

## DEPARTMENTAL MANAGEMENT

### 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, 2012, there were six permanent full-time employees, with five located in the national office and one located in a field office.

HMMP did not have any Office of Inspector General or Government Accountability Office evaluation reports during the past year.

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

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

Item	2011 Actual		2012 Actual		2013 Estimate		2014 Estimate	
	Amount	SY	Amount	SY	Amount	SY	Amount	SY
Salaries and Expenses:								
Discretionary Appropriations.....	\$4,000	6	\$3,592	6	\$3,614	7	\$3,600	7
Rescission.....	-8	-	-	-	-	-	-	-
Adjusted Appropriation.....	3,992	6	3,592	6	3,614	7	3,600	7
Balance Available, SOY.....	453	-	547	-	1,213	-	-	-
Other Adjustments (Net).....	2,482	-	843	-	-	-	-	-
Total Available.....	6,927	6	4,982	6	4,827	7	3,600	7
Balance Available, EOY.....	-547	-	-1,213	-	-	-	-	-
Subtotal Obligations, HMM.....	6,380	6	3,769	6	4,827	7	3,600	7

Permanent Positions by Grade and Staff Year Summary

Item	2011 Actual			2012 Actual			2013 Estimate			2014 Estimate		
	Wash.		Total	Wash.		Total	Wash.		Total	Wash.		Total
	D.C.	Field		D.C.	Field		D.C.	Field		D.C.	Field	
GS-15.....	2	-	2	2	-	2	2	-	2	2	-	2
GS-14.....	3	1	4	3	1	4	3	1	4	3	1	4
GS-7.....	1	-	1	1	-	1	1	-	1	1	-	1
Total Perm.												
Positions.....	6	1	7	6	1	7	6	1	7	6	1	7
Unfilled, EOY.....	1	-	1	1	-	1	-	-	-	-	-	-
Total, Perm.												
Full-Time												
Employment,												
EOY.....	5	1	6	5	1	6	6	1	7	6	1	7
Staff Year Estimate....	5	1	6	5	1	6	6	1	7	6	1	7

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

The estimates include appropriations language for this item as follows:

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, 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  
(Dollars in thousands)

2013 Estimate.....	\$3,614,000
Budget Estimate, 2014.....	<u>3,600,000</u>
Change in Appropriation.....	<u>-14,000</u>

Summary of Increases and Decreases  
(Dollars in thousands)

	<u>2011</u> <u>Actual</u>	<u>2011</u> <u>Change</u>	<u>2012</u> <u>Change</u>	<u>2013</u> <u>Change</u>	<u>2014</u> <u>Estimate</u>
Discretionary Appropriations:					
Hazardous Materials Management Program.....	\$3,992	-\$400	+\$22	-\$14	\$3,600

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Project Statement  
Appropriations Detail and Staff Years (SY)  
(Dollars in thousands)

Program	2011 Actual		2012 Actual		2013 Estimate		Inc. or Dec.		2014 Estimate	
	Amount	SY	Amount	SY	Amount	SY	Amount	SY	Amount	SY
Discretionary Appropriations:										
Hazardous Materials Mgt.....	\$3,992	6	\$3,592	6	\$3,614	7	-\$14 (1)	-	\$3,600	7
Total Adjusted Approp.....	3,992	6	3,592	6	3,614	7	-14	-	3,600	7
Rescissions and										
Transfers (Net).....	8	-	-	-	-	-	-	-	-	-
Total Appropriation.....	4,000	6	3,592	6	3,614	7	-14	-	3,600	7
Rescission.....	-8	-	-	-	-	-	-	-	-	-
Bal. Available, SOY.....	453	-	547	-	1,213	-	-1,213	-	-	-
Recoveries, Other (Net).....	2,482	-	843	-	-	-	-	-	-	-
Total Available.....	6,927	6	4,982	6	4,827	7	-1,227	-	3,600	7
Bal. Available, EOY.....	-547	-	-1,213	-	-	-	-	-	-	-
Total Obligations.....	6,380	6	3,769	6	4,827	7	-1,227	-	3,600	7

Project Statement  
Obligations Detail and Staff Years (SY)  
(Dollars in thousands)

Program	2011 Actual		2012 Actual		2013 Estimate		Inc. or Dec.		2014 Estimate	
	Amount	SY	Amount	SY	Amount	SY	Amount	SY	Amount	SY
Discretionary Obligations:										
Hazardous Materials Mgt.....	\$6,380	6	\$3,769	6	\$4,827	7	-\$1,227	-	\$3,600	7
Total Obligations.....	6,380	6	3,769	6	4,827	7	-1,227	-	3,600	7
Bal. Available, EOY.....	547	-	1,213	-	-	-	-	-	-	-
Total Available.....	6,927	6	4,982	6	4,827	7	-1,227	-	3,600	7
Rescission.....	8	-	-	-	-	-	-	-	-	-
Bal. Available, SOY.....	-453	-	-547	-	-1,213	-	+1,213	-	-	-
Other Adjustments (Net).....	-2,482	-	-843	-	-	-	-	-	-	-
Total Appropriation.....	4,000	6	3,592	6	3,614	7	-14	-	3,600	7

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Justification of Increases and Decreases

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 credited to the Hazardous Materials Management account based on the value of legal services performed.

