

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2017

WEDNESDAY, APRIL 20, 2016

U.S. SENATE,
SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 11:02 a.m., in room SD-124, Dirksen Senate Office Building, Hon. Lisa Murkowski (chairman) presiding.
Present: Senators Murkowski, Udall, Tester, Cassidy, Blunt, Leahy, Daines, and Hoeven.

ENVIRONMENTAL PROTECTION AGENCY

**STATEMENT OF HON. GINA McCARTHY, ADMINISTRATOR
ACCOMPANIED BY DAVID BLOOM, DEPUTY CHIEF FINANCIAL OFFICER**

OPENING STATEMENT OF SENATOR LISA MURKOWSKI

Senator MURKOWSKI. Good morning. I would like to welcome everyone to today's hearing in the Interior Appropriations Subcommittee. Sorry that we are starting a little bit later than scheduled, but we had an energy bill that we wanted to move across the floor. Thanks to my colleagues for on that bill support.

We are here to examine the fiscal year 2017 budget request for the Environmental Protection Agency.

Administrator McCarthy, thank you for being here. Thank you for your work. I hope that we have a constructive dialogue today.

Mr. Bloom, welcome back to the subcommittee as well.

Ms. McCarthy, we had a chance to visit briefly on the phone about some of the issues that are front and center in Alaskans' minds, and as you know, there is angst, there is anxiety, there is a view by many within my State that EPA is overstepping its appropriate role. I hear from these folks all the time.

There is a concern that, rather than focusing on the core mission of attending to and cleaning up the environment, the Agency is pumping out rule after rule based on questionable legal authority. I hear about the Agency's Waters of the United States proposal repeatedly, the so-called Clean Power Plan, and several other rules that come up repeatedly in conversation. Several of these are rules have such questionable legal grounds that they've been stayed in the courts. Numerous other rules are being challenged by States and other impacted entities who are concerned that EPA continues

to push an agenda that lines up more with those that are seeking to stop development rather than working with the States or working with the tribes.

Although the court stay offers a temporary respite, I continue to be very concerned about the Agency's Waters of the United States proposal. I've described this rule as a showstopper in the past. I know that it will have negative consequences for my State and many others if it is allowed to move forward. Approximately two-thirds of the State of Alaska is considered wetlands, and this proposal could subject even more of the most routine projects to EPA's scrutiny and possible delay.

I'm also concerned about the Agency's efforts to use the Superfund statute to require potentially duplicative financial assurance requirements on hardrock mining. From the time when States and Federal agencies like the Bureau of Land Management (BLM) and the Forest Service updated their bonding requirements for mining, no hardrock mining site has been placed on Superfund's National Priorities List, and yet, the EPA continues to move forward with a rule that has the potential to make mining prohibitively expensive.

I appreciate that your staff has signaled a willingness to work with us as the rulemaking process proceeds, and I hope that we can have continued dialogue on this proposal. It is very important.

I'm also hearing substantial concern with the Agency's latest proposal to regulate methane at existing oil and gas wells. In spite of the fact that natural gas production is up significantly, methane emissions from the oil and gas industry are either flat or in decline. In fact, one study suggests that methane emissions from hydraulically fractured natural gas wells have fallen approximately 79 percent since 2005. At a time when low oil prices are creating a challenging situation for the industry, I'm concerned that this proposal has the potential to perhaps limit investment, hamper domestic production, and drive up costs for the consumers.

While I have concerns with many of the major rules that the Agency is moving forward with, I am hopeful we can find a path forward on a laundry list of proposals that will have a real impact on cleaning up the environment. For example, the fiscal year 2016 omnibus included \$20 million for Targeted Air Shed Grants. My understanding is that the city of Fairbanks is eligible for some of these grants to help deal with the particulate matter problem that you are very familiar with. I am hoping that we can work with you to ensure that this type of cleanup can occur.

Additionally, I was pleased that we were able to double the funding for the Alaska Native Villages Water Program in the fiscal year 2016 omnibus to \$20 million. I am also pleased that we were able to find a way to ensure that the backhaul program can continue to collect trash and other things that need to be disposed of from villages in rural Alaska.

I am also hopeful that we can find common ground on a number of lower profile issues this year that are still very important to Alaskans. We still need to find a workable solution for small remote incinerators that are the only option to deal with solid waste in some areas in Alaska. This is something we've been working on for a long period of time. We need to deal with backup diesel gener-

ator concerns in rural Alaska and find a way to clean up abandoned oil tanks and contaminated lands. We are willing to find some sensible solutions, and I want to work with the Agency on those issues.

Turning to the fiscal year 2017 budget request, I have some very serious concerns with the choices the Agency has made. The budget prioritizes funding for controversial regulatory programs over on-the-ground cleanup, and it shifts money away from programs that have demonstrated results in favor of funding the bureaucracy. I think the most glaring example of this is the Agency's decision to cut the Clean Water State Revolving Fund by more than \$414 million. While the Agency has proposed an increase in funding for the Drinking Water State Revolving Fund, the fiscal year 2017 budget shortchanges the State Revolving Funds (SRFs) by approximately \$257 million. At a time when there is ever-increased focus on the need to improve our Nation's water infrastructure because of events like those that occurred in Flint, Michigan and in other cities with water quality issues, I am very concerned about the direction the budget takes here.

Additionally, the Agency once again proposes to eliminate a program to protect against radon exposure, the second leading cause of lung cancer behind smoking, and it proposes to eliminate the grant program that I mentioned earlier that has the potential to help improve air quality in areas with particulate matter and ozone issues.

At the same time the Agency proposes these cuts to programs with proven records of success, the budget requests approximately \$235 million to fund the President's climate change agenda. This is a 48 percent increase over last year's level, even though the Clean Power Plan has been stayed by the Federal court. Similarly, the Agency has asked for a \$27.5 million increase in the Agency's enforcement budget, even though I'm hearing concerns from folks back home about the Agency's enforcement activities.

These are areas that I would like to explore with you, and working with the subcommittee, find a way to ensure that the actions of the Agency are consistent with what most people in the country believe the priorities should be.

Again, thank you for being here. And my apologies that we're starting so late.

With that, I will turn to my ranking member, Senator Udall.

STATEMENT OF SENATOR TOM UDALL

Senator UDALL. Thank you so much, Chairman Murkowski. And what she didn't say was we just came off a big victory on the floor, bipartisan victory, in terms of an energy bill. We haven't had an energy bill since 2007. And Senator Murkowski and Ranking Member Maria Cantwell I think came up with a very solid proposal, and we hope the House will work with us, and I just want to congratulate you for that, and also say I hope those same bipartisan credentials we can both work on together in this subcommittee to get things done.

Welcome, Administrator McCarthy, and thank you for joining us today. It's been quite a year since you last testified before this subcommittee. The EPA finalized the Clean Power Plan. This is a crit-

ical step. It will reduce carbon pollution and will make real progress on climate change. The EPA also proposed standards for methane to protect public health and the environment. We worked together on last year's omnibus bill and fought off dangerous environmental riders. And we made history when the United States took part in the Paris agreement to fight climate change. The United States and 200 other countries agreed to work together to fight rising sea levels and climbing temperatures.

On Friday, Earth Day, Secretary of State Kerry will sign the agreement for the United States. It will be a monumental step. It will seal our commitment with our global partners to fighting climate change. The EPA's Clean Power Plan will frame our efforts to meet that commitment.

While the Supreme Court did issue a stay on the Clean Power Plan, that decision was not on the merits of the case, and I'm confident that the Clean Power Plan will prevail. It will be flexible and it will meet the unique needs of each State.

I'm pleased to see that EPA has not skipped a beat. It will keep helping States that are working to reduce carbon pollution, providing funding and technical help, ensuring that these plans are tailored to each State's needs. I want to hear more about how the EPA plans to build on these efforts in fiscal year 2017. It takes time, effort, and resources to make progress on international agreements and new standards.

But that's why I'm also worried. Last year, the budget deal allowed us to make targeted investments for many agencies, but not so for the EPA. Its operating budget was frozen in last year's budget deal, left at the sequester level. Over the past decade, its budget has dropped 10 percent in real terms, and the Agency has lost 10 percent of its staff. The fiscal year 2017 budget request proposes important increases to support clean air, clean water, and basic Agency functions. I think the EPA has reached a critical point, and I think it's time for us to get realistic about providing the resources that the EPA needs.

Administrator McCarthy, I want to thank you for making sure your draft budget supports programs that are important to New Mexico, especially uranium cleanup, but I think we need to look closely at the proposed offsets, in particular, the 11 percent cut to State grants for clean water and drinking water. Across our country, communities like Flint, Michigan, face serious water contamination. In my State of New Mexico, over 20 water systems exceed the EPA's lead level, lead action level, including St. Vincent's Hospital in Santa Fe, New Mexico. This is very troubling to me.

I'm also concerned about EPA's proposal to reverse progress on the U.S.-Mexico Border Water Program. This is critical to ensure our border communities have clean water.

But, Administrator McCarthy, my top priority today is to get firm answers about EPA's response to communities in New Mexico, Arizona, and Colorado after the Gold King Mine spill. The spill was an accident, but the EPA made several serious mistakes, and the EPA owes it to the Navajo Nation and the State of New Mexico to make things right as soon as possible. I appreciate that \$2 million was made available for long-term water quality monitoring. This funding is greatly needed by affected States and tribes, but the

EPA must sustain that commitment. And I'm very disappointed at how long it has taken the EPA to process reimbursements submitted by the State and the Navajo Nation, and I'm frustrated that 8 months later, we still don't have an official finding of tort responsibility despite public assurances that EPA takes full responsibility for the spill. We need a fair compensation process up and running for those who were affected so that people can file claims and receive compensation. I look forward to getting clear answers from you and when this will be corrected.

Administrator, I want to add one note, and thank you to you and your team for all your technical assistance as we work on the many drafts of the Toxic Substances Control Act (TSCA). The program office and the general counsel have been invaluable, and I hope you feel as optimistic as I do that we can get this done.

Thank you again for appearing before us today, and I look forward to a good discussion.

Thank you, Madam Chair.

Senator MURKOWSKI. Thank you, Senator Udall.

With that, let us turn to Administrator McCarthy. Again, welcome to the subcommittee, and we look forward to your comments and the opportunity to engage in questions.

SUMMARY STATEMENT OF HON. GINA MCCARTHY

Ms. MCCARTHY. Well, first of all, thank you very much, Chairman Murkowski and Ranking Member Udall for the opportunity to speak here as well as members of the subcommittee. It's an opportunity for me to be here before you to discuss EPA's proposed fiscal year 2017 budget, and I'm joined by the Agency's Deputy Chief Financial Officer, David Bloom.

EPA's budget request of \$8.267 billion for the 2017 fiscal year lays out a strategy to ensure steady progress in addressing environmental issues that affect public health. For 45 years, our investments to protect public health and the environment have consistently paid off many times over. We have cut air pollution by 70 percent and cleaned up half of the Nation's polluted waterways, all the while our national economy has tripled.

Effective environmental protection is a joint effort of EPA, the States, as well as our tribal partners. That's why the largest part of our budget, \$3.28 billion, or almost 40 percent, is provided directly to our State and tribal partners.

