

2017 President's Budget  
Hazardous Materials Management Program

Contents

Purpose Statement .....	13-1
Available Funds and Staff Years .....	13-2
Permanent Positions by Grade and Staff Year Summary .....	13-2
Appropriations Language .....	13-3
Lead-off Tabular Statement .....	13-3
Summary of Increases and Decreases .....	13-3
Project Statements .....	13-4
Justification of Increases and Decreases .....	13-5
Geographic Breakdown of Obligations and Staff Years .....	13-5
Classification by Objects .....	13-6
Status of Programs .....	13-7
Summary of Budget and Performance	
Statement of Goals and Objectives.....	13-9
Key Performance Outcomes and Measures.....	13-10
Full Cost by Department Strategic Goal .....	13-12

## 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, 2015, there were five permanent full-time employees, with four located in the national headquarters and one located in a field office in Colorado.

### GAO – Completed

#361481

06/03/15

Programs to Clean Contaminated Federal Properties

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

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

Item	2014 Actual		2015 Actual		2016 Enacted		2017 Estimate	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Salaries and Expenses:								
Discretionary Appropriations.....	\$3,592	6	\$3,600	5	\$3,618	7	\$3,633	7
Balance Available, SOY.....	1,345	-	656	-	139	-	-	-
Other Adjustments (Net).....	471	-	512	-	3,500	-	-	-
Total Available.....	5,408	6	4,768	5	7,257	7	3,633	7
Balance Available, EOY.....	-656	-	-139	-	-	-	-	-
Obligations.....	4,752	6	4,629	5	7,257	7	3,633	7

Permanent Positions by Grade and Staff Year Summary

Item	2014 Actual			2015 Actual			2016 Enacted			2017 Estimate		
	D.C.	Field	Total	D.C.	Field	Total	D.C.	Field	Total	D.C.	Field	Total
GS-15.....	1	-	1	1	-	1	1	-	1	1	-	1
GS-14.....	3	1	4	2	1	3	3	1	4	3	1	4
GS-11.....	-	-	-	1	-	1	1	-	1	1	-	1
GS-9.....	1	-	1	-	-	-	-	-	-	-	-	-
GS-7.....	1	-	1	-	-	-	1	-	1	1	-	1
Total Perm. Positions.....	6	1	7	4	1	5	6	1	7	6	1	7
Unfilled, EOY.....	-	-	-	-	-	-	-	-	-	-	-	-
Total, Perm. Full-Time Employment, EOY.....	6	1	7	4	1	5	6	1	7	6	1	7
Staff Year Est.....	6	1	7	4	1	5	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.), [~~\$3,618,000~~] \$3,633,000, 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, 2017.....	\$3,633,000
2016 Enacted.....	3,618,000
Change in Appropriation.....	<u>+ 15,000</u>

Summary of Increases and Decreases  
(Dollars in thousands)

	2014 Actual	2015 Change	2016 Change	2017 Change	2017 Estimate
Discretionary Appropriations:					
Hazardous Materials Management Program.....	\$3,592	+\$8	+\$18	+\$15	\$3,633

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Project Statement

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

Program	<u>2014 Actual</u>		<u>2015 Actual</u>		<u>2016 Enacted</u>		<u>Inc. or Dec.</u>		<u>2017 Estimate</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Appropriations:										
Hazardous Materials Mgt.....	\$3,592	7	\$3,600	5	\$3,618	7	+\$15 (1)	-	\$3,633	7
Bal. Available, SOY.....	1,345	-	656	-	139	-	-139	-	-	-
Recoveries, Other (Net).....	471	-	512	-	3,500	-	-3,500	-	-	-
Total Available.....	5,408	7	4,768	5	7,257	7	-3,624	-	3,633	7
Bal. Available, EOY.....	-656	-	-139	-	-	-	-	-	-	-
Total Obligations.....	4,752	7	4,629	5	7,257	7	-3,624	-	3,633	7

Project Statement

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

Program	<u>2014 Actual</u>		<u>2015 Actual</u>		<u>2016 Enacted</u>		<u>Inc. or Dec.</u>		<u>2017 Est</u>	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Discretionary Obligations:										
Hazardous Materials Mgt.....	\$4,752	7	\$4,629	5	\$7,257	7	-\$3,624 (1)	-	\$3,633	7
Total Obligations.....	4,752	7	4,629	5	7,257	7	-3,624	-	3,633	7
Bal. Available, EOY.....	656	-	139	-	-	-	-	-	-	-
Total Available.....	5,408	7	4,768	5	7,257	7	-3,624	-	3,633	7
Bal. Available, SOY.....	-1,345	-	-656	-	-139	-	+139	-	-	-
Other Adjustments (Net).....	-471	-	-512	-	-3,500	-	+3,500	-	-	-
Total Appropriation.....	3,592	7	3,600	5	3,618	7	+15	-	3,633	7

## 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 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. In addition to Departmental Administration funding used for human resources operational services, current year and budget year base funds will also be used to support expedited and enhanced classification, staffing and processing efforts.

- (1) An increase of \$15,000 for Hazardous Materials Management Program (\$3,618,000 and 7 staff years available in 2016).