- (1) A net decrease of \$14,000 (\$3,614,000 and 7 staff years available in 2013) for the Hazardous Materials Management Program.
- (a) An increase of \$8,000 for pay costs which includes \$1,000 for annualization of the 2013 pay increase and \$7,000 for the 2014 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) A decrease of \$22,000 for cost recovery efforts from responsible parties to pay for site remediation and for cleanup activities. Each year, the Office of Procurement and Policy Management's Environmental Management Division evaluates and prioritizes proposed projects for protection of human health and the environment and for public benefit. Funding for cleanup and oversight activities at USDA facilities in Maryland and Missouri that are on the U.S. Environmental Protection Agency's National Priorities List of the Nation's worst contaminated sites on private and Federal land, will be reduced by \$22,000.

Geographic Breakdown of Obligations and Staff Years

(Dollars in thousands)

State/Territory	2011 Actual		2012 Actual		2013 Estimate		2014 Estimate	
	Amount	SY	Amount	SY	Amount	SY	Amount	SY
Colorado.....	\$170	1	\$170	1	\$173	1	\$175	1
District of Columbia.....	6,210	5	3,599	5	4,654	6	3,425	6
Obligations.....	6,380	6	3,769	6	4,827	7	3,600	7
Bal. Available, EOY.....	547	-	1,213	-	-	-	-	-
Total, Available.....	6,927	6	4,982	6	4,827	7	3,600	7

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Classification by Objects

(Dollars in thousands)

		2011	2012	2013	2014
		<u>Actual</u>	<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
Personnel Compensation:					
	Washington D.C.....	\$694	\$635	\$750	\$765
	Field.....	131	133	136	140
11	Total personnel compensation.....	825	768	886	905
12	Personal benefits.....	144	157	183	187
	Total, personnel comp. and benefits.....	969	925	1,069	1,092
Other Objects:					
21.0	Travel and transportation of persons.....	25	18	18	18
23.3	Communications, utilities, and misc. charges...	26	8	8	8
24.0	Printing and reproduction.....	2	2	2	2
25	Other contractual services.....	-	40	50	50
25.3	Other purchases of goods and services				
	from Federal sources.....	5,356	2,769	3,673	2,423
26.0	Supplies and materials.....	1	6	6	6
31.0	Equipment.....	1	1	1	1
	Total, Other Objects.....	5,411	2,844	3,758	2,508
99.9	Total, new obligations.....	6,380	3,769	4,827	3,600
Position Data:					
	Average Salary (dollars), GS Position.....	\$137,500	\$128,000	\$126,500	\$129,500
	Average Grade, GS Position.....	15.4	14.7	14.7	14.7

DEPARTMENTAL MANAGEMENT  
HAZARDOUS MATERIALS MANAGEMENT PROGRAM  
STATUS OF PROGRAM

The Hazardous Materials Management account centrally funds the necessary expenses of the Department to implement 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 transferred to agencies of the Department for use in meeting requirements of CERCLA and RCRA on Federal and non-Federal lands. 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 provides 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.

Current Activities:

Each year, OPPM's Environmental Management Division (EMD) evaluates and prioritizes proposed projects for protection of human health and the environment and for public benefit. In 2012, OPPM funded cleanup and oversight activities at a USDA facility in Maryland on the U.S. Environmental Protection Agency's (EPA's) National Priorities List (NPL), EPA's list of the Nation's worst contaminated sites on private and Federal land.

In 2012, eighteen 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, is over \$9,012,000.