In fiscal year 2017, we are requesting an increase of \$77 million in funding for State and tribal assistance categorical grants in support of critical work in air and water protection as well as continued support for our tribal partners. This budget request also reinforces EPA's focus on community support by providing targeted funding and support for regional coordinators to help communities find and determine the best programs to address their local environmental priorities.

The budget includes \$90 million in Brownfield Project grants to local communities, and that's an increase of \$10 million, which will help to return contaminated sites to productive use. This budget prioritizes actions to reduce the impacts of climate change and supports the President's Climate Action Plan. It includes \$235 million for efforts to cut carbon pollution and other greenhouse gases

through commonsense standards, guidelines, as well as voluntary programs.

The EPA's Clean Power Plan continues to be a top priority for the EPA and for our Nation's inevitable transition to a clean energy economy. Though the Supreme Court has temporarily stayed the Clean Power Plan rule, States are not precluded from voluntarily choosing to continue implementation planning, and EPA will continue to assess those States that voluntarily decide to do so.

As part of the President's 21st Century Clean Transportation Plan, the budget also proposes to establish a new mandatory fund at the EPA, providing \$1.65 billion over the course of 10 years to retrofit, replace, or repower diesel equipment, and up to \$300 million in fiscal year 2017 to renew, as well as increase, funding for the Diesel Emission Reduction Grant Program.

The budget also includes a \$4.2 million increase to enhance vehicle engine and fuel compliance programs, including critical testing capabilities. We also have to confront the systemic challenges that threaten our country's drinking water and infrastructure that delivers it. This budget includes a \$2 billion request for the State Revolving Fund and \$42 million in additional funds to provide technical assistance to small communities, loan financing program to promote public-private collaboration, and training to increase the capacity of communities and States to plan and finance drinking water and wastewater infrastructure improvements.

The EPA requests \$20 million to fund the Water Infrastructure Finance and Innovation Act, the WIFIA program, which will provide direct financing for the construction of water and wastewater infrastructure by making loans for large innovative projects of regional or national significance. The budget also provides \$22 million in funding to expand the technical, managerial, and financial capabilities of drinking water systems. Included is \$7.1 million for the Water Infrastructure and Resiliency Finance Center and the Center for Environmental Finance that will enable communities across the country to focus on financial planning for upcoming public infrastructure investments, to expand work with States to identify financing opportunities, particularly for rural communities, and to enhance partnership and collaboration with the U.S. Department of Agriculture.

EPA is also seeking a \$20 million increase to the Superfund Remedial program to accelerate the pace of cleanups, to support States, local communities, and tribes in their effort to both assess as well as clean up and return contaminated sites to productive use.

EPA's fiscal year 2017 budget request will let us continue to make a real and visible difference to communities and public health every day, as well as provide us with a foundation to revitalize the economy and improve infrastructure across the country.

I want to again thank you for the opportunity to testify today, and I look forward to answering your questions.

[The statement follows:]

PREPARED STATEMENT OF HON. GINA MCCARTHY

Chairman Murkowski, Ranking Member Udall, and members of the subcommittee, thank you for the opportunity to appear before you to discuss the Environmental Protection Agency's proposed fiscal year 2017 budget. I'm joined by the agency's Deputy Chief Financial Officer, David Bloom.

The EPA is, at its very core, a public health agency. The simple fact is you cannot have healthy people without clean air, clean water, healthy land, and a stable climate. We have worked hard to deliver these and made significant progress over the years for the American people. This budget request of \$8.267 billion (in discretionary funding) for the 2017 fiscal year, starting October 1, 2016, lays out a strategy to ensure that steady progress is made in addressing environmental problems. This strategy includes actions to protect public health and it ensures that the agency and its partners in environmental protection, States and tribes, are positioned to meet the challenges of the future. The request is \$127 million above the agency's enacted level for fiscal year 2016. For 45 years, the EPA's investments to protect public health and the environment have helped make the Nation's air, land, and waters cleaner.

However, in many ways we are now at a turning point. As science advances, it improves our ability to measure pollution and provide better and more complete access to environmental information, but we know that the technologies and tools that we have relied on to date cannot be expected to meet all of today's challenges, like climate change and aging infrastructure. This budget supports efforts to leverage investments in technology, and be even more innovative and responsive, while reflecting an understanding that a strong economy depends on a healthy environment. It funds essential work to support our communities, address climate change, protect our waters, protect our land, ensure chemical safety, encourage pollution prevention, advance research and development and promote innovation and modernization to streamline processes.

Supporting our State, local, and tribal partners is a central component of our work to protect public health and the environment. This budget builds on a history of addressing environmental and public health challenges as a shared responsibility. We are doing this while supporting a strong workforce at the EPA and maintaining a forward and adaptive organization with the tools necessary to ensure effective use of the public funds provided to us.

MAKING A VISIBLE DIFFERENCE IN COMMUNITIES ACROSS THE COUNTRY

We are committed to continuing our work with our partners to make a visible difference in communities across the country—especially in areas overburdened by pollution—including distressed urban and rural communities.

The EPA has made community support a top priority and this budget reinforces that focus. It includes a multi-faceted effort that builds and strengthens capacity using innovative tools, comprehensive training, technical assistance, and increased access to the most up-to-date scientific data. The EPA is committed to assisting communities in addressing their most pressing environmental concerns and will continue to innovate by taking full advantage of advances in technology to detect air and water pollution.

In fiscal year 2017, the EPA will provide targeted funding and support for regional coordinators to help communities find and determine the best programs to address local environmental priorities. The fiscal year 2017 budget also provides \$17 million for the Alaska Native Villages infrastructure assistance program, and an additional \$2.9 million within the Integrated Environmental Strategies program will support these communities in conducting resiliency planning exercises and capacity-building. This will build upon previous collaborative efforts with FEMA, NOAA and HUD.

Across the budget, activities help communities adopt green infrastructure, provide technical assistance for building resilience and adapting to climate change, and help communities to reduce environmental impacts through advanced monitoring technology and decisionmaking tools. The EPA's budget also includes \$90 million in Brownfields Project grants to local communities, an increase of \$10 million. These funds will help to return contaminated sites to productive reuse by increasing investments in technical assistance and community grants for assessment and clean-up of areas where we work, live and play.

The EPA will continue work to limit public exposure to uncontrolled releases of hazardous substances and make previously contaminated properties available for reuse by communities through a request of approximately \$521 million in the Superfund Remedial program and another \$185 million in the Superfund Emergency Response and Removal program. An increase of \$24 million in Superfund cleanup pro-

grams will enable the remedial program to maximize the preparation of “shovel-ready” projects, and provide funding to reduce the backlog of new construction projects that address exposure to contaminated soil and groundwater. It also supports critical resources with the Emergency Response and Removal program giving us the ability to quickly respond to simultaneous emergencies.

ADDRESSING CLIMATE CHANGE AND IMPROVING AIR QUALITY

The fiscal year 2017 budget request for the agency’s work to address climate change and to improve air quality is \$1.132 billion. These resources will help protect those most vulnerable to climate impacts and the harmful health effects of air pollution through commonsense standards, guidelines, and partnership programs.

Climate change remains a threat to public health, our economy, and national security and the U.S. recognizes our role and our responsibility to lead in cutting carbon pollution that is fueling climate change. To do so, our work will position the business community, its entrepreneurs, and its innovators to lead the world in a global effort while at the same time, expanding the economy. States and businesses across the country are working to build renewable energy infrastructure, increase energy efficiency, and cut carbon pollution—creating sustainable, middle class jobs and displaying the kind of innovation that has enabled this country to overcome so many challenges. Over the last decade, the U.S. has cut its total carbon pollution more than any other nation on Earth. And last November, we set a goal of reducing economy-wide greenhouse gas emissions by 26–28 percent by 2025. Even so, we are still ranked just behind China as the second largest emitter of CO₂, so we need to continue to lead by example as we work to address this global challenge.

The fiscal year 2017 budget prioritizes actions to reduce the impacts of climate change, one of the most significant challenges for this and future generations, and supports the President’s Climate Action Plan. The budget includes \$235 million for efforts to cut carbon pollution and other greenhouse gases through common sense standards, guidelines, and voluntary programs. The EPA’s Clean Power Plan, which establishes carbon pollution reduction standards for existing power plants, is a top priority for the EPA and will help spur innovation and economic growth while creating a clean energy economy. Although the Supreme Court has stayed the CPP rule, the stay does not preclude all continued work on the CPP and does not limit States that want to proceed with planning efforts or other actions to reduce greenhouse gas emissions from power plants. During the stay, EPA will continue to assist States that voluntarily decide to move forward, helping to pave the way for plans that will involve innovative approaches and flexibility for achieving solutions.

The President’s Climate Action Plan also calls for greenhouse gas reductions from the transportation sector by increasing fuel economy standards. These standards will represent significant savings at the pump, reduce carbon pollution, and reduce fuel costs for businesses, which is anticipated to lower prices for consumers. The budget includes a \$4.2 million increase to enhance vehicle, engine and fuel compliance programs, including critical testing capabilities, to ensure compliance with emission standards. An additional \$1 million is included in the President’s request to share the agency’s mobile source expertise and technical assistance internationally with a focus on heavy duty trucks.

As part of the President’s 21st Century Clean Transportation Plan, the President’s budget proposes to establish a new mandatory fund at the EPA. The existing fleet of cars, trucks, and buses is aging, contributing to climate change and putting our children’s health at risk. To protect the health of the most vulnerable populations and reduce childhood exposure to harmful exhaust, the EPA will provide a total of \$1.65 billion through the Fund over the course of 10 years to retrofit, replace, or repower diesel equipment. The proposed funding, which is separate from the agency’s discretionary funding request, will provide up to \$300 million in fiscal year 2017 to renew and increase funding for the Diesel Emissions Reduction Grant Program (DERA), which is set to expire in 2016. This budget also provides \$10 million in discretionary funding to support our existing DERA program to provide national grants and rebates to reduce diesel emissions in priority areas.

PROTECTING THE NATION’S WATERS

Protecting the Nation’s waters remains a top priority for the EPA. In fiscal year 2017, the agency will continue to build upon decades of work to ensure our waterways are clean and our drinking water is safe. There are far reaching effects when rivers, lakes, and oceans become polluted. Polluted waters can make our drinking water unsafe, threaten the waters where we swim and fish, and endanger wildlife. To meet these needs and to protect public health, we need to expand our impact through innovation. The State Revolving Funds (SRF) alone, while important, can-

not and should not be relied upon to solve all infrastructure needs. New funds available under the Water Infrastructure Finance and Innovation Act (WIFIA) credit program, as well as technical assistance to help communities plan future investments and better leverage Federal, State, and local resources are necessary to get us there.

We have to confront the systematic challenges that threaten our drinking water; a resource essential to every human being and living thing on Earth. The EPA will continue to partner with States to invest in our Nation's water infrastructure. This budget includes a combined \$2 billion request for the Clean Water and Drinking Water State Revolving Funds and \$42 million in additional funds to provide technical assistance to small communities, loan financing to promote public-private collaboration and training to increase the capacity of communities and States to plan and finance drinking water and wastewater infrastructure improvements.

