# House Committee on Energy & Commerce, Subcommittee on Environment and Climate Change:

# Hearing on “The Fiscal Year 2021 EPA Budget”

## February 27, 2020

10:02 am- Hearing begins

**Rep. Paul Tonko (D-NY-20)** opening remarks- Tonko highlights the budget’s cuts to water infrastructure and drinking water systems, superfund sites, and cuts to EPA staff. Wanted updates on EPA’s regulatory agenda. Mentioned revision of the Lead and Copper rule, and proposed determination on PFAS. Expressed concern about treatment about scientific experts including concerns from EPA’s Scientific Advisory Board. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=424))

**Rep. John Shimkus (R-IL-15)** opening remarks- Starts by jokingly giving Tonko a Shimkus for Congress t-shirt and bumper sticker. In remarks, Shimkus said the environment was in much better shape than when EPA was first established. Congratulated Wheeler for recent regulatory updates including to the Lead and Copper rule.

**Rep. Frank Pallone (D-NJ-06)** gives opening remarks- Thanks Wheeler for being there but said he was not happy with what EPA was doing. Said EPA is putting the environment at greater risk. Said budget showed continuous dangerous track. Said Trump EPA is ignoring climate threats, superfund backlog, lead in drinking water, PFAS and other threats. Said EPA has no interest in protecting drinking water. Budget does not allow EPA to fulfill commitment to American people. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=933))

**Rep. Greg Walden (R-OR-02)** opening remarks- Pointed out several areas where he believed EPA had succeeded. Said it was encouraging to know that EPA was surpassing its goal in cleaning up Brownfield sites. Said environmental progress should not be an impediment to economic growth. Said we should not fall for deceptive arguments that economic growth should mean more environmental regulations.

10:21 am- Rep. Tonko introduces witness, EPA Administrator Andrew Wheeler

**EPA Administrator Wheeler** opening statement- Wheeler said today, the U.S. is a global leader in access to clean air and water. Said the Trump administration that environmental protection and economic growth can go hand-in-hand. Said the EPA would continue to address childhood lead exposure. Mentioned Lead and Copper rule. Said budget included resources to address PFAS action plan. Said the EPA is addressing non-compliance. Said Americans today have significantly cleaner, land, air and water.

([VIDEO](https://youtu.be/iaMMJcpA_zU?t=1552)) ([Written Testimony](https://docs.house.gov/meetings/IF/IF18/20200227/110595/HHRG-116-IF18-Wstate-WheelerA-20200227.pdf))

10:27 am- Q&A begins

**Rep. Paul Tonko** **(D-NY-20)**: Asked Wheeler if he believed the budget prepares our nation to deal with environmental and public health threats.Said in the bigger picture, hollowing out the agency would have long-term ramification. Asked if the administration’s role in addressing climate change is not included in the budget. Tonko pointed out that there were zero mentions of climate change or carbon dioxide. Tonko said excluding climate change from the budget does not give indication that the administration is taking environmental threat seriously.

**Rep. John Shimkus (R-IL-15)** Question on lead service lines. Shimkus asks about progress on the PFAS action plan. Asked what they could expect to see in the next 6 months on PFAS action.

**Rep. Yvette Clarke (D-NY-09):** Asked Wheeler if he acknowledged that 140 million Americans lived in areas with air pollution and that climate change was exacerbating air pollution. Asked if he acknowledged that fossil fuel emissions contributed to asthma within communities of color. Said these facts were important to showing the budget’s implications to the health of communities like her district, which covers Brooklyn, NY. Highlighted cuts to DERA program. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=2556))

**Rep. Tonko:** asked for clarification on timeline for a PFAS MCL determination.

**Rep. David McKinley (R-WV-01):** Asked whether bathing in water containing TCE was safe. Asked about lead pipes and if there was a registry of homes that still contain lead. Mentioned refinery in his district and asked about denied exemption that they be treated as a boutique refinery- said rural America was hurting and jobs could be lost. Asked if Wheeler would rethink decision to deny the refinery’s exemption.

**Rep. Lisa Blunt Rochester (D-DE-AL):** Asked about toxics release inventory, said it’s an essential tool and expressed concern that the budget would cut TRI by one-third. Asked what the EPA was doing now to ensure companies are informing communities about a release. Asked what was the plan to implement expanded reporting requirements for TRI that included PFAS.

**Rep. Bill Johnson (R-OH-06):** Asked what was being done to ensure the all-hands-on-deck effort on PFAS doesn’t distract from other EPA work.

**Rep Darren Soto (D-FL-09):** Asked if he could count on EPA to come into Florida area experiencing contaminated water and test the water. Mentioned article in Miami Herald on sea level rise and proposed sea wall in Florida. Said Climate change was a big deal in Florida and asked if he could count on support for Soto’s climate change bill. Asked what Wheeler could commit to as far as tackling climate change. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=3863))

**Rep. Greg Walden (R-OR-02):** Said rural towns in Oregon have been slapped down hard by environmental regulations. Asked if Wheeler sees big cities dumping sewage and pollutants into waterways. Wheeler said big cities have been violating permits and that San Francisco has been dumping over 1 billion gallons in raw sewage into waterways. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=4179))

**Rep. Diana DeGette (D-CO-01):** Highlighted inspector general finding that there was “open defiance” by the outgoing chief of staff. Said the committee has requested information on plan to overhaul environmental appeals board and asked if he could commit to making members of the board available. Talked about Toxic substance control act and asked if Wheeler could provide additional documentation on TSCA. Asked Wheeler about information on new chemicals and asked about review procedures for specific chemicals. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=4483))

**Rep. Cathy McMorris Rodgers (R-WA-05):** Talked about permits they could not get in Washington because of the Obama Administration regulations. Talked about the city of Seattle dumping millions of gallons of sewage into the waterways. Talked about focusing on cleaning up the Puget Sound.