Selected Examples of Recent Progress:

EPA listed USDA's Beltsville Agricultural Research Center (BARC) on the NPL in 1994. EPA is overseeing USDA's cleanup activities at the facility pursuant to an enforceable Federal Facilities Agreement between USDA and EPA. With EPA oversight, USDA's Agricultural Research Service (ARS) is evaluating and remediating over a dozen areas of concern on BARC that are contaminated or threaten to contaminate ground and surface water with pesticides, solvents, metals, and other hazardous substances. Surface water from BARC flows to the Anacostia River and eventually to the Potomac River and the Chesapeake Bay. Fisheries in the creek known as the Northeast Branch and the Anacostia River provide habitat for numerous species and supply aquatic habitat for the USDA National Arboretum and several National Park Service units. As of October 2012, USDA has spent \$44 million for investigations and cleanups at BARC. EPA has determined that ARS has adequately addressed threats to human health and the environment at 47 areas of concern and agreed that the 48<sup>th</sup> area is ready to be reviewed for a no-further-action determination. EPA is requiring additional response actions at 14 areas of concern. ARS estimates that an additional \$21 million is needed to complete the ongoing investigations, remaining cleanups, and annual monitoring at BARC.

From the late 1940s until 1987, USDA used one area of BARC for the disposal of low-level radioactive waste and these radioactive wastes have contaminated nearby groundwater. In 2012, the Nuclear Regulatory Commission (NRC) approved the decommissioning plan for the low-level radioactive waste disposal facility clearing the way for USDA to begin the cleanup starting in January 2013. Once the cleanup is completed, both NRC and EPA will need to confirm that USDA has addressed all contaminants of concern at the low-level radioactive disposal facility. In September 2011, EPA and ARS signed a Record of Decision to implement the remedy at another area of concern on BARC-- the Beaver Dam Road landfill. ARS will implement the selected remedy, a bio wall, during the Spring of 2013. This bio wall will be 1,000 feet in length and approximately 20 feet in depth and will treat contaminated groundwater released from the former landfill. The estimated cost of the bio wall is \$1.5 million.

DEPARTMENTAL MANAGEMENT  
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 goal and objective that contributes 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.**

Agency Strategic Goal	Agency Objective	Programs that Contribute	Key Outcome
Provide USDA leadership with the administrative tools, services, infrastructure, and policy framework to support their public service mission.	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 Outcome:** Protect public health and natural resources by addressing hazardous materials contamination on lands under USDA jurisdiction, custody, or control.

Long-term Performance Measure: Percent of available HMM resources distributed to priority cleanup activities

Key Performance Measure: Percent of available HMM resources distributed to priority cleanup activities

Performance Measure	2008 <u>Actual</u>	2009 <u>Actual</u>	2010 <u>Actual</u>	2011 <u>Actual</u>	2012 <u>Actual</u>	2013 <u>Target</u>	2014 <u>Target</u>
a.) Percent of available HMM resources distributed to priority cleanup activities	100	100	100	100	100	100	100
b.) Dollars (in thousands)	\$3,787	\$7,726	\$3,946	\$5,356	\$2,545	\$3,624	\$2,374

Selected Accomplishments Expected at the 2014 Proposed Resource Level:

USDA will continue to apply available funds to CERCLA sites determined to be the Department's highest priorities for action. Specifically, funds requested in 2014 will be used to continue site investigations and cleanup actions at

DEPARTMENTAL MANAGEMENT

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

USDA priority sites such as the Beltsville Agricultural Research Center (BARC), which poses hazards to both public health and the environment. EPA placed BARC on the NPL in 1994 and USDA and EPA have signed a Federal Facilities Agreement and negotiated Site Management Plan. Failure to show progress on investigation and cleanup at BARC places USDA at risk of fines and penalties. In 2014, HMM 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. Specifically, program staff and the Pollution Control Team within the Office of the General Counsel support the CERCLA and RCRA programs of the Department through oversight and the development of Departmental and Inter-Departmental policy and guidance. The Pollution Control Team supports the search for responsible parties to fund the investigation and cleanup of sites on USDA managed lands and at USDA facilities. If viable responsible parties are found, then the Pollution Control Team negotiates legal agreements requiring the parties to conduct cleanup activities thereby saving HMM funds for other priority work.

Strategic Goal Funding Matrix  
(Dollars in thousands)

Program/ Program Items	2011	2012	2013	2014	
	Actual	Actual	Estimate	Change	Estimate

**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.**

Hazardous Materials Management Program.....	\$3,992	\$3,592	\$3,614	-\$14	\$3,600
Staff Years.....	6	6	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.**

Program/ Program Items	2011	2012	2013	2014
	Actual	Actual	Estimate	Estimate
<u>Program 1</u>				
CLERLA and RCRA activities.....	\$5,356	\$2,545	\$3,624	\$2,374
Administrative costs (direct).....	1,024	1,224	1,203	1,226
Indirect costs.....	-	-	-	-
Total Costs.....	6,380	3,769	4,827	3,600
FTEs.....	6	6	7	7

Performance Measure:

Percent of available HMM resources distributed to priority cleanup activities	100%	100%	100%	100%
Cost per measure (unit cost).....	5,356	2,545	3,624	2,374