The Water Infrastructure Finance and Innovation Act (WIFIA) established a new financing mechanism for water and wastewater infrastructure projects. In this budget, the EPA requests \$20 million to fund the WIFIA program, which will provide direct financing for the construction of water and wastewater infrastructure by making loans for large innovative projects of regional or national significance. The WIFIA program also will work to support investments in small communities and promote public-private collaboration. \$15 million of the \$20 million increase in the budget will allow EPA to begin making loans for WIFIA projects. The program is designed to highly leverage these funds, translating into a potential loan capacity of nearly \$1 billion to eligible entities for infrastructure projects.

This budget provides \$22 million in funding to expand the technical, managerial, and financial capabilities of drinking water and wastewater systems to provide safe and reliable services to their customers now and into the future. Included is \$7.1 million for the Water Infrastructure and Resiliency Finance Center and the Center for Environmental Finance that will enable communities across the country to focus on financial planning for upcoming public infrastructure investments, expand work with States to identify financing opportunities for rural communities, and enhance partnership and collaboration with the U.S. Department of Agriculture. The Water Infrastructure and Resiliency Finance Center is part of the Build America Investment Initiative, a government-wide effort to increase infrastructure investment and promote economic growth by creating opportunities for State and local governments and the private sector to collaborate on infrastructure development.

PROTECTING OUR LAND

The EPA strives to protect and restore land to create a safer environment for all Americans by cleaning up hazardous and non-hazardous wastes that can migrate to air, groundwater and surface water, contaminating drinking water supplies, causing acute illnesses and chronic diseases, and threatening healthy ecosystems. We preserve, restore, and protect our land, for both current and future generations by cleaning up contaminated sites and returning them to communities for reuse. Funding will assist communities in using existing infrastructure and planning for more efficient and livable communities, and encouraging the minimization of environmental impacts throughout the full life cycle of materials.

Approximately 53 million people in the U.S. live within 3 miles of a Superfund remedial site, roughly 17 percent of the U.S. population, including 18 percent of all children under the age of five. In fiscal year 2017, we will increase the Superfund Remedial program by \$20 million to accelerate the pace of cleanups, supporting States, local communities, and tribes in their efforts to assess and cleanup sites and return them to productive reuse, and encourage renewable energy development on formerly hazardous sites when appropriate. We also will expand the successful Brownfields program's community-driven approach to revitalizing contaminated land, providing grants, and supporting area-wide planning and technical assistance to maximize the benefits to the communities.

TAKING STEPS TO IMPROVE CHEMICAL FACILITY SAFETY

The EPA is requesting \$23.7 million for the State and Local Prevention and Preparedness program, an increase of \$8.4 million above the fiscal year 2016 enacted level.

In support of the White House Executive Order 13650 on Improving Chemical Facility Safety and Security, the requested increase will allow the EPA to continue to expand upon its outreach and technical assistance to improve the safety and security of chemical facilities and reduce the risks of hazardous chemicals to facility workers and operators, communities, and responders.

These efforts represent a shared commitment among those with a stake in chemical facility safety and security: facility owners and operators; Federal, State, local,

tribal, and territorial governments; regional entities; nonprofit organizations; facility workers; first responders; environmental justice and local environmental organizations; and communities. The EPA therefore plays a significant and vital role.

In fiscal year 2017, the EPA will develop, initiate and deliver training to aid with expansive outreach and planning for local communities, emergency planners, and responders. This will assist local emergency planners and first responders in using the risk information available to them, educating the public about what to do if an accident occurs. The EPA also will work effectively with facilities to reduce the risks associated with the chemicals that are stored, used, or produced on site to help prevent accidents from occurring.

CONTINUING EPA'S COMMITMENT TO INNOVATIVE RESEARCH & DEVELOPMENT

In building environmental policy, scientific research continues to be the foundation of EPA's work. Environmental issues in the 21st century are complex because of the interplay between air quality, climate change, water quality, healthy communities, and chemical safety. Today's complex issues require different thinking and different solutions than those used in the past. In fiscal year 2017, we will continue to strengthen the agency's ability to develop solutions by providing \$512 million to evaluate and predict potential environmental and human health impacts for decision makers at all levels of government. Activities in the fiscal year 2017 budget include providing support tools for community health, investigating the unique properties of emerging materials, such as nanomaterials, and research to support the Nation's range of growing water-use and ecological requirements. The Chemical Safety and Sustainability program will continue to place emphasis on computational toxicology (CompTox), which is letting us study chemical risks and exposure exponentially faster and more affordably than ever before. The EPA's ToxCast program has screened nearly 2,000 chemicals and Tox21 has screened over 8,000. In fiscal year 2017 we have an opportunity to further enhance CompTox and broaden its application, adding significant efficiency and effectiveness to agency operations.

SUPPORTING STATE AND TRIBAL PARTNERS

Effective environmental protection is a joint effort of the EPA, States and our tribal partners, and we are setting a high bar for continuing our partnership efforts. That's why the largest part of our budget, \$3.28 billion dollars, or almost 40 percent, is provided directly to our State and tribal partners. In fiscal year 2017, we are requesting an increase of \$77 million in funding for State and Tribal Assistance categorical grants in support of critical State work in air and water protection as well as continued support for our tribal partners.

The EPA is focused on opportunities to continue building closer collaboration and targeted joint planning and governance processes. One example is the E-Enterprise for the Environment approach, a transformative 21st century strategy to modernize the way in which government agencies deliver environmental protection. With our co-regulatory partners, we are working to streamline, reform, and integrate our shared business processes and related systems. These changes, including a shift to electronic reporting, will improve environmental results, reduce burden, and enhance services to the regulated community and the public. State-EPA-Tribal joint governance serves to organize the E-Enterprise partnership to elevate its visibility, boost coordination capacity, and ensure the inclusiveness and effectiveness of shared processes, management improvements, and future coordinated projects.

MAINTAINING A FORWARD LOOKING AND ADAPTIVE EPA

The EPA has strategically evaluated its workforce and facility needs and will continue the comprehensive effort to modernize its workforce. By implementing creative, flexible, cost-effective, and sustainable strategies to protect public health and safeguard the environment, the EPA will target resources toward development of a workforce and infrastructure that can address current challenges and priorities.

We are requesting funding in this budget to help us fast-track efforts to save taxpayer dollars over the long term by optimizing and renovating critical agency space. That space includes laboratory buildings across the country, where we conduct critical scientific research on behalf of the American public. Since fiscal year 2012, the EPA has released over 250,000 square feet of office space nationwide, resulting in a cumulative annual rent avoidance of nearly \$9.2 million across all appropriations. Additional planned consolidations and moves could release another 336,000 square feet of office space in the next several years.

The agency will continue on-going work to improve processes and advance the E-Enterprise effort—replacing outdated paper processes for regulated companies with electronic submissions. The EPA's goals for process improvements are: leveraging

technology, streamlining workflow, and improving data quality, and increasing data sharing and transparency. The agency also is making necessary investments to improve internal IT services to support productivity and address cybersecurity needs.

In fiscal year 2017, the EPA requests \$3.3 million to expand Program Evaluation and Lean efforts as a part of the High Performing Organization Cross-Agency Strategy. We continue to eliminate non-value added activities to focus more directly on all tasks that support its mission of protecting public health and the environment.

The EPA continues to examine its programs to find those that have served their purpose and accomplished their mission. The fiscal year 2017 President's budget also eliminates some mature programs where State and local governments can provide greater capacity. Those grant programs are the Beaches Protection categorical grants, the Multi-purpose categorical grants, the Radon categorical grants, the Targeted Airshed grants and the Water Quality Research and Support grants, totaling \$85 million.

We are committed to do the work that is necessary to meet our mission and protect public health. The EPA's fiscal year 2017 budget request will let us continue to make a real and visible difference to communities and public health every day. It will give us a foundation to revitalize the economy and improve infrastructure across the country. And it will sustain State, tribal, and Federal environmental efforts across all our programs.

Mr. Chairman, I thank you for the opportunity to testify today. While my testimony reflects only some of the highlights of the EPA's fiscal year 2017 budget request, I look forward to answering your questions.

Senator MURKOWSKI. Thank you, Administrator.

And we will now move to a round of 6-minute questions.

Let me begin with a real softball for you because this is something that we have tried to do working with your folks. Each year we convene a senior EPA team to sit down with my staff to go through the laundry list of things that come to my attention from constituents. They're not as high profile as Waters of the United States or methane, but they're critically important. I'm hopeful we will be able to continue these discussions. I know that things are winding down within the administration, but having as much dialogue back and forth on these as we can is appreciated, and I would hope that we would have your commitment to convene this type of a meeting perhaps later this spring.

Ms. MCCARTHY. These meetings have been enormously important and productive, and I would be happy to do that. We do have limited time, but we're certainly looking to make progress moving forward.

Senator MURKOWSKI. Good. If we can keep these issues from expanding into bigger, more complicated problems, then we're all ahead.

I mentioned the issue with city of Fairbanks and their eligibility to apply for a portion of this \$20 million that's in these Targeted Air Shed Grants. I know that you are very familiar with the issue and the limited options that the community of Fairbanks has. I would like your commitment this morning that you'll look closely at what the city of Fairbanks is doing as they're attempting to improve their air quality in this manner and their ability to perhaps use these grant funds for a wood stove change-out effort.

Ms. MCCARTHY. I am familiar with the concerns in Fairbanks, and I'd be happy to work with them. I do know that they need to get in a proposal by July.

Senator MURKOWSKI. Right.

Ms. MCCARTHY. But the unfortunate thing is they'll be very competitive for that proposal given their challenge.

Senator MURKOWSKI. I understand, and one thing that we can do in Alaska is try our best to compete, and we will do that.

Let me ask about Waters of the United States. I mentioned in my comments that the Agency's rule is currently stayed, but I have heard from some that there is concern that EPA regional offices may be trying to implement parts of the WOTUS rule in spite of the fact that it is stayed. My question to you this morning is whether or not EPA is taking any actions related to Waters of the United States while the rule is stayed in the courts.

Ms. MCCARTHY. We're not doing anything to implement the rule given its stay, so if there are concerns, Senator, please pass them along or have folks give us a call.

Senator MURKOWSKI. So you are giving me your assurance that the Agency is not planning on taking any actions to implement the rule until there is final action by the courts.

Ms. MCCARTHY. That is correct.

Senator MURKOWSKI. Okay. Thank you. I also mentioned financial assurance for mining and the Agency's effort that could result in potentially duplicative financial assurance requirements on the hardrock mining industry using the Superfund statute. The omnibus bill included a directive that required the Agency to submit a market capacity study to the subcommittee 90 days prior to the release of a rule. Included within that omnibus measure with the study was a requirement that the Agency would engage in extensive consultation with the surety and with the insurance industries and then share with the surety and the insurance industries the model that the Agency is using to estimate the costs.

What I'm hearing now, and the concern that I want to raise, is that the outreach to the surety and the insurance industries at this stage has been limited to initial meetings with very little follow-up. There is also some concern that the model has not been shared. Can you commit to getting to me, within the next couple weeks, a list with the names of the commercial insurers, the financial companies, the other entities that you are consulting with to date and who you have plans to consult with this year? Additionally, can you advise me as to whether you'll commit to sharing a draft of the model or the specific components of the model with both the subcommittee as well as these insurers and financial companies just as we laid out in the omnibus provision?

Ms. MCCARTHY. Well, we do intend to comply with the language in the omnibus provision. I think you know that by December 1st, we have to have a proposal out according to our court order. So we will do that, and we recognize that we need to do consultation early in order to be able to get the study out 90 days in advance.

