

HAZARDOUS MATERIALS MANAGEMENT

FY 1999 ANNUAL PROGRAM PERFORMANCE REPORT

The purposes of the USDA Hazardous Materials Management Program (HMMP) are the efficient management and cleanup of hazardous materials on facilities and lands under the jurisdiction, custody, and control of the Department and prevention of releases of hazardous substances from USDA facilities. Activities in the program are conducted by USDA agencies pursuant to the requirements of the Comprehensive, Environmental Response, Compensation, and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA). Critical funding supplementing agency appropriations is provided by the Hazardous Waste Management Appropriation (HWMA).

The HWMA was established in 1988 to provide targeted funding for priority hazardous materials cleanup projects. HWMA funds are distributed to the Animal and Plant Health Inspection Service, Agricultural Research Service, Farm Service Agency, Food Safety and Inspection Service, Forest Service, Office of the General Counsel, and Rural Development. Several of these agencies use agency funds to meet the requirements of their HMMP mission. Annually, USDA agencies request funding for planning-year HMMP activities, revise their proposed programs of work at the start of the current fiscal year, manage the obligation and expenditure of their allocated HWMA funds, and report HMMP accomplishments to the Hazardous Materials Management Group (HMMG).

The HMMG provides day-to-day administration of the USDA HMMP and HWMA on behalf of the Hazardous Materials Policy Council. The HMMG recommends policies regarding management and cleanup, provides technical assistance, and prepares HWMA budget requests, annual performance plans, and accomplishments reports, using data submitted by the agencies. It also provides guidance, assistance, and oversight of compliance with hazardous materials requirements within USDA. HMMG represents USDA on the National Response Team for oil and hazardous substances.

See the Hazardous Waste Management Annual Performance Plan for additional information. Only Federal employees were involved in the preparation of this report.

The following table provides summary information on achievement of FY 1999 HMMP Performance Goals.

HMM PERFORMANCE SUMMARY			
Strategic Goal/ Management Initiative	FY 1999 Performance Goals	Performance	
		Target	Actual
Goal 1: Ensure responsible management, and cleanup and restore contaminated lands and facilities.	Beginning in 1998 and by the end of 2002, complete the cleanup of 150 sites and all regulated underground storage tanks (USTs) on lands and facilities under the jurisdiction, custody, and control of USDA as required by CERCLA and RCRA.		
	Number of sites assessed/characterized on need for cleanup.	54	53
	Number of removal and remediation plans completed.	13	9
	Number of removal and remedial actions completed.	17	36
	Number of cleanup/restoration agreements with potentially responsible parties (PRPs).	20	7
	Estimated value of cleanup/restoration work performed by PRPs (\$millions).	\$30	\$34
	Number of UST cleanups completed.	3	6

HMM PERFORMANCE SUMMARY			
Strategic Goal/ Management Initiative	FY 1999 Performance Goals	Performance	
		Target	Actual
Goal 2: Ensure responsible management in the use, storage, and disposal of hazardous materials and wastes.	Improve compliance with RCRA Subtitle C and reduce the costs and risks associated with generation and disposal of hazardous wastes in agency operations consistent with the goals of the Pollution Prevention (P2) Act and Executive Order 12856.		
	Number of Environmental audits completed.	3	3
	Number of P2 projects completed.	3	13
	Number of oversight reviews conducted.	14	19
	Reduction in releases and offsite transfers of toxics by USDA facilities not subject to TRI reporting but voluntarily pursuing such reductions.	n/a ¹	60% ²

¹ n/a - not available

² Under provisions of Executive Order 12856, reporting of 1999 data is required in October for the previous calendar year. Therefore, the most recent data is estimated from the 1997-98 data. The 1999 values are not expected to differ substantially from the values reported in 1997-98. The baseline year is 1994.

Goal 1: Ensure responsible management, and cleanup and restore contaminated lands and facilities.

Objective: Cleanup/restore USDA lands and facilities contaminated with hazardous materials and wastes.