**Rep. Frank** **Pallone (D-NJ-06)**: Asked about funding for cleanup of superfund sites. Said superfund sites are at a critical juncture. Asked if they had a backlog of unaddressed cleanup sites. Asked if he would agree that they needed more funding for cleaning up sites and asked why they were cutting funding to cleanup those sites. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=5119))

**Rep. Bill Flores (R-TX-17):** Asked about air quality standards that he said needed more order. Asked Wheeler if rent prices continued to rise, how would that affect Texas refineries.

**Rep. Doris Matsui (D-CA-06):** Mentioned decision to revoke California’s waiver. Said the administration’s new “part 2” fuel economy rule would go against public health, against a safe climate, and against consumers. Asked Wheeler if it was true that the final draft rule weakened the stringency of fuel economy standards. Asked if he’s consulted with each state that has adopted clean car standards. Asked about letter to CARB and asked if the EPA worked with region 9 on state implementation plans. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=5811))

**Rep. Jeff Duncan (R-SC-03):** Said states like New York were abusing the Clean Water Act. Pointed out that some states were bringing in natural gas from adversary countries, like Russia. Asked about RFS and said he’s been an advocate for reforming RFS standards. Criticized states and “environmental left” for blocking pipeline projects.

**Rep. Debbie Dingell (D-MI-12):** Said she was concerned that the EPA was rolling back 95 environmental regulations. Asked about CAFÉ standards, said she was worried. Said automakers were rolling out new technologies and investments, said we need certainty around CAFÉ standards. Said the administration was choosing a very uncertain path on fuel standards. Asked if Wheeler still believed that one standard was preferable. On PFAS, asked when they would get a final drinking water standard on PFAS and PFOS. Said many communities have contaminated water but are not testing because they don’t know. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=6514))

**Rep. Billy Long (R-MO-07):** Asked if the people of San Francisco knew about the dumping of sewage into their waterways. Asked how much sewage was being dumped into the Pacific Ocean from San Francisco. Asked what was being done to address dumping into Puget Sound. Asked about WOTUS and said his constituents were concerned about how WOTUS made their lives more difficult. Asked how the new WOTUS rule provided clarity on jurisdiction.

**Rep. Jerry McNerney (D-CA-09):** Asked about how they could restore San Francisco Bay without adequate program funding. Said heavy duty diesel vehicles contribute to serious public health issues and asked if he was familiar with report showing technology could reduce noxious emissions. Asked how staggering cuts to EPA’s budget could help with mission as opposed to endangering public health.

**Rep. Buddy Carter (R-GA-01):** Talked about ethylene oxide. Asked if Wheeler was doing anything to inform communities about whether there was immediate risk of exposure to ethylene oxide. Asked about superfund cleanups and sites in his district- asked for technical assistance on legislation to remove the superfund site as opposed to enclosing it. Thanks Wheeler on biomass review.

**Rep. Jan Schakowsky (D-IL-09):** Said environment is in crisis and communities are feeling that effect. Said the budget ignores that reality. Said the budget cut funding for the toxic risks review, endocrine disruptors program, among other programs and asked how he could justify those cuts. Mentioned consumer product safety and usage of phthalates. Asked why the administration is reducing funding for the lead risk reduction program. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=7919))

**Rep. Raul Ruiz (D-CA-36):** Asked if the presence of arsenic in drinking water was bad and if criminal enforcement should be a key tool to enforce compliance. Said constituents in his district on tribal land were exposed to arsenic and the problem was caught by EPA regional staff. Praised regional staff and said he was concerned by budget’s cuts to drinking water supervision system. Said criminal and civil enforcement divisions at EPA are being cut along with compliance programs. Said budget would increase his constituents’ risk of exposure to harmful air and water pollution. Said budget also cut tribal air quality funding. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=8277))

**Rep. Scott Peters (D-CA-52):** Mentioned sewage dumped in the Tijuana River near the U.S.-Mexico border. Said working with Trump, they secured funding for construction of a wastewater facility along the border. Asked how EPA viewed its role in managing the watershed along the border. Asked why the budget defunded $25 million for sewage management. Asked if he had given direction to new regional administrator on interacting with locals. Said there was a rumor that the previous administrator was relieved because he was “too nice” to locals.

**Rep. Nanette Barragan (D-CA-44):** Talked about brown water in Compton. Said it was sad that Wheeler used that issue to attack California. Said allegation that San Francisco dumped sewage into the ocean was false and that the administration recently rewarded the city for environmental achievement. Asked if he thought it was okay that asthma rates were higher in black and Latino communities. Asked if Wheeler knew about the EPA’s targeted airshed grants. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=8893))

**Rep. Dave Loebsack (D-IA-02):** Mention ruling that EPA has overstepped authority on biofuel waivers. Asked Wheeler about exemption on small refineries. Asked if the EPA intended to provide new guidance based on that ruling. Said there was a lack of transparency on exemptions and waivers for small refineries. ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=9235))

**Rep Joe Kennedy III (D-MA-04):** Mentioned that he asked about plan to bury radioactive waste near Boston Harbor. Said their was a concern that that waste could leak through the ground and asked if Wheeler could commit to working to address the issue. Highlighted dangerous of ultrafine particles and asked about regulatory standards on UFPs. Said their was a major cut to EPA’s environmental justice program.

**12:40pm- Rep. Tonko entered various items into the record with unanimous consent.**  ([VIDEO](https://youtu.be/iaMMJcpA_zU?t=9853))

**12:41pm – Hearing adjourns.**