You know, I would say I've also heard from some of the western Governors looking to make sure that we also provide significant consultation so that we don't duplicate things and we understand what is already being managed and handled at the State level and what our responsibility would then be at the Federal level.

So I'll do my best to get you the information I can in a timely way, but we will comply.

Senator MURKOWSKI. As timely as you can make this, I think it is going to be important. There is a great deal of concern within the industry, at least in my State, that this is yet one more add-

on when they're already providing these financial assurances to other Federal agencies.

Let me turn to my—

Senator UDALL. Senator Tester.

Senator MURKOWSKI. He is the best ranking member, he will always defer to one of his other colleagues first.

Senator Tester.

Senator TESTER. Well, thank you, Ranking Member Udall, and thank you, Madam Chair. I just have a couple questions.

First of all, thank you for being here, Gina.

Brownfield utilization, you said it's at \$90 million. Did you spend all the money last year, in last year's budget, in Brownfield?

Ms. MCCARTHY. We could spend that and much more.

Senator TESTER. Okay. So the question is, and I know you've got to fall within budget lines, but this is a program that I am told in Montana is a very popular program that does a lot of really good work. And so you wouldn't be opposed if we plussed that up a little?

Ms. MCCARTHY. Well, it depends on where you get it from. [Laughter.]

But certainly we recognize that the Brownfields program is a valuable one for many States, and we are increasing that budget, but we certainly understand that it could go a long way.

Senator TESTER. Just one more quick question. Is this a grant based on need? How do you allocate the dollars? The \$90 million to the communities, how is it—

Ms. MCCARTHY. It's a competitive grant process.

Senator TESTER. And how many of those grant processes do you do a year? Is it just one bite at the apple?

Ms. MCCARTHY. Do we know? Yes, just one.

Senator TESTER. Okay. Thank you. Let me talk to you about Superfund designation for a second.

Ms. MCCARTHY. Yes.

Senator TESTER. Has there ever been a Superfund that's been designated that has been cleaned up?

Ms. MCCARTHY. Yes, there has been.

Senator TESTER. Can you give any examples?

Ms. MCCARTHY. Well, I know that we've had more than 300 sites nationwide—

Senator TESTER. That have been cleaned up.

Ms. MCCARTHY [continuing]. That have been de-listed.

Senator TESTER. Yes.

Ms. MCCARTHY. We have over a thousand, even beyond that, that have been de-listed with the exception that you have ongoing groundwater treatment that's required.

Senator TESTER. Yes.

Ms. MCCARTHY. I'm happy to provide you a list following the meeting, if you'd like, with specific examples.

Senator TESTER. I would appreciate that if you could, and thank you.

[CLERK'S NOTE: The list of all Superfund sites that have been cleaned up and others that have been de-listed are in the "Additional Committee Questions" at the end of the hearing under the heading "Questions Submitted by Senator Jon Tester."]

Water quality for cities and towns. Almost without exception, one of the things—and I'm not going to preface it with anything—one of the things that cities and towns talk to me about is that EPA comes down with regulations that they have to meet, and there is not money associated with it. Can you tell me in this budget if it's adequate in that regard?

Ms. MCCARTHY. Well, I think we're doing our best to increase the money that would go to States and tribes and the money that we can provide in assistance to local communities.

Senator TESTER. Okay.

Ms. MCCARTHY. We're looking at a \$77 million increase and \$30 million specifically for the tribes.

Senator TESTER. Okay.

Ms. MCCARTHY. It is a very challenging situation for all of us to make ends meet.

Senator TESTER. Okay. So tell me how you would answer this argument, where cities and town, the water we're dumping back into our water source is cleaner than the water we pull out; we think the regulations are too tight. Tell me how you would answer that.

Ms. MCCARTHY. Well, I think we want to make sure that the drinking water that we provide meets health-based standards. That's our primary goal.

Senator TESTER. Okay. And how about the return water, the wastewater that they're claiming is cleaner than the water that they drew out before it went through the shower or the toilet or wherever it went?

Ms. MCCARTHY. Yes. Well, part of the challenge that we have is to just work with States so we understand the water quality so that our discharges matched to how States prioritize their own rivers and streams.

Senator TESTER. Good. Good, good, good. Real quickly, and I appreciate your brief answers, because I'll get through this, I want to talk about your research budget, and you've got research for air and climate and energy and for safe and sustainable water resources, and there's a lot of good stuff in here. A couple things. How much research dollars are actually dedicated towards technology that will help those cities and towns meet—where are we at on—meet the standards that are put out? Are we woefully inadequate or are we adequate? Where are we at on that? And then I've got another question on that, too.

Ms. MCCARTHY. Well, I think on technology, we certainly do some work. We're focused a lot on monitoring technologies because they're ever evolving.

Senator TESTER. Yes.

Ms. MCCARTHY. I think we have significant challenges to look at how we push towards the type of water and wastewater technologies that are going to be amenable to what we're seeing today in the emerging technologies of the future.

We clearly have challenges there on the water side. Where the Clean Air Act tends to push and motivate technology improvements—

Senator TESTER. Yes.

Ms. MCCARTHY [continuing]. That kind of motivation doesn't exist as heavily when you look at drinking water and clean water.

Senator TESTER. And water. Okay. Okay. Thank you. One more real life example. Because we had pretty good crops in Montana the last 5, 6 years, I've been able to swap out my equipment, my tractors.

Ms. MCCARTHY. Yes.

Senator TESTER. And so the air coming out of those stacks are a lot cleaner in these ones than it was in my 1985 model. Okay. But here's the hitch: my cost per acre I was doing for a third of a gallon, now it's two-thirds of a gallon, it's doubled. And I asked the manufacturer, the dealer, I said, "How come efficiency is not as good?" and they said, "It's the Clean Air standards on those engines." I don't know if that's BS or not, but I've heard that from many, many, many people, that there is so much stuff attached to reduce the output.

The question is, and it goes back to your research fund, is there any money dedicated to the industrial side of engines to make sure that—because I believe in the Clean Air portion of it, but I'd like to have a little efficiency in the process, too.

Ms. MCCARTHY. Well, I mean, we clearly look at efficiency because we are now looking at regulating for both greenhouse gases and traditional pollutants.

Senator TESTER. Right.

Ms. MCCARTHY. We don't want tradeoffs.

Senator TESTER. Right.

Ms. MCCARTHY. I want them to be cleaner and more efficient.

Senator TESTER. Yes.

Ms. MCCARTHY. That's the only way we're going to get there.

Senator TESTER. Yes.

Ms. MCCARTHY. I will come—Senator, I'm happy to come back to you on the question of how much research we have directed at industrial equipment as opposed to on-road.

Senator TESTER. Yes.

Ms. MCCARTHY. I know a lot about light duty and heavy duty, which is somewhat what you're talking about, but there's a real challenge.

Senator TESTER. Yes. And by the way, when it comes to highway vehicles, we've accomplished both, we've accomplished fuel efficiency and cleaner air.

Ms. MCCARTHY. Yes.

Senator TESTER. It seems to me it would be nice to have it the other way. Thank you.

I'm sorry I ran over. Appreciate it. Thank you, Ms. Chairman and ranking member.

Senator MURKOWSKI. Thank you, Senator.

Senator Cassidy.

Senator CASSIDY. Hello, Administrator. Again, thank you for being here.

Ms. MCCARTHY. Nice to be here. Thank you.

Senator CASSIDY. We had Chief Tidwell from the U.S. Forest Service—let me start over.

The Paris Accords—in the Paris Accords, the use of forests as carbon sinks has increased by 100 percent.

Ms. MCCARTHY. Yes.

Senator CASSIDY. Now, frankly, there are some that are skeptical that that can be achieved because of the land that would be required to so achieve, but let's just leave it as if that could potentially occur.

Now, last September, EPA published an interim recommendation for environmental standards as well as eco levels—ecolabels for use in Federal procurement, and the recommendation that EPA made for lumber includes the Forest Stewardship Council's certification, but it excludes other credible sources, such as the Sustainable Forestry Initiative and the American Tree Farm System.

Now, Chief Tidwell from the National Forest Service came a while ago. I've learned that the Forest Service does not use these third-party certifications, which means that the National Forest could not supply wood for this purpose. Secondly, that these standards are very similar. I'll just say in Louisiana there's about 4 million acres and 85 percent of it is certified with either the Sustainable Forestry Initiative (SFI) or the American Tree Farm System (ATFS), but not the one that you all have favored, the Forest Stewardship Council.

Now, all of this may seem arcane, but Tidwell made the point that unless a tree farmer can make money off of his trees, he's going to use that land for its highest best use.

Ms. MCCARTHY. Yes.

Senator CASSIDY. This recommendation would seem somewhat arbitrary, again according to Chief Tidwell, excludes his ability to market his wood. Now, if on the one hand, our goal is to increase the amount of forests in the United States by 100 percent, and on the other hand, the EPA has just diminished the economic value of all this other land, it seems as if these are two goals that are frankly incompatible. Your thoughts.

Ms. MCCARTHY. Well, first of all, I think with the continued threat of climate change and potential for significant wildfires, sustainable forest management is valuable in many different ways, it needs to be heavily invested in.

Senator CASSIDY. I'm not disputing that.

Ms. MCCARTHY. No, no, I'm agreeing with you.

Senator CASSIDY. Gotcha.

Ms. MCCARTHY. Okay. So in terms of the ecolabels, I know that when EPA made a limited decision here, it was based on what was already being used by Federal agencies, in this case, DOE. We recognize that there needs to be an expansion of that certification so that others can be readily recognized because I want what you want, which is to have a forest sustainably managed and to be able to use whatever leverage we have to provide the economic incentive for that. So we are talking to folks and looking at that and seeing how we can expand the certifications that are recognized.

Senator CASSIDY. Okay. Very good. Thank you.

Secondly, in a previous conversation we've had, I made the point that if the Clean Power Plan rule raises energy costs, that will put our economy at a economic disadvantage relative to countries overseas, which, frankly, will continue to pollute or emit carbon. Now, we wanted to test this hypothesis, so we took all of the States in the United States, and we looked at those which have the easiest compliance with the Clean Power Plan rule, i.e., they currently

emit the less, and those States that are going to have the hardest time, they emit the most. And it turns out there is kind of an inverse correlation with electricity costs. So if you look at Regional Greenhouse Gas Initiative (RGGI) States, for example, the Northeast, they have electricity costs that are three times higher than that for a State like Montana.

Now, I think I remember you saying, no, it's possible to lower emissions without raising the costs, but I'll just say at baseline, these States which have the lowest emissions of carbon already have tripled the cost of their electricity.

Now, if we're going to have an input cost, and it's going to be energy, intuitively, if you raise that input cost, you're going to have some industries that will move to an area of the world with a lower input cost. As an aside, we had a question to a group and we asked, "What nation has successfully grown their economy and lowered their emissions?" they pointed out six, all of which have de-industrialized, my point being that de-industrialize, it doesn't the industry is not there, they just moved to a country where they can emit as much as they wish plus release other pollutants, so on net, on a global issue, we're worse off. Now, I have a sense you're not going to agree with what I just said, but I would like your thoughts on that.