Key Performance Goal

Beginning in 1998 and by the end of 2002, complete the cleanup of 150 sites and all regulated underground storage tanks (USTs) on lands and facilities under the jurisdiction, custody, and control of USDA as required by CERCLA and RCRA.

Number of sites assessed/characterized on the need for cleanup.

Target: 54

Actual: 53

Number of removal and remediation plans completed.

Target: 13

Actual: 9

Number of removal and remedial actions completed.

Target: 20

Actual: 36

Number of cleanup/restoration agreements with Potentially Responsible Parties (PRPs).

Target: 20

Actual: 7

Estimated value of cleanup/restoration work performed by PRPs.

Target: \$30 million

Actual: \$34 million

Number of UST cleanups completed.

Target: 3

Actual: 6

1999 Data: USDA agencies set their targets and report their actual performance to the HMMG in their budget requests and an annual year-end obligations and accomplishments reports, respectively. The data provided for this purpose covers the entire budget cycle (i.e., project plan through project completion) and extends from FY 1997 through 2005, allowing for multi-year overview and analysis of program

performance. Key reporting parameters include project name and location, specific activities required to complete the project, performance goals, priorities, status, and cost data. Detailed instructions for setting targets and reporting accomplishments developed by the HMMG include standardized lists of activities and their defining regulatory citations. At the end of the fiscal year, all project activities that received HWMA funding are coded as either finished or ongoing (i.e., not finished). Only finished activities are used as output values in this report, although ongoing work constitutes a significant portion of the workload and utilization of resources. For example, while 42 cleanups were completed in FY 1999, over 150 more are underway but not yet complete.

By linking all reported data to a comprehensive list of standard activities defined in applicable regulations (e.g., the National Contingency Plan for CERCLA preliminary assessments, site inspections, and response actions), a high level of consistency in reporting is expected. The data is examined holistically by HMMG for gaps and logical inconsistencies (e.g., funds being requested or obligated in a later year than that in which the project activity was reported as being completed). If apparent data quality problems cannot be resolved, agency personnel are contacted for assistance in correcting the problem. Since all obvious data quality problems were resolved using this process, the data is believed to be of acceptable quality.

Agency personnel check their obligations data against National Finance Center records.

Analysis of Results: The total of 101 cleanups completed in fiscal years 1998 and 1999 indicate that USDA is meeting the performance goal of completing 150 cleanups by 2002. Forty-two (42) cleanups, 28 percent of the five-year goal, were completed in 1999.

It is not always possible to accurately predict the cost and course of projects involving environmental contamination. There may be more or less contamination than expected from the limited investigative work that is done at the start of the project. What appeared to be a routine project may become complicated. The time required to gain concurrence from other regulatory agencies and to involve stakeholders in cleanup decisions is not entirely under USDA control. When there are potentially responsible parties (PRPs), an extra level of legal and negotiation activity is introduced.

In practice, environmental cleanups require flexibility in project implementation and funding. Within USDA, plans for some unfunded priority projects are typically prepared along with the funded projects to allow for adjustment in the program if a funded project is delayed or additional funding becomes available. This proactive approach provides maximum efficiency and cost effectiveness in conducting investigations and cleanups. USDA also aggressively employs authorities under CERCLA and related executive orders. As a result of these strategies, only two USDA sites are on the Superfund National Priorities List, and very few cleanups are conducted by USDA under administrative or other orders initiated by federal and state regulatory agencies. However, this proactive approach is dependent upon the availability of funding to address priority work, including planning the cleanups that will take place in future years. Six years of flat-lined allocations for HWMA are beginning to challenge USDA's ability to maintain the cleanup progress expected by regulatory agencies and our stakeholders.

In spite of the results achieved over the past few years shown in the table below, there are warning signs that the current pace of the cleanup program will fall short of its goal to have all work completed by 2045. The pace of cleanups cannot be maintained if the site evaluations, plans, and agreements that support cleanup decisions are not produced in a timely manner. The short fall in these areas is attributed to a "flat-lined" allocation in the HWMA for the past six years.