The funding change is requested for the following items:

- a. An increase of \$15,000 for pay costs (\$3,000 for annualization of the 2016 pay increase and \$12,000 for the 2017 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 materials cleanup efforts.

### Geographic Breakdown of Obligations and Staff Years

(Dollars in thousands and Staff Years (SYs))

State/Territory	2014 Actual		2015 Actual		2016 Enacted		2017 Estimate	
	Amount	SYs	Amount	SYs	Amount	SYs	Amount	SYs
Colorado.....	\$172	1	\$176	1	\$180	1	\$185	1
District of Columbia.....	4,580	6	4,453	4	7,077	6	3,448	6
Obligations.....	4,752	7	4,629	5	7,257	7	3,633	7
Bal. Available, EOY.....	656	-	139	-	-	-	-	-
Total, Available.....	5,408	7	4,768	5	7,257	7	3,633	7

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Classification by Objects

(Dollars in thousands)

	2014	2015	2016	2017
	<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Estimate</u>
<b>Personnel Compensation:</b>				
Washington D.C.....	\$617	\$392	\$485	\$500
Field.....	135	137	139	143
11 Total personnel compensation.....	752	529	624	643
12 Personal benefits.....	183	134	187	191
Total, personnel comp. and benefits.....	935	663	811	834
<b>Other Objects:</b>				
21.0 Travel and transportation of persons.....	18	16	18	18
23.3 Communications, utilities, and misc. charges..	25	27	25	25
24.0 Printing and reproduction.....	5	13	5	5
25 Other contractual services.....	34	10	35	35
25.3 Other purchases of goods and services from Federal sources.....	3,732	3,883	6,346	2,699
26.0 Supplies and materials.....	1	14	14	14
31.0 Equipment.....	2	3	3	3
Total, Other Objects.....	3,817	3,966	6,446	2,799
99.9 Total, new obligations.....	4,752	4,629	7,257	3,633
<b>Position Data:</b>				
Average Salary (dollars), GS Position.....	\$107,000	\$117,000	\$109,000	\$112,000
Average Grade, GS Position.....	14.1	14.3	14.1	14.1

## 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 HMMP 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 2015, HMMP obligated \$1,803,000 to fund five CERCLA projects at the Agricultural Research Service (ARS), Farm Service Agency (FSA), 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 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.

#### Selected Examples of Recent Progress:

- In 2015, OGC attorneys who are funded out of this program recovered over \$196 million from responsible parties for contamination on USDA-managed lands.
- The HMMP continued to fund the multimillion dollar remediation at the Beltsville Agricultural Research Center (BARC) in Maryland. This facility is 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. As of October 2015, USDA has spent \$48 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 (AOC). ARS continues required response actions at the remaining 16 AOCs. Based on current engineering evaluations ARS estimates that an additional \$19 million is needed to complete the ongoing investigations, remaining cleanups, and annual groundwater monitoring at BARC.
- The HMMP continues its long-term support of the FSA's efforts to address carbon tetrachloride-contaminated groundwater in rural communities. Carbon tetrachloride contamination of groundwater is a concern in many mid-western communities where the chemical was historically used as a fumigant for grain storage. Carbon tetrachloride not only affects drinking water supplies, it is known to have the potential to express itself as a toxic vapor in homes and businesses. The money provided to FSA in 2015 partially funded the engineering design of an interim remedy for the groundwater contamination in Sylvan Grove, Kansas. FSA also used 2015 HMMP funds to update the current knowledge about groundwater contamination in the community of York, Nebraska. FSA is conducting this work at the request of EPA and the State of Nebraska. EPA recently placed York on its NPL list.
- The HMMP contributed funds to the Forest Service cleanup of the Akron Mine near White Pine, Colorado. The Forest Service is cleaning up the Akron Mine and several nearby mines in collaborative partnership for reclamation efforts with the Colorado Division of Reclamation, Mining and Safety, Trout Unlimited and EPA in the historic Tomichi Creek Mining District & the Tomichi Creek Watershed. The Akron Mine contains lead at levels up to 20,000 parts per million which presents a significant risk to human and environmental health. Before these mines were cleaned up, the lead contaminated material was a danger to those recreating in the area, along with the community of White Pine which is located about 1,000 feet north of the mining site.



## HAZARDOUS MATERIALS MANAGEMENT PROGRAM

- The HMMP also responded to an emergency reallocation of prior year funds to address a highly publicized storm event in Patagonia, Arizona, which caused a significant release at the Lead Queen Mine. (<http://www.tucsonnewsnow.com/story/30514066/cleanup-begins-at-contaminated-lead-queen-mine-site>)
- The HMMP contributed funds to the Forest Service so that the agency could collect data requested by the EPA concerning a number of sites that are on EPA's Federal Agency Hazardous Waste Compliance Docket.
- OPPM staff 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.