Ms. MCCARTHY. Well, it's just one way to look at it, but, you know, I have kind of intimate knowledge about the Northeast and why the energy costs are higher because I live there. And the one thing I think you need to consider is if those States are such high cost and they're taking action on climate, they're either incredibly dedicated to greenhouse gas reductions or they find value in taking those actions. And if you look at Regional Greenhouse Gas Initiative, RGGI, and the revenues that it has produced, has been a significant benefit to those communities because it invested in energy efficiency, and it resulted in lower costs. So there are two ways to—

Senator CASSIDY. May I interrupt just for a second?

Ms. MCCARTHY. Well—

Senator CASSIDY. The analysis I read was that probably the lower costs were more of a product of substitution of low cost natural gas than it was for the, quote/unquote, investment.

Ms. MCCARTHY. If you look at it, they've done studies, and I know that RGGI has done a study on how much it actually reduced costs, so I just want you to think about that. I don't think the direct relationship, as you've outlined it, is the most productive way to look at it or the one that best reflects the facts on the ground.

Senator CASSIDY. Empirically, though, it is true, those States that emit the most carbon have the lowest energy costs, those that emit the least have the highest, in some cases, triple, and if input—if your cost of energy is an input into your cost of production, intuitively, companies are going to move where that cost is lower.

Ms. MCCARTHY. I guess I'm not disagreeing with the facts that you've outlined there. My disagreement may be with, what would the impact of regulating greenhouse gas emissions have? And if RGGI is moving forward, even when they're not required to, and they're saying it's building a clean energy economy and jobs and

lowering their costs, then maybe there is an inverse relationship about the ability of climate action to actually benefit every State, and I would argue that if you do it well and let States design it, as we've done with the Clean Power Plan, they're smart enough to understand the economics, and we'll be able to make that work.

Senator CASSIDY. I wish we could continue, but we're way over, and I yield back.

Senator MURKOWSKI. Thank you.

We will turn to Senator Udall.

Senator UDALL. Thank you very much.

The EPA's Gold King Mine accident was devastating, Administrator McCarthy, as you know, to the people downstream in New Mexico, Colorado, and Arizona. The EPA is responsible for a number of serious mistakes, technical failures, and management failures, and these are deeply disappointing, and they've had a serious long-term impact. After the accident, the EPA was slow to notify downstream communities, communities that depend on the river for their livelihood, and the Navajo Nation and the people of northwestern New Mexico are still frustrated. They spent several million dollars to respond to the emergency, but 8 months after the spill, the State and the Navajo Nation are still waiting to be reimbursed, and 8 months after the spill, we're waiting for a legal decision from EPA about whether it is responsible for individual damages so that people can be compensated. Those impacted deserve compensation. And I want reimbursements for New Mexico taxpayers and for the Navajo, long-term water monitoring, and a promise that the Gold King Mine, the source of this pollution, will be cleaned up.

Administrator McCarthy, you've said publicly several times that EPA takes full responsibility for the spill, but the EPA hasn't made the legal finding of tort responsibility. When will we have that decision so that the affected communities can finally begin seeking compensation for damages? What specific steps have to be taken for the tort finding to be made? And can you give us a firm date on when we will have that decision?

Ms. MCCARTHY. I wish I could give you a firm date. I believe it's happening soon, sir, but I have to be independent and hands-off of that process. It's being done by a claims individual that's in a fairly insulated process working with the Department of Justice. So I do know that people are anxious. We have about 57 Federal tort claims that have been submitted, and we certainly want to get information out to people as soon as we can.

Senator UDALL. Thank you. The tort finding is just one of many issues raised by stakeholders. The Navajo recently sent you a letter detailing their priorities to address the damage caused by the spill. EPA responded in writing yesterday with a general commitment to continue working with the Navajo Nation, but we still need to know what specific steps EPA is going to take to address the Navajo's concerns, and I will follow up with you on those questions for the record. Yet specifically I do want to ask, what is the status of claims submitted by the Navajo and the State of New Mexico? And can I get your commitment right now on a date certain for all of these requests to be fully processed?

Ms. MCCARTHY. Well, in terms of reimbursements, we have reimbursed the Navajo for their expenses of \$158,000. There are signifi-

cant additional claims where we're working with them to get the information we need to determine what's eligible for payment under the law. Likewise, for New Mexico, we have reimbursed \$328,000.

You know, in total, we're working through the system in as best a collaborative way as we can with the States and with the tribes. We've also identified and continue with monitoring in the area, and we've also identified \$2 million to be able to work with those States and tribes to define a longer term strategy moving forward so that we can identify whether or not there continues to be challenges moving forward.

And as you know, we have also put the Bonita Mine area as a proposed Superfund site with the support of the local communities as well as the State of Colorado, and we much appreciate that significant step forward.

Senator UDALL. And they really appreciate that work. And thank you for the work on the Superfund site. I know working through some of those local issues was very difficult.

I think it would go a long way if you could reiterate EPA's commitment to the Navajo and other stakeholders. Could you state for the record again that the EPA intends to make things right for the Navajo and others affected by the spill?

Ms. MCCARTHY. You know, right after the spill, I went to the area and I said EPA would take full responsibility. I still intend to do that, and the Agency will.

Senator UDALL. Great. Administrator McCarthy, as you talked about Superfund and getting this on the National—Gold King Mine on the National Priorities List, can you confirm that finalizing this proposal will make the site eligible for full and complete remediation? And does your budget request provide enough resources to begin the cleanup?

Ms. MCCARTHY. Well, the fiscal year budget that we're proposing does increase our Superfund funds by about \$20 million, and so we do think that will give us an ability certainly to add more sites into the mix. It will take, I think, a significant amount of time to both assess that area and to determine what to do and how to take the steps moving forward we need to. And so we'll continue to work through that process, and we'll continue to make steady progress. It's been a long time coming. Now that we have it in the system, we don't want to fail to get the work done.

Senator UDALL. Administrator McCarthy, as you know, the Clean Power Plan provides a lot of flexibility to States to craft their particular emission targets. Has the EPA provided guidance to States that are working on strategies under the Clean Power Plan? And can you explain more about how EPA is helping States develop plans to meet the new standards? And does your budget request continue support in fiscal year 2017?

Ms. MCCARTHY. It does. It includes support of about \$50.5 million to continue to work with States that voluntarily want to continue moving forward to develop their plans as well as funding to support tools that the Agency would be able to develop for that purpose, including an accounting system. You know, States want to work together on this. They want to know and be prepared for when the court concludes its review of this, to be able to move for-

ward quickly, and we're trying to respond to that, and that's what these monies are all about, to provide them direct money for States to be able to develop their plans and for us to be able to support them with the tools they'll need to get that work done.

Senator UDALL. Thank you very much.

Senator MURKOWSKI. Senator Blunt.

Senator BLUNT. Thank you, Chairman, and thanks for holding this hearing.

In the bill we did last year, Director McCarthy, I asked for a—I asked you all to work with the National Academy of Public Administrators to conduct an independent study to create a definition of community affordability, this being a situation where a community might be protected from their water rates going up too quickly, but they might not be protected from their water rates hitting that cap and two or three other things in the community hitting that cap. And I just wonder if you would give us a little bit of an update on where we are on that study. And I have a couple of other questions, too, so I don't need a 5-minute update, but are we—

Ms. MCCARTHY. I'm happy to provide you a more detailed update. My understanding is that a meeting has been planned, but I'll go back and check and make sure that we're moving aggressively. I absolutely agree with you that an integrated planning process is the best thing to do, and we should be looking at affordability with a more comprehensive approach to ensure that they can move forward with integrated planning and be comfortable that that can be done in a reasonable way.

Senator BLUNT. Well, and you understand, as other discussions we've had on this, I do believe you understand the purpose of this is to be sure that we don't have three or four things, or even two things, happening at the same time that happened as if they were not having an impact—

Ms. MCCARTHY. Not related. That's correct.

Senator BLUNT [continuing]. On those very same families that they deal with. And in terms of impact of cost, under the Clean Power proposal—

Ms. MCCARTHY. Yes.

Senator BLUNT [continuing]. Certainly one of the things that I've had a lot of input from the rural electric co-ops that really do serve many of our lower income counties in the country, and serve about over 70 percent of the geography of the country, we have more than one county in Missouri where the customers from that rural electric co-op are already at the 20 percent level of their income. If the kinds of increases in rates occur and utility bills occur that have been anticipated with Clean Power, what can be done to minimize the impact of those dramatic power increases on rural electric co-op families?

Ms. MCCARTHY. Yes. Well, we have spent a lot of time with the rural electric co-ops, and I think rightly so, to continue to work with their fairly unique challenges given the constituencies, the customer base, that they serve. We're working really closely with the U.S. Department of Agriculture, both Rural Energy for America Program as well as the Energy Efficiency and Conservation Loan Program. So we can provide whatever support the Federal Government has to offer as they're thinking about their strategies.

I would also point out that given the flexibilities that we have provided, there are opportunities for rural co-ops to actually think beyond their own borders about what they're able to actually do that could provide them significant economic opportunities.

And I would lastly point out that a lot of the utilities are reaching out to the rural co-ops, the larger utilities, because they are very much interested in renewable energy projects because in rural communities there's a lot of wind and there are a lot of solar opportunities, and they are becoming very big customer bases.

So there is a dynamic in the Clean Power Plan that could very much provide opportunities for rural co-ops to expand the diversity of how they provide electricity but also economically benefit from the Clean Power Plan in a very direct way.

Senator BLUNT. In that case, that would involve an outside investor you would expect?

Ms. MCCARTHY. It would involve just a collaboration between them and some of the larger utilities to think about opportunities to actually join together in a joint plan and to be able to allow the utility that wants to make investments to offset their greenhouse gas emissions to be able to utilize the renewable energy that's in rural communities as an inexpensive way to get reductions, but also a way that will reduce energy costs for those communities.

So there are wonderful relationships that we can build, and we'll continue to sit down and work with the rural co-ops and try to make sure that there are no opportunities lost in terms of their ability, not just to meet these challenges, but also to benefit from them.

Senator BLUNT. Well, you know Missouri is 80 percent dependent on coal.

Ms. MCCARTHY. Yes.

Senator BLUNT. We were 82 percent dependent on coal just a few years ago, so we must be headed in the direction that you would like to see us head, but 80 percent—and the rural co-ops are more than 80 percent dependent on coal.

Ms. MCCARTHY. Yes.

Senator BLUNT. The impact in those counties and those areas is going to be greater, you know, in counties like Pemiscot County or Shannon County, and in the southeast and south-central Missouri, already are at the 20 percent family income rate for utilities, and anything that impacts that has a tremendous impact on what those families can do.

Ms. MCCARTHY. Yes.

Senator BLUNT. On the Waters of the United States, the Government Accountability Office (GAO) found that EPA had violated the Anti-Deficiency Act when conducting a social media campaign promoting Waters of the United States, one of many criticisms of how that rule came together. What are you doing about that?

Ms. MCCARTHY. Well, we have a report into the Office of Management and Budget. Senator, we didn't agree with the GAO's findings, but it doesn't mean we're not going to respect the process. And we have a corrective action or a report into the Office of Management and Budget (OMB), and we're going to do a couple of things. We followed all the rules of OMB in terms of how you do social media outreach. There were two issues which the GAO found

that they had concerns with, and we're going to provide an opportunity in particular for when we do a blog post that has what they call a hyperlink that goes to another Web site. We found that some agencies can provide better and clearer acknowledgement that you're leaving the Federal Web site when you use that hyperlink. We have already taken the same action. That should provide a, I think, level of insulation that GAO might be looking for, but we're waiting for OMB to do a full review of that report, but any funding that we use was limited at best, if we use any, in terms of the two social media outreach issues or efforts that they had concerns with.

