since cleanup began in 1988. This facility is on the U.S. Environmental Protection Agency's (EPA) National Priorities List (NPL), EPA's list of the Nation's worst contaminated sites on private and Federal land.
- Nearly completed a multimillion dollar remediation at the low-level radioactive waste burial site at BARC.
- Funded the Farm Service Agency's cleanup of carbon tetrachloride-contaminated groundwater in the vicinity of Hanover, Kansas. The carbon tetrachloride contamination is not only a concern for area drinking water supplies, but also known to express itself as a toxic vapor in homes and businesses. The money provided in FY 2014 partially funded a groundwater extraction and treatment system.
- Also in 2014, six agreements were completed to recover costs or require responsible parties to conduct work to address contamination on USDA managed lands or at USDA facilities. The value of the cost recovery, combined with work the responsible parties conducted, was over \$106 million.

Selected Accomplishments Expected at the 2016 Proposed Resource Level:

- HMMP will be used to continue site investigations and cleanup actions at USDA priority sites such as the BARC, and the Farm Service agencies contaminated grain storage sites as well as other designated NPL sites or priority sites that pose the greatest threats to human life and safety.
- HMMP will also develop and implement policy and guidance; pursue and monitor enforcement agreements with potentially responsible parties and provide funding for investigations, cleanup and restoration at other high priority USDA contaminated sites.
- The Office of the General Counsel, Pollution Control Team will continue to search for responsible parties to fund the investigation and cleanup of sites on USDA managed lands and at USDA facilities.

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Strategic Goal Funding Matrix
(Dollars in thousands)

<u>Program/ Program Items</u>	<u>2013</u> <u>Actual</u>	<u>2014</u> <u>Actual</u>	<u>2015</u> <u>Enacted</u>	<u>Increase or</u> <u>Decrease</u>	<u>2016</u> <u>Estimate</u>
Department Strategic Goal: Ensure our National Forests and Private Working Lands are Conserved, Restored, and Made More Resilient to Climate Change, While Enhancing Our Water Resources.					
Departmental Objective 2.1: Improve the Health of the Nation's Forests, Grasslands, and Working Lands by Managing our Natural Resources.					
Departmental Objective 2.3: Contribute to Clean and Abundant Water by Protecting and Enhancing Water Resources on National Forests and Working Lands.					
Hazardous Materials Management.....	\$3,703	\$3,592	\$3,600	\$30	\$3,630
Staff Years.....	6	7	7	-	7

Full Cost by Department Strategic Goal
(Dollars in thousands)

Department Strategic Goal: Ensure our national forests and private working lands are conserved, restored, and made more resilient to climate change, while enhancing our water resources.

<u>Program/ Program Items</u>	<u>2013</u> <u>Actual</u>	<u>2014</u> <u>Actual</u>	<u>2015</u> <u>Enacted</u>	<u>2016</u> <u>Estimate</u>
<u>Program 1</u>				
CLERLA and RCRA activities.....	\$3,842	\$3,683	\$3,182	\$2,532
Administrative costs (direct).....	1,041	1,069	1,074	1,098
Total Costs.....	4,883	4,752	4,256	3,630
FTEs.....	6	7	7	7
Performance Measure:				
Percent of available HMM resources distributed to priority cleanup activities	100%	100%	100%	100%
Cost per measure (unit cost).....	3,842	3,683	3,182	2,532
Total Costs, All Strategic Goals.....	3,842	3,683	3,182	2,532
Total FTEs, All Strategic Goals.....	6	7	7	7