## 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 2:** *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 Objective 2.1:** *Improve the Health of the Nation's Forests, Grasslands, and Working Lands by Managing our Natural Resources.*

**USDA Strategic Objective 2.3:** *Contribute to Clean and Abundant Water by Protecting and Enhancing Water Resources on National Forests and Working Lands.*

<b><u>Agency Strategic Goal</u></b>	<b><u>Agency Objective</u></b>	<b><u>Programs that Contribute</u></b>	<b><u>Key Outcome</u></b>
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.

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

**Key Performance Measure:**

Annual Performance Goals, Indicators, and Trends	Actual				Target	Actual	Result	Estimate/Target	Result
	2011	2012	2013	2014	2015			2016	2017
Percent of available HMM resources distributed to priority cleanup activities	100%	100%	100%	100%	100%	100%	Met	100%	100%
<b><u>Allowable Data Range for Met</u></b> Target is considered met if actual is within 5% of target.									
<b><u>Assessment of Performance Data</u></b>									
<b><u>Data source</u></b> – The data was collected within the Department’s financial system									
<b><u>Completeness of Data</u></b> – The data collected real-time and recorded electronically.									
<b><u>Reliability of Data</u></b> – The measuring devices are maintained according to the accounting principals.									
<b><u>Quality of Data</u></b> - The data is generally regarded as being very accurate.									

**Analysis of Results**

**Selected Past Accomplishments towards Achievements of the Key Outcome FY 2015:**

- As of September 2015, USDA has spent \$48 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. EPA has determined that ARS has adequately addressed threats to human health and the environment at 47 areas of concern (AOC). ARS continues required response actions at the remaining 16 AOCs. Based on current engineering evaluations ARS estimates that an additional \$19 million is needed to complete the ongoing investigations, remaining cleanups, and annual groundwater monitoring at BARC.
- Funded the Farm Service Agency’s evaluation and cleanup of carbon tetrachloride-contaminated groundwater in the vicinity of Sylvan Grove, Kansas, and York Nebraska. 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. EPA recently placed York on its NPL list.
- Contributed funds to the Forest Service cleanup of the Akron Mine near White Pine, Colorado. The cleanup of the Akron Mine and several nearby mines is a collaborative partnership for reclamation efforts with the Colorado Division of Reclamation, Mining and Safety, Trout Unlimited and EPA in the historic Tomichi Creek Mining District & the Tomichi Creek Watershed. The Akron Mine contains lead at levels up to 20,000 parts per million which presents a significant risk to human and environmental health. Before these mines were cleaned up, the lead contaminated material was a danger to those recreating in the area, along with the community of White Pine which is located about 1,000 feet north of the mining site.

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

- Heavy rainfall in September of 2014 lead to a release of contaminated mine waste containing arsenic, lead, and other heavy metals from the Lead Queen mine near Patagonia, Arizona. HMM funding was used to address this highly publicized contamination entering into the Harshaw watershed.
- Also in 2015, eight settlements were finalized to recover costs or require responsible parties to conduct work to address contamination on USDA managed lands or at USDA facilities.
- In 2015, USDA recovered over \$3.6 million from responsible parties for contamination on USDA-managed lands. The Department also received \$194 million from a settlement of a bankruptcy and fraud case (Tronox). The Department also recovered an additional \$11.2 million for future work in restoring natural resource damages at associated sites.

Selected Accomplishments Expected at the 2017 Proposed Resource Level / Challenges for the Future:

- HMMA will be used to continue site investigations and cleanup actions at USDA priority sites such as the BARC, the Farm Service Agency’s contaminated grain storage sites, and other designated NPL sites or priority sites that pose the greatest threats to human health and the environment such as contamination released from abandoned mines on USDA managed lands.
- 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 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.
- HMMA will continue to fund Forest Service cleanup efforts, especially the cleanup of abandoned mine such as the Harshaw watershed and Akron Mine projects.
- HMMP will facilitate numerous policy level forums with the Forest Service and the Department of the Interior on matters such as Environmental Justice, abandoned mined land cleanups, and Formerly Used Defense Sites.

**Strategic Goal Funding Matrix**  
**(Dollars in thousands)**

<u>Program / Program Items</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>Increase or</u>	<u>2017</u>
	<u>Actual</u>	<u>Actual</u>	<u>Enacted</u>	<u>Decrease</u>	<u>Estimate</u>

**Department Strategic Goal 2:** 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.....	\$5,408	\$4,768	\$7,257	-\$3,624	\$3,633
Staff Years.....	7	5	7	-	7

HAZARDOUS MATERIALS MANAGEMENT PROGRAM

Full Cost by Department Strategic Goal  
(Dollars in thousands)

**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	2014	2015	2015	2016
	Actual	Actual	Enacted	Estimate
CERCLA and RCRA activities.....	\$3,683	\$3,843	\$6,294	\$2,648
Administrative costs (direct).....	1,069	786	963	985
Total Costs.....	4,752	4,629	7,257	3,633
FTEs.....	7	5	7	7
Performance Measure:				
Percent of available HMM resources distributed to priority cleanup activities	100%	100%	100%	100%
Cost per measure (unit cost).....	3,683	3,843	6,294	2,648
Total Costs, All Strategic Goals.....	3,683	3,843	6,294	2,648
Total FTEs, All Strategic Goals.....	7	5	7	7