Summary of Results and Targets, 1995-2001

Year	Number of Sites Assessed			Number of Cleanup Plans Completed			Number of Cleanups Completed (includes USTs) ¹			Number of Abandoned Mine Cleanups	Number of Agreements Reached with PRPs			Estimated Value of Work Performed by PRPs (\$ millions)				
	Target	Actual	%	Target	Actual	%	Target	Actual	%		Target	Actual	%	Target	Actual	%		
1995	156 ²	160 ²	103	n/a ³	n/a		185 ⁴	102 ⁴	55				n/a	4		n/a	0.5	
1996	160 ²	90 ²	56	n/a	n/a		150 ⁴	122 ⁴	81				10	4	40	n/a	22.3	
1997	106 ²	62	58	n/a	7		78 ⁴	57 ⁴	73				10	8	80	n/a	26	
1998	49 ²	77	157	n/a	n/a		30	59	197				8	8	100	20	104	520
1999	54	53	98	13	9	69	20	42	210				20	7	35	30	34	113
2000	78			17			61			12			10			35		
2001	27			12			22			7			10			35		

- While the fiscal year 1999 annual performance plan contains separate indicators for the number of a) removal and remedial actions completed and b) UST cleanups completed, they are combined in this table and will be combined as one indicator in future plans. This was done because most of USDA's 2000-plus USTs were upgraded, replaced, or removed before the 1998 compliance deadline, so the number of UST cleanups performed in the future will be small and variable.
- Includes cleanup plans.
- n/a - not available
- Removal and cleanup of federally owned/operated underground storage tanks (USTs) contributed significantly to the 1995, 1996, and 1997 targets (109, 65, and 51, respectively) and actual results (65, 60, and 23, respectively).

The FY 1999 annual performance plan contained additional measures for the HMMP goals and objectives. It was found that these measures did not contribute appreciably to the measurement of program performance and are discontinued for FY 2000. See **Appendix A** for an explanation regarding the discontinuation of HMMP performance measures.

Current Fiscal Year Performance: As noted above, USDA should meet its 2002 goals for cleanups completed if the targets projected for Fiscal Years 2000 and 2001 are met. The challenge is to meet the 2045 goals. At current allocation levels, it may take over 100 years to complete the cleanup program.

Program Evaluations: None conducted during fiscal year 1999.

Goal 2: Ensure responsible management in the use, storage, and disposal of hazardous materials and wastes.

Objective: Reduce environmental contamination through pollution prevention (P2) and improvements in management practices.

Key Performance Goal

Improve compliance with RCRA Subtitle C and reduce the costs and risks associated with generation and disposal of hazardous wastes in agency operations consistent with the goals of the Pollution Prevention Act and Executive Order 12856.

Number of environmental audits completed.

Target: 3

Actual: 3

Number of P2 projects completed.

Target: 3

Actual: 13

Number of oversight reviews conducted.

Target: 14

Actual: 19

Reduction in releases and offsite transfers of toxics by USDA facilities not subject to TRI reporting but voluntarily pursuing such reductions.

Target: n/a

Actual: 60%¹ reduction

¹ Under provisions of Executive Order 12856, reporting of 1999 data is required in October for the previous calendar year. Therefore, the most recent data is estimated from the 1997-98 data. The 1999 values are not expected to differ substantially from the values reported in 1997-98. The baseline year is 1994.

1999 Data: The 1999 data concerning P2 projects completed was taken from the same reporting process described under Goal 1 above. Therefore, it expected to be of the same acceptable quality. The 1999 data on reductions in releases and offsite transfers of toxics is an estimated value based on 1997-98 data, which showed a 60 percent reduction accomplishment. Although the 1999 values will not be reported until October 2000, an increased accomplishment is not expected. The 1999 data on the number of environmental audits and oversight reviews conducted includes work performed by HMMG and accomplishments reported to HMMG by the affected USDA agencies.