Senator BLUNT. Thank you, Chairman. I'm out of time. I'm sure I'll have some questions for the record. And on that issue generally of who's paying for advertisements or things that show up on social media Web sites, I think people should see that that's clearly paid for by taxpayers if it's being paid for by taxpayers.

Thank you.

Senator MURKOWSKI. Thank you, Senator Blunt.

Senator Leahy.

Senator LEAHY. Thank you very much.

Administrator McCarthy, we talked earlier about the time you joined me on the shores of Lake Champlain to see some portions of the lake that are affected repeatedly by nutrient pollution as a result of decades of pollution that's built up in the lake. And Vermont wants to do the right thing. The Environmental Protection Agency has been working for 5 years to develop a new Total Maximum Daily Load plan, I believe you call it TMDL, for Vermont to address this problem. Vermont has to know how to react, but there have been many delays and that, but we have yet to see the final document. And interestingly enough, while developing this aggressive new plan, the administration has not increased funding requests for work on Lake Champlain.

Ms. MCCARTHY. Yes.

Senator LEAHY. A number of areas have been able to get additional funding that they thought that could help on Lake Champlain, but it seems to go elsewhere.

This year, the administration requested a significant reduction compared to last year's total funding level. I'm afraid we may be getting into some kind of a Hobson's choice here.

Ms. MCCARTHY. Yes.

Senator LEAHY. When will Vermont see a Lake Champlain phosphorus TMDL issued by EPA Region 1? And when we do see it, how are you going to help fund this important and very expensive undertaking?

Ms. MCCARTHY. Well, we do—

Senator LEAHY. I say it because this lake has the most—outside of the five Great Lakes, has the most freshwater in the country. It affects New York, Vermont, and Canada, hundreds of feet deep in parts. So it's a real jewel, but only if it's constantly worked at to keep clean.

Ms. MCCARTHY. And I certainly recognize your championship efforts on this, and, frankly, as well as the Governor in the State. I couldn't be more pleased with the response, including in your State legislature on this issue.

This spring EPA intends to issue the final TMDL for Lake Champlain. We're working closely with the State of Vermont so that we can respond to the public comments effectively and make sure that the revisions are really going to be whatever everybody expects to see to get Lake Champlain where it needs to be. I do recognize that there is disappointment in the funding for the geographic program. I wish I had an ability to be able to fund those programs at higher levels. I think we all know the challenges in the Agency's budget.

The good news is that the Clean Water State Revolving Fund, as well as the Section 319 grants, are really the primary way in which we can be supportive of Vermont's implementation to the TMDL. So I'll work with Region 1 to make sure that there is a commensurate commitment. I do not want any State to feel like they have to bear this burden themselves, even one that's been as generous and aggressive as the State of Vermont.

Senator LEAHY. And our legislature goes out of session in a couple weeks till next year, so as soon as we can know that, the better.

Another area is a dangerous chemical known as perfluorooctanoic acid (PFOA). Apparently it's gotten into private wells and municipal water supplies in Vermont, in North Bennington panel. I went and visited them a couple of weeks ago. I talked to a number of the homeowners who are hurt by this. I've heard their concerns firsthand. Also, invited the head of the company that now owns the manufacturing site believed to be responsible for the North Bennington contamination. There are more cases popping up all the time. It's not going to be taken care of overnight.

I mention this, and some will be up in the EPA, and I want to tell you I've heard nothing but praise for EPA Region 1 and their reaction. Some were there when I came there, but they weren't there just the day I was there, they were days before and days afterward. The only problem we have with EPA is you have to issue a uniform guidance on what level should be considered a risk.

And I'll tell you why. Some of this is showing up in New York just across the border from Vermont. They may be following the EPA provisional health advisory of 400 parts per trillion for the contamination at Hoosick Falls. Eight miles away in North Bennington, Vermont, we have 20 parts per trillion, and everybody wants to do the right thing, everybody wants to protect their people, but we want to know what the numbers should be. And actually it's going to be we're probably going to find this in other parts of the country.

So, one, when can we have uniform guidance? And can you tell me what your funding requests are going to be for this?

Ms. MCCARTHY. Well, at this point, we have been doing national testing on PFOA and perfluorooctane sulfonate (PFOS), we call them perfluorinated compounds (PFCs), and we have been doing it as an unregulated contaminant, and we identified it and we've been doing extensive monitoring for about a year. That is to underpin a health advisory that we want to get out this spring and hopefully very soon. We know there is a lot of anxiety about EPA providing some guidance on this issue.

The good news is that while we are seeing it nationally, we are seeing it connected with localized problems, as you indicate, and

there are opportunities for current technologies to be able to bring those levels down considerably.

So, Senator, if you can be just a short while more patient, we're trying to make sure that we get the science right and we're able to explain this with States and local communities so they can understand what the health advisory is and isn't moving forward.

Senator LEAHY. Okay. Thank you. Also, I'll submit a question for you. This is something that the distinguished Senator from Alaska and I and others have raised, those from States that use a lot of wood stoves.

Ms. MCCARTHY. Yes.

Senator LEAHY. We know new standards are coming, but we don't know when and what they're going to be, and you have manufacturers say, okay, we've got to test or retest and set up, and if they come at the last minute and they say, "Here's what you've got to do," they're going to be out of business because, you know, it takes some retooling. And if that happens, and I think the Senator from Alaska would probably agree, if that happens, people are going to—you're going to have worse problems, and they'll say, "Heck, I'm not going to spend money on one of the new ones, they don't know what they're doing, they can't manufacture, so we'll just keep on using the old ones."

Ms. MCCARTHY. Well, Senator, we did actually work really hard with the small businesses, which there are many in the wood stove industry, to make sure that the rule that was passed a while ago and those standards actually have an extended compliance period so that those small businesses that aren't yet prepared to deliver stoves that can meet those standards have an opportunity to design and construct those so they don't lose step in terms of their ability to compete.

So we've worked hard at it. We think the standards are pretty clear, and we think they're done in a way that's very sensitive of small businesses.

Senator LEAHY. My time—I've gone over my time, but we may have to talk more on that. Thank you.

Ms. MCCARTHY. Thank you.

Senator MURKOWSKI. Thank you, Senator Leahy.

Senator DAINES.

Senator DAINES. Thank you, Madam Chair.

Welcome back, Gina, to the subcommittee.

Ms. MCCARTHY. Thank you, Senator.

Senator DAINES. Your budget proposal includes \$235 million for the EPA efforts to cut carbon pollution and greenhouse gases included in the Clean Power Plan.

Ms. MCCARTHY. Yes.

Senator DAINES. Given the Supreme Court's issue to stay the final rule for the Clean Power Plan, I want to ask about the costs and benefits about this final rule. You stated in the EPA's regulatory analysis of the Clean Power Plan that the purpose of the rule is to cut CO₂ emissions from the contribution to climate change, quoting. The EPA Web site defines climate change to include major changes in temperature. I'm trained in engineering, chemical engineering, looking at numbers. Can you tell me what the impact of global warming would be from the Clean Power Plan?

Ms. MCCARTHY. Actually, the Supreme Court asked us a very similar question and agreed with us that while we can't define the exact reductions that would be achieved from any one action in climate, there is absolutely no reason to do that because we know it will take a lot of efforts to actually make those reductions. And the President's move to actually push forward with this Climate Action Plan and the Clean Power Plan was to recognize that the energy sector is our largest source, stationary source, of emissions, and it will make big progress moving forward domestically and internationally.

Senator DAINES. But I think it's important to quantify because we have quantified the tremendous impact——

Ms. MCCARTHY. Oh, okay.

Senator DAINES [continuing]. On people——

Ms. MCCARTHY. Yes.

Senator DAINES [continuing]. In Montana specifically because we're one of the States hardest hit by this plan.

Ms. MCCARTHY. Yes.

Senator DAINES. Cato ran the numbers through the magic algorithm and assessed that the change in climate temperature for the world would be .02 degrees Centigrade between now and the year 2100 as a result of these regulations, which says it's a rounding error, and yet as we look at what impact it will have on the people of Montana, it's a loss of 7,000 jobs. This is a study done by the University of Montana. This wasn't some conservative think tank. This is objective, they're very respected back home, the University of Montana, 7,000 lost jobs, \$145 million of lost tax revenues we use to support our schools and teachers and infrastructure, double-digit increases in utility rates, and a loss of \$1.5 billion of economic activity in Montana per year, and the conclusion was it's the single largest economic impact and event to occur in Montana in over 30 years.

So we've quantified the impact to families. I've stood and looked at the families there that are going to lose their jobs because of this. For what? For one quantitative analysis for .02 degrees Centigrade change in temperature between now and the year 2100. Why are we doing this?

Ms. MCCARTHY. Sir, the actual net benefits of this rule are very large, not just in terms of our ability to generate the kind of actions on climate change that are necessary to protect those very families, but there is also——

Senator DAINES. But wait a minute, but wait a minute, if the impact on temperature is virtually negligible, what impact are we trying to drive here?

Ms. MCCARTHY. We're trying to get actual domestic and international agreements, which this Clean Power Plan has helped to initiate to get worldwide response to what is essentially a worldwide problem, but——

Senator DAINES. So by getting at—by killing the coal industry, which your regulations are doing——

Ms. MCCARTHY. No.

Senator DAINES [continuing]. They're killing coal-fired plants, the regulations are going to result in the shutdown of Colstrip Units 1, 2, 3 and 4. It's a significant—where we—over 50 percent of the

electricity generated in Montana is from coal-fired plants. You're going to shut them all down with these regulations. And I lived in China for 5 years, I've breathed the air. We need to help China continue to become better in terms of managing their environment, but to completely step away from the coal-fired business and to take American innovation out of the equation to let America lead in clean coal technology versus ceding it to the Chinese I think is a grave strategic mistake as it relates to overall stewardship of the planet.

Ms. MCCARTHY. I think there are many ways in which Montana can achieve these standards. We've tried very hard to make sure they're both reasonable and flexible, but, sir, you have to look at both the positive benefits of the rule.

Senator DAINES. No, wait, the proposed rule was very different from what was actually generated. You gave us a proposal.

Ms. MCCARTHY. It was correct.

Senator DAINES. When the actual rule came out, it was a bait-and-switch in Montana. It is correct. And so we've been caught absolutely here with we're cornered.

Ms. MCCARTHY. No, what happened was the number did shift, but the way in which you're allowed to achieve that number and the flexibilities very much changed to allow that number to be very commensurate, with the same strategy you would have used to achieve the proposal, you can still find as an amenable strategy—

Senator DAINES. We don't—we're struggling right now. We don't see a path forward on this at the moment other than to have to literally look at shuttering our Colstrip Units 1, 2, 3, and 4. This is a big, big issue. And again the study says the single biggest economic impact to hit my State in over 30 years. These are real families. This is tax revenues for our teachers and our schools. It's \$1.5 billion a year to my State. We can't replace that.

