

EXISTING NCIs FY2020–2023		NEW / PROPOSED NECI FY2024–2027		CHANGES IN INITIATIVES
1.	Creating Cleaner Air for Communities by Reducing Excess Emissions of Harmful Pollutants.	1.	<i>Same.</i>	<i>Continued – Modified.</i> EPA plans to increase its focus on sources dealing with processes that EPA continues to identify as having widespread noncompliance issues—e.g., flares, storage tanks, wastewater treatment, and incineration/combustion. EPA will prioritize inspections at such sources, particularly those likely to impact vulnerable or pollution-burdened communities. EPA will also focus on pollutant reduction, which will have the added benefit of reducing emissions of methane (a potent greenhouse gas).
2.	Reducing Toxic Air Emissions from Hazardous Waste Facilities.	N/A		<i>Concluded.</i>
3.	Stopping Aftermarket Defeat Devices for Vehicles and Engines.	N/A		<i>Concluded.</i>
4.	Reducing Significant Non-Compliance with National Pollutant Discharge Elimination System (“NPDES”) Permits.	3.	<i>Same.</i>	<i>Continued – Expanded.</i> EPA’s goal is to provide a coordinated NPDES enforcement-and-compliance initiative, working with states to reduce the country’s Significant Non-Compliance (“SNC”) rate for excess releases of effluent in violation of NPDES permits. EPA plans to expand this Initiative so that municipal permittees currently covered under a general NPDES permit are likewise subject to enforcement for SNC-level effluent violations. Additionally, EPA intends to seek remedies in these NPDES-permit enforcement actions (as appropriate) to advance climate resiliency.
5.	Reducing Non-Compliance with Drinking Water Standards at Community Water Systems.	4.	<i>Same.</i>	<i>Continued – Expanded.</i> Despite significant increases in the number of Community Water Systems (“CWSs”) complying with the Safe Drinking Water Act (“SDWA”), EPA plans to continue this initiative specifically to decrease violations of the SDWA’s Lead and Copper Rule, Disinfection Byproducts Rule, and Ground Water Rule. In particular, EPA will increase water system inspections in environmental justice communities; notify communities of observed violations; and ensure that communities know how to protect their health amidst violations. Additionally, EPA will increase its attention on enforcing Section 1433 of the SDWA, which mandates CWSs that serve more than 3,300 individuals to conduct environmental risk assessments, develop emergency response plans, and analyze the climate resilience of the water system’s infrastructure.
6.	Reducing Risks of Accidental Releases at Industrial and Chemical Facilities.	2.	<i>Same.</i>	<i>Continued – Modified.</i> EPA plans to ensure that regulated facilities adequately manage their environmental risks, as well as safely maintain and operate their facilities, so that nearby communities are protected from accidental releases. Specifically, EPA will (1) focus on improving its enforcement response to catastrophic accidents, (2) increase facility inspections in environmental justice communities (e.g., “fenceline communities”), and (3) when determining which facilities to inspect, prioritize facilities particularly vulnerable to natural hazards and climate change impacts.
N/A <i>But sought to incorporate climate resiliency considerations in implementing the FY2020–2023 Initiatives.</i>		5.	Mitigating Climate Change.	<i>New Initiative.</i> Although EPA’s current FY2020–2023 NCIs incorporate climate resiliency, the new, proposed NECI would focus on specific climate change-related problems, specifically geared towards protecting those communities particularly vulnerable to the effects of climate change. This NECI would incorporate the Agency’s climate mitigation goals that seek to reduce climate disruption and slow the likely increase of global surface temperatures The Agency would focus on certain industrial sources (e.g., municipal solid waste landfills; oil & natural gas production facilities) to reduce excess emissions known to contribute to climate change; this initiative would include addressing non-compliance with other emissions requirements (e.g., regulations for mobile sources, fuels, and methane). Under the CAA, EPA would aim to reduce excess air emissions; and via its authority under the American Innovation and Manufacturing Act of 2020 (“ AIM Act ”), EPA would target the illegal import, production, use, and sale of hydrofluorocarbons (“HFCs”) .
N/A		6.	Addressing PFAS Contamination.	<i>New Initiative.</i> EPA’s new proposed plan would focus on implementing the actions set forth in its 2021-2024 Per- and Poly-fluoroalkyl substances (PFAS) Strategic Roadmap (which we reviewed in October 2021) to address PFAS contamination and/or exposure in drinking water, surface water, and groundwater; soils and sediment; air; and products. In the Roadmap, EPA promises to hold responsible parties accountable for remediation efforts, as well as prevent future releases of PFAS by using “every enforcement tool at [the Agency’s] disposal,” in accordance with EPA Administrator Regan’s directive . Considering that EPA is still learning about PFAS chemicals and the risks and effects associated with PFAS exposure, the Agency’s focus would be geared towards identifying the levels of exposure that result in threats to human health and the environment. In the event that EPA determines PFAS contamination falls under CERCLA, EPA would develop a CERCLA enforcement discretion and contribution protection settlement policy to guide cleanup efforts. Initially, EPA would likely focus on PFAS chemical manufacturers. Additionally, EPA would seek to collaborate with states to fulfill the goals of this Initiative, supplementing some states’ current regulatory efforts to address PFAS contamination.