[DATE]

The Honorable Patty Murray The Honorable Susan Collins

Chairwoman Vice Chairwoman

Committee on Appropriations Committee on Appropriations

United States Senate United States Senate

Washington, DC 20515 Washington, DC 20515

The Honorable Kay Granger The Honorable Rosa DeLauro

Chairwoman Ranking Member

Committee on Appropriations Committee on Appropriations

U.S. House of Representatives U.S. House of Representatives

Washington, DC 20515 Washington, DC 20515

Dear Chair Murray, Ranking Member Collins, Chair Granger, Ranking Member DeLauro,

On behalf of the undersigned organizations and our millions of members and supporters nationwide, we request a minimum funding level of $2,568,000,000 to the Environmental Protection Agency’s (“EPA”) core air, water, and toxics programs.

A decade of funding cuts and staffing reductions have decimated the EPA’s core programs and hampered its ability to carry out its mission to protect human health and the environment. Dwindling resources have resulted in the EPA missing statutory deadlines, jeopardizing our environment, and setting back the health of our most vulnerable people and communities. A lack of enforcement capacity also limits any polluter accountability while underfunded remediation programs leave communities at risk of exposure to hazardous waste. A sustained effort to increase funding and staff is necessary to address past failures and confront the ongoing environmental challenges of today. The proposed funding is the minimum needed to ensure that the EPA can effectively protect clean air, safeguard clean water, and protect people from dangerous chemicals.

Increased funding to grant programs does not alleviate these concerns, as the EPA needs funds and staff within its core programs to do the important work that protects human health and the environment. Therefore, to ensure that the EPA has the resources and staffing needed to carry out its crucial responsibilities, we request:

1. $100,000,000 for the Office of Science and Technology, housed within the Office of Water;
2. $400,000,000 for the Office of Air Quality and Planning Standards, housed within the Office of Air and Radiation;
3. $450,000,000 for the Office of Chemical Safety and Pollution Prevention;
4. $965,000,000 for the Office of Land and Emergency Management, which includes $100,000,000 for the Office of Superfund Remediation and Technology Innovation and $100,000,000 for the Office of Resource Conservation and Recovery, and;
5. $653,000,000 for the Office of Enforcement and Compliance Assurance, including a dedicated $40,000,000 for the Office of Site Remediation and Enforcement.

A minimum of $100,000,000 to the Office of Science and Technology would put it back on track to developing and updating critical water quality safeguards while addressing emerging water pollutants. Water quality criteria are critical in ensuring the water we use for drinking, recreation, and other purposes is safe for humans, animals, and the environment. The Clean Water Act requires the EPA to develop and publish “criteria for water quality reflecting the latest scientific knowledge,” but only three new water quality criteria for aquatic life have been developed in the last decade.[[1]](#footnote-1) Criteria for several pollutants, such as lead, have not been updated since the 1980s, while hundreds of other novel chemicals known to cause harm in aquatic ecosystems including endocrine disruptors, PFAS, and plastics still have no final water quality criteria. Effluent limitation guidelines designed to limit water pollution are nearly 40 years old, despite a Clean Water Act requirement to update these guidelines every five years when treatment technologies have improved. These water quality protection efforts have been undermined by a lack of funds and a decline in critical staff.

A minimum of $400,000,000 would support additional full-time staff within the Office of Air Quality Planning and Standards, allowing the office to address its backlog and prioritize cleaner air. Additional funding will also allow the Office of Air Quality Planning and Standards to protect public health by addressing rising levels of unhealthy air pollution. More than 1 in 3 Americans live in places with unhealthy levels of air pollution, but budget cuts and stagnant staffing at the EPA have delayed review and implementation of key Clean Air Act protections.[[2]](#footnote-2) The Office of Air Quality Planning and Standards is responsible for establishing National Ambient Air Quality Standards (“NAAQS”) that set standards to reduce air pollution, improve air quality, and ensure the air we breathe is safe. While the Clean Air Act directs review of NAAQS every five years, the EPA is long overdue in its review of carbon dioxide and lead, especially as it directs significant resources to reevaluating tainted determinations for ozone and particulate matter. And while State Implementation Plans are drafted with the goal of reaching federal standards, there is an enormous backlog awaiting review, with some submissions dating back to 1993.

A minimum of $450,000,000 would ensure that the Office of Chemical Safety and Pollution Prevention could begin to meet its critical mission objectives to better protect people and the environment from dangerous chemicals. The EPA has critical responsibilities to evaluate risks presented by new and existing chemicals under both the Federal Insecticide, Fungicide, and Rodenticide Act and the Toxic Substance Control Act. While the Office of Chemical Safety and Pollution Prevention has tried to keep pace and ensure people and the environment are protected from widespread use of chemicals, it has seen its staff whittled down due to chronic underfunding. Status quo funding to this program puts human health and the environment at risk of toxic chemicals.

A minimum of $965,000,000 to the Office of Land Emergency Management will ensure that the EPA can accomplish its mission regardless of the Superfund balance. The EPA’s management of hazardous waste facilities under the Resource Conservation and Recovery Act and its remediation and response to abandoned, uncontrolled hazardous waste sites under the Comprehensive Environmental Response, Compensation, and Liability Act requires additional funding to ensure our most vulnerable communities are protected from some of the most dangerous chemicals and poisoned plots of land. Even though the EPA is receiving significant funding from a recently revived excise tax on hazardous chemicals, that tax expires in less than 8 years, potentially putting the EPA back to square one and leaving affected communities vulnerable. Without dedicated funding for both remediation and enforcement at Superfund sites, the EPA may fail to hold polluters accountable, prevent future environmental disasters, or protect the health and welfare of affected communities.

Finally, a minimum of $653,000,000 to the Office of Enforcement and Compliance Assurance will help the EPA strengthen its enforcement capacity, which has declined by almost a third over the last decade.[[3]](#footnote-3) The EPA’s prosecution of polluters has continued to decline despite a change in administration. As EPA enforcement declines, polluters escape accountability for even the most serious violations, putting vulnerable communities and wildlife at risk of harm. A modest increase in funding will allow the EPA to reverse this trend by enforcing environmental laws and hold polluters accountable.

The EPA’s needs significant resources to protect human health and the environment, but funding and staff targeted to the agency’s core air, water, and toxic programs are essential in accomplishing this task. While more is needed to fully restore the EPA, the proposed funding puts the agency back on track.

Sincerely,

Center for Biological Diversity

GROUPS

1. U.S. EPA, National Recommended Water Quality Criteria - Aquatic Life Criteria Table https://www.epa.gov/wqc/national-recommended-water-quality-criteria-aquatic-life-criteria-table [↑](#footnote-ref-1)
2. American Lung Association, *State of the Air 2023* (Apr. 20, 2023), https://www.lung.org/getmedia/338b0c3c-6bf8-480f-9e6e-b93868c6c476/SOTA-2023.pdf?ext=.pdf [↑](#footnote-ref-2)
3. Environmental Integrity Project, *EPA Enforcement Totals in Fiscal 2022 Were Lowest in Decades in Key Areas* (Dec. 16, 2022), https://environmentalintegrity.org/wp-content/uploads/2022/12/EIP-anaylsis-of-20-years-of-EPA-enforcement-data-12.16.22.pdf [↑](#footnote-ref-3)