Ms. MCCARTHY. Well, we share the concern for families. I think we—I just view certainly climate change as being a very large—

Senator DAINES. Well, but wait a minute. Come back to quantifying it, though. I challenge you to come back and tell me why the Cato study is wrong, .02 degrees Centigrade between now and the year 2100, it's been quantified through the magic algorithm done for the EPA.

Ms. MCCARTHY. Sir, that's not the benefit that you're trying to establish or quantify here. There are both costs and benefits. Our regulatory impact analysis (RIA) for this rule showed that in 2030 we are looking at upwards of \$45 billion every year in benefits. And so there are benefits from traditional pollutant reductions, and there are certainly going to be benefits, as Paris showed, in the United States providing domestic leadership that will underpin strong international efforts, and that international effort, it is what is going to allow us to reduce greenhouse gas emissions in a way that is going to provide a more stable world for our kids.

Senator DAINES. China, as you know, China consumes 50 percent of the world's coal right now. We're about 10 percent here in the United States, and so we've got the tail wagging the dog here. This is where we have got to—I think the better strategy, and you're hearing from somebody here who is a passionate outdoorsman,

loves spending time at 10,000 feet with my backpack on, and an ardent protector of clean water and clean air, as a fifth generation Montanan, but we've got to also I think have the right balance here, and I think strategically by working with us to develop clean coal technology is a better strategic bet. And we can help the Chinese with this ultimately, because if they don't change, you're not going to solve some of these challenges we face globally—

Ms. MCCARTHY. Well, we're certainly trying to do that as well.

Senator DAINES [continuing]. And so I just think we're making a grave mistake by killing the industry and taking away American innovation from boilermakers, the trade unions, and so forth, who want to work to solve this problem, and instead you're going to put them out of work, and that's the reality of it.

Ms. MCCARTHY. All right, sir. Thank you.

Senator DAINES. Thank you.

Senator MURKOWSKI. Senator Udall.

Senator UDALL. Thank you. Thank you, Madam Chair, for your courtesies.

Administrator McCarthy, reducing methane emissions is a critical part of our Nation's fight against climate change. Methane is a serious problem. It has 25 times the heat-trapping potential of carbon dioxide. And a recent EPA study found that methane emissions from oil and gas production are even higher than we had estimated. It's a serious budget issue, too. In New Mexico alone, venting and flaring has cost the State more than \$42 million in lost royalty revenues since 2009. Reducing methane emissions is a win-win for the environment and for our State budgets, and that's why I'm supportive of the administration's goal to cut methane emissions by 40 to 45 percent.

I think the proposed regulations on new and modified sources are a good start, but we need EPA to set effective workable standards for leak detection and repairs and to investigate emerging technologies that could cut emissions even more.

What is the timeline for the proposed standards? And what is the plan for a proposal on existing sources of methane emissions? And does the proposed rule consider industry feedback to minimize the potential impact on production when oil prices are low?

Ms. MCCARTHY. We do have proposals moving forward to finalization this spring, but relative to the existing sources right now, one of the biggest challenges we see is that the most recent greenhouse gas data shows us there are a lot of methane emissions that we had not accounted for previously. And what we are doing instead of immediately moving to proposal is we are putting out an information collection request to the industry because we need to understand better where those emissions are being generated, we need to understand exactly what you've asked us. What are the technologies that we can take advantage of? And what are the costs associated with those so we could provide reasonable standards moving forward and continue to work with States that have really good knowledge of the industry in their own States? And many of them are regulating them, and some very effectively, so that we're not duplicating and we're providing the kind of benefits that we all are looking for.

Senator UDALL. Thank you. That's encouraging to hear that.

From—now talking about Navajo uranium cleanup.

Ms. MCCARTHY. Yes.

Senator UDALL. From 1944 to 1986, 4 million tons of uranium ore were mined in Arizona, Utah, and New Mexico from lands belonging to the Navajo Nation. The demand for uranium mining skyrocketed during World War II, when little was known about the dangers. Even as we learn more, the Federal Government repeatedly failed to take steps to protect workers and their families. I visited the homes of workers impacted by uranium contamination. I've met the widows of men who worked in the mines and died in their early 30s.

Uranium mining has a tragic legacy, and it's our responsibility to prevent more deaths. Over 500 abandoned uranium mine claims remain in the Navajo Nation, including 145 in New Mexico. The areas around the Church Rock Mine spill, the site of the largest accidental radiation release in U.S. history, still needs extensive cleanup.

Ms. MCCARTHY. Yes.

Senator UDALL. I appreciate the EPA's efforts to clean up uranium on Navajo land during the Agency's first 5-year plan, we worked very closely with you on that, but more work still needs to be done given the extent of the contamination. EPA is now starting a second 5-year cleanup plan. What are EPA's specific goals for this second round of cleanup? And how much funding is set aside in the budget for this year and next year?

And the Church Rock Mine near Gallup is the EPA's top priority. I am concerned about how long cleanup is scheduled to take. We have heard it may not begin until 2020 and may take 7 to 9 years to finish. Why will the cleanup take so long to start and finish? And can we speed it up?

Ms. MCCARTHY. Well, just specific to this year, we plan to spend \$16.6 million this year looking at 46 high priority mines that are located near homes and streams, and the work will include replacing contaminated homes and providing water. But the good news is with the settlements that we have been able to achieve with Tronox, there is significant funding that we're working on with the States in, and, in particular, with the Navajo Nation as well, to try to continue to make steady progress.

Relative to Church Rock Mine, you're right, it is a complicated site. It is projected to take a little longer. I think part of that is related to the fact that we have to go through some Nuclear Regulatory permitting obligations associated with that. But I will do the best I can to make sure that we're providing the kind of prompt response that we can.

Senator UDALL. Great. Thank you very much. Talking a little bit about the Mexico border water funding.

Ms. MCCARTHY. Yes.

Senator UDALL. Chairman Murkowski, thank you for your work to prioritize the Mexico Border Water Infrastructure Program in 2016. Our funding is tight these days, and I appreciate you recognize the clean water challenges we face on the border.

Many border communities lack water and sewer services. This program helps ensure that these underserved areas finally get their basic sanitary services. It's critical in New Mexico, but I'm

concerned about the program's future. There are at least \$800 million in remaining projects that we have a huge need out there, and I'm disappointed that the budget request is just \$5 million. It's hard to imagine how we make progress at that pace.

Administrator McCarthy, can you share more information about the estimated need for water infrastructure projects on the U.S.-Mexico border? What can EPA do to better meet the long-term needs of our border communities?

Ms. MCCARTHY. Well, Senator, I happened to spend a little bit of time along that border, and the needs are rather dramatic, as you well know. It's been a very successful opportunity to look at how we support projects in that area that will both be protective of local public health as well as our tremendous water resources in those areas.

We have a number of projects that are in the pipeline that have been funded. You're right, we are looking at a fiscal year 2017 proposal of \$5 million. That will allow us to continue to add new projects into the system, but we're trying very hard to work within limited resources to be able to continue to construct the 14 projects that are already funded and in the system as well as to continue to add in a reasonable way. But certainly the more funding we have, the more that we can get done.

Senator UDALL. Great. Thank you very much.

And thank you again, Chairman Murkowski, for your courtesies.

Senator MURKOWSKI. Thank you, Senator Udall.

And we will now go to Senator Hoeven.

Senator HOEVEN. Thank you, Madam Chairman.

Administrator McCarthy, thank you for being here today. The number one regulation opposed by our farmers and ranchers, not just in North Dakota, but really across the country, is WOTUS, Waters of the United States, and, in fact, in Federal district court in Fargo, North Dakota, the judge, Judge Ralph Erickson, stayed that regulation, and that stay was upheld by the circuit court in Cincinnati.

And so my question to you is, what are you doing to address the concerns that WOTUS has created? And it's not just our farmers and ranchers, it's the energy industry and many others. But what are you doing to try to address their concerns?

Ms. MCCARTHY. Well, I think we tried very hard to try to address their concerns in the Clean Water Rule that we put forward. You're absolutely right, that rule is stayed, and we're respecting that stay. We will see what the courts say when they look in detail at the merits, and we'll do our best, hopefully we'll succeed, in sticking through the courts, we're confident of that. But in the meantime, I think we need to continue to work with agriculture to provide the level of certainty they're looking for.

One of the reasons we did this rule in the first place was the uncertainty and the costs associated with that both in time and money. And I think we tried very hard to have this proposal be not just respectful of the exemptions and exceptions for agriculture that were in place already, but to better define those, to expand those, and to make this an easier opportunity for agriculture to keep producing the food, fuel, and fiber we rely on.

Now, clearly we have work to bridge the gap between how people are perceiving this rule and what we think is the clear written rule when you look at it and look at its merits. But right now we have to respect the court's decision and make sure that they have an opportunity for all sides to be heard, and I'm sure they'll make a decision quickly.

Senator HOEVEN. And I would encourage you to, between yourself and your people, engage with the farm and ranch groups, sit down and talk to them.

Ms. MCCARTHY. Yes.

Senator HOEVEN. You know, they want to be good stewards out there, but, as you say, they do produce the food, fuel, and fiber for this country. And you need to sit down and have your people sit down and talk to them and find out, you know, maybe what you can do to actually help address their very real concerns on this regulation.

Ms. MCCARTHY. Senator, thank you.

Senator HOEVEN. Next I would say on the CO₂ rules that the EPA has put forward.

Ms. MCCARTHY. Yes.

Senator HOEVEN. In the case of North Dakota, we went from, in the preliminary rule of reduction, of 11 percent to now a required reduction of 45 percent in terms of CO₂. How are we supposed to meet that without just closing power plants? What are you willing to do to help the industry?

Ms. MCCARTHY. Well, we're certainly—I think we've been to North Dakota a number of times——

Senator HOEVEN. You have come to North Dakota. We appreciate that.

Ms. MCCARTHY. Not at all. We're trying to make sure that we work with the utilities and with the States and with, obviously, the energy regulators. One of the reasons why that reduction number changed is we really opened this up to be seen as much more of a regional way of approaching an issue because that's how the energy sector works.

Senator HOEVEN. Mm-hmm.

Ms. MCCARTHY. And part of the whole rule is trying to follow the sector that we're regulating in a way that we don't limit the flexibility that is already in the system.

So I would continue to encourage if you—we will be at any meeting you want to hold so that we can try to continue to work and talk about this while the court is reviewing the rule itself.

Senator HOEVEN. We have engaged Janet McCabe.

Ms. MCCARTHY. Good.

Senator HOEVEN. The industry is working on this, but they're going to need help. Obviously, we think there are real problems with it. We're going to continue to work on it, as you know, in terms of our concerns about it, but we do need your support for Janet McCabe to work with our industry as they try to address some of these issues. We met with her, but we need your continued support to get all the flexibility and help possible.

Ms. MCCARTHY. Senator, you have been terrific to work with in terms of agreeing that while we don't agree on everything——

Senator HOEVEN. Right.

Ms. MCCARTHY [continuing]. That we continue to work together, and I very much appreciate that.

Senator HOEVEN. Along that line, for our oil industry—

Ms. MCCARTHY. Yes.

Senator HOEVEN [continuing]. Which you know right now is challenged by oil prices, but it's a very vibrant industry, they're very technologically savvy, they're working very hard, not only to produce more oil, but to continue to improve environmental stewardship. That means continued developments in directional drilling that reduces the footprint on the surface, finding ways to produce more oil with less impact, reducing the amount of water that's required for things like hydraulic fracturing, even going to CO₂, sequestration using CO₂, sequestration as a way to fracture and produce oil rather than even using water.