Analysis of Results: Given that the targets for the individual performance indicators were all met or exceeded, the performance goal was met.

The performance indicators for this goal reflect HMMG and affected agency oversight of the pollution prevention program in USDA, accomplishments in reduction of the use of toxics in agency activities, and the resulting reduction in the generation of hazardous wastes. From an ecological perspective, the activity to achieve the goals results in decreasing actual and potential negative environmental impacts. There is a need to ensure that the findings and recommendations contained in audit and oversight reports are incorporated into agency programs. The indicator for reductions in releases and offsite transfers of toxics can be estimated from 1997-98 data because further reductions from those already achieved will be very difficult.

The FY 1999 annual performance plan contained additional measures for Goal 2. See **Appendix A** for further explanation regarding the discontinuation of performance measures.

Program Evaluations: None conducted during fiscal year 1999.

HAZARDOUS MATERIALS MANAGEMENT

DISCONTINUED PERFORMANCE MEASURES

Goal 1: Ensure responsible management, and cleanup and restore contaminated lands and facilities.

Objective: Cleanup and restore USDA lands and facilities contaminated from actual or potential releases of hazardous substances and materials.

Discontinued Performance Measures

Beginning in 1998 and by the end of 2002, complete the cleanup of 150 sites and all regulated underground storage tanks (USTs) on lands and facilities under the jurisdiction, custody, and control of USDA as required by CERCLA and RCRA.

Number of USDA properties screened to identify potential contaminated sites.

Explanation: This performance measure was essentially completed in December 1998. Although it is likely that some new contaminated sites on existing and newly acquired property under the jurisdiction, custody, or control of USDA will be discovered, the Department believes there is no longer a need to continue to expend resources on a targeted search for these sites; they will be addressed on an as-discovered basis.

Goal 2: Ensure responsible management in the use, storage, and disposal of hazardous materials and wastes.

Objective: Reduce environmental contamination through pollution prevention and improvements in management practices.

Discontinued Performance Measures

Improve compliance with RCRA Subtitle C and reduce the costs and risks associated with generation and disposal of hazardous wastes in agency operations consistent with the goals of the Pollution Prevention Act and Executive Order 12856.

Significant reduction in the percentage of regulatory inspections finding improper practices, noncompliance, and violations.

Explanation: Typically, fewer than five inspections by federal and state regulatory agencies are conducted each year at the thousands of USDA facilities. This number of regulatory inspections is so small in comparison to the number of facilities owned and operated by USDA that the results would be neither representative of the environmental performance of USDA nor a valid tool for management to use in assessing Departmental environmental compliance.

Improve compliance with RCRA Subtitle C and reduce the costs and risks associated with generation and disposal of hazardous wastes in agency operations consistent with the goals of the Pollution Prevention Act and Executive Order 12856.

Significant reductions in the amount and cost of hazardous waste disposal.

Explanation: Under USDA and agency policies, individual facilities, management units, and work units are encouraged to pursue such reductions, and many do for the environmental and economic benefits such effort yields. There is currently no USDA-wide requirement or mechanism for compiling or reporting such data. The pollution prevention project targeted and completed goals are a more accurate measure

of accomplishments in this area .

Improve compliance with RCRA Subtitle C and reduce the costs and risks associated with generation and disposal of hazardous wastes in agency operations consistent with the goals of the Pollution Prevention Act and Executive Order 12856.

Reduction in releases and offsite transfers of toxics subject to Toxic Release Inventory (TRI) reporting.

Explanation: The hoped-for reductions in the TRI portion of the toxics reduction program are not materializing. This is because the chemicals subject to reporting are anhydrous ammonia used for fertilizing crops and fire retardant used in fighting forest fires. No acceptable substitutes currently exist for either of these substances, and none are anticipated in the foreseeable future. Therefore, it is unlikely that USDA will achieve the voluntary reduction goal mandated by the executive order.