Ms. MCCARTHY. Yes.

Senator HOEVEN. A lot of new technologies that can produce more energy most effectively with better environmental stewardship, but they need to have a regulatory environment where they can work and deploy the investment and deploy these new technologies to accomplish both, more energy and better stewardship.

Right now, they're facing about, the oil industry is facing about, 50 different regulations that they're trying to comply with, not all from EPA, but a number of them from EPA, but Interior, Bureau of Land Management (BLM). How do we get a rationalized structure so that they can actually innovate? Which is I think what you want as well as what we want.

Ms. MCCARTHY. Yes, sure do.

Senator HOEVEN. But we need—all these different regulations, and they've got to figure out how to work with them. One regulation might stop them from putting in gas-gathering systems on Federal land at the same time they're trying to reduce methane emissions from flares. You see? And the two regulations work against each other, right?

So, and, for example, in Section 114, we're right in the middle of that, we have a State taskforce that's trying to work with that. Again, I'm asking for some help from you to work with our State taskforce on Section 114, that's the specific; and, second, somehow to pull all these things together so our industry can actually get an understanding of what it is they need to do, particularly when we have conflicting regulations.

What can you offer? [Laughter.]

Ms. MCCARTHY. On Section 114, it is an enforcement mechanism, and I know there are discussions with our enforcement staff, and I think that's more than appropriate.

Senator HOEVEN. The biggest thing would be if you could encourage your staff to work with our taskforce that is working on that. Our State taskforce is working on that very issue, including our State health department and others.

Ms. MCCARTHY. Well, we consistently try to work with the States so that we're making sure I think you know that we're moving towards regulating methane from existing sources. We've had a brief discussion about that. And there are States that are doing a very effective job at regulating. And so I'm not looking to reinvent the wheel, I'm not looking to one-up, but I am looking to see what kind

of technologies are available and cost effective to take care of these emissions in the best way that we can. I think that is what provides the stability for the industry to continue to innovate and invest moving forward. That is what drives innovation and provides them a level playing field across the board to make sure that development is happening in a way that's safe and responsible.

So I think we share the same goals, I just want to make sure that we're doing it in a way that's consistent with current law and that provides us the opportunity to continue to work together.

Senator HOEVEN. The biggest thing that would help with that right now, particularly on Section 114, is your commitment to get your people to work with our taskforce on Section 114. That's really my ask, that's the ask.

Ms. MCCARTHY. Well, I certainly know that the meetings continue.

Senator HOEVEN. Pardon me.

Ms. MCCARTHY. I certainly know that the meetings continue, sir, but I do take a fairly hands-off approach when it's an enforcement issue, but I'm kept abreast of the discussions, and I will keep doing that.

Senator HOEVEN. Okay.

Ms. MCCARTHY. All right.

Senator HOEVEN. Thank you.

Ms. MCCARTHY. Thanks.

Senator MURKOWSKI. Thank you, Senator Hoeven.

And, Administrator, I appreciate the exchange here on the issue of methane. As I noted in my opening comments, what we've seen is that, even as we have added new wells into the system, we have seen our methane emissions from petroleum and natural gas falling. That indicates to me that something is working here. Our States are doing what they need to do to regulate emissions from oil and gas.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. And so your comments that you're not looking to regulate, you're not looking to one-up, I think was the terminology that you used—

Ms. MCCARTHY. Yes.

Senator MURKOWSKI [continuing]. To try to bring some stability. This is what we're hoping for here—making sure that we are looking to the States and what they're doing and how they're doing it. My observation is that this is an issue where the EPA does not need to take a top-down, command and control approach. A better approach is to work with the industry, and work with the States on a more narrowly tailored basis. It sounds like your words are in agreement, and that that's how you would like to proceed.

Ms. MCCARTHY. Well, we certainly want to collaborate with the States, because I do agree with you, there are many States that are doing a great job, and we're learning from them and hopefully working with them.

Senator MURKOWSKI. Right. I mentioned in my comments about some concerns that I'm seeing as you're proposing to move some funds that people are looking very critically because of what's going on with our water and waste water infrastructure.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. I mentioned that the budget reduces funding for State Revolving Funds by approximately \$257 million. So you not only have the Flint issue that is still in the news daily, but we just had a report that 28 public and private entities in Alaska have water systems with lead levels that exceed the Federal standard. And it's not just Michigan, it's not just Alaska, I'm hearing it from colleagues all over. So at the same time we're seeing this reduction in the State Revolving Funds (SRF), we are looking at a proposal within the Agency to increase the core regulatory programs by more than \$237 million.

I raise this because, as people are focused on the issues that are most concerning to them, and quite honestly, having drinking water is——

Ms. MCCARTHY. Where you don't need to rely on this.

Senator MURKOWSKI. Yes, you don't need to rely on this.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. The people in Flint have to have it in the bottle. The stories about people being fearful of bathing in the water.

So I guess the specific question is, why is the Agency choosing to make such large cuts from the State Revolving Fund to pay for effectively additional personnel?

Ms. MCCARTHY. Well, Senator, we're trying to shift the funds that are available to us while still having an operating Agency to be able to implement those and move forward with all of the core needs that we intend to provide. I think the big challenge that we have is, how do we use a combination of SRF dollars, Water Infrastructure Finance and Innovation Act (WIFIA) dollars, and creative economic solutions that we can work with to generate more private sector investment in water and wastewater? You're right that we would all like to have more funds, and I'm sure that the subcommittee will or the subcommittee will recommend and the subcommittee will look at this issue. But we're trying to respect the constraints that we have on the bipartisan budget agreement and still provide an opportunity for the Agency to function in a budget that really is very consistent with what we might have looked at in 2010, and we are well beyond that in terms of our obligations and our commitments and the needs we see.

Senator MURKOWSKI. I concur that these are constrained budgets, but you've got a tough job——

Ms. MCCARTHY. Yes.

Senator MURKOWSKI [continuing]. And that tough job is prioritization——

Ms. MCCARTHY. Yes.

Senator MURKOWSKI [continuing]. And, again, when it comes to something as basic as safe drinking water, there is nothing that is capturing the news more clearly and more directly than what we're seeing. It's confusing to me that, within the administration, you would take from that very fund that can help the people of Flint, that can help these 28 communities, that can help the people in Ohio or wherever. We are looking at this issue as a subcommittee, but the signal that comes out of the administration, I don't think——if I were the people in Flint, I wouldn't be feeling too good about that as a direction.

Ms. MCCARTHY. Well, Senator, the only thing I would actually point out is that we are increasing the drinking water fund commensurate with our concern for drinking water. I think the challenge we have is, how do we do that in a way that doesn't really reduce the level we have for clean water, our wastewater challenges?

Senator MURKOWSKI. Right.

Ms. MCCARTHY. And it's a very difficult one, but you will see that we are significantly proposing an increase in the drinking water side.

Senator MURKOWSKI. Let me ask two very, very quick questions here and then we'll wrap up because we've kept you over the time.

Ms. MCCARTHY. Sure. All right.

Senator MURKOWSKI. Fish grinding.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. You know, you don't get any other Senators that are going to talk to you about fish grinding, but it is something that I had actually thought that we were on the verge of a solution, getting down to the standard here. I was disheartened to hear that now Region 10 is saying we could be years away from a solution, which is astonishing to me that we could be going backwards that far. So do you have any update in terms of where we are with fish grinding on the seafood processing vessels?

Ms. MCCARTHY. Well, I'm glad you raised it because it's an issue that I told you we would try to resolve, and I really would like to do that.

Senator MURKOWSKI. Yes. We thought it was going to be easier than this.

Ms. MCCARTHY. Yes, I did, too. We have looked at the data, and I think there are a lot of comments that we have received on it. And the original data really wasn't as good as the data we have available today, which says if we make a shift in these requirements, we'll still be able to maintain really good water quality standards. So we are looking forward to moving that along. There are apparently some concerns with endangered species impacts that we have been getting the fish community together with the services to try to resolve. I think the only way we can do this quickly is to try to elevate those issues, and I've asked the region to do those so that we can understand how we can move forward with the reissuance of the National Pollutant Discharge Elimination System (NPDES) permit at a time when we both still talk to each other. [Laughter.]

Senator MURKOWSKI. Well, I would appreciate that. There has been considerable headway made within the industry to reduce the amount of waste, and it's been quite notable, but I also recognize that you've got investment in new processing facilities that is basically put on hold right now until we know what the requirement is going to be. So, again, it was not unlike some of the issues that were raised here at the dais earlier. You've got a willingness to move forward with new technologies and new investment that make everything more efficient, and yet no one is going to make that capital commitment until we have some greater certainty.

Ms. MCCARTHY. And the industry is being very good and at the table all the time, and I would really like to be able to acknowledge

that and to be able to make the adjustments that the environment says we can make.

Senator MURKOWSKI. Well, I'm with you. Yes. Let's elevate this then and see what we can't do. And in that same vein, I will continue to raise the issue about our small remote incinerators.

Ms. MCCARTHY. Yes.

Senator MURKOWSKI. And, again, we've been talking about this for a number of years, but it doesn't seem at this point in time like there's any solution outside of legislation. So as we talk, as we get our senior teams together, know that that remains a priority as well as the fish grinding, and then the IGAP, the backhaul program. We're making some headway on that. I think I mentioned to you in my phone call where we're working on an adopt-a-barge program. We're trying to come up with everything that we possibly can to be creative, to be innovative, and to deal with some of the trash and the junk that just doesn't have a way out of a State when you don't have roads.

We want to try to work through many of these issues while you are still at the helm there, and so if you can dedicate some manpower to help us out, it would be greatly appreciated.

Ms. MCCARTHY. We certainly—on the backhaul issue, there needs to be a solution here. We are provided some opportunity through October 2019 to resolve this. Every Federal agency that has anything to do with Alaska is at the table and looking at funding strategies as well as systemic plans to be able to address it.

You know, the small incinerator issue, we do have to resolve it. My concern is not just that I have limited time, but 2018 is the compliance window here, and we still have yet to engage in a way that's going to be productive. And so your leadership, continued leadership, on this and our engagement one-on-one together to figure out a path forward will be really helpful.

Senator MURKOWSKI. Okay. I appreciate it.

Ms. MCCARTHY. All right.

ADDITIONAL COMMITTEE QUESTIONS

[The following questions were not asked at the hearing, but were submitted to the Agency for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO HON. GINA MCCARTHY

QUESTIONS SUBMITTED BY SENATOR LISA MURKOWSKI

CO₂ EMISSIONS—AIRCRAFT

Question. On February 8, 2016, the International Civil Aviation Organization (ICAO) Committee on Aviation Environmental Protection (CAEP) unanimously agreed to establish new standards for aircraft CO₂ emissions. ICAO successfully developed the new standard with the unanimous support of 23 member countries including the United States. Last summer, in anticipation of this milestone the EPA published for public comment a proposed endangerment finding and advance notice of proposed rulemaking that it would regulate aircraft greenhouse gas emissions subsequent to ICAO's pending actions. The EPA has always followed the precedent developed by ICAO for previous aircraft emissions standards and this CO₂ standard will now provide the basis for the Agency to proceed with a rulemaking process to establish U.S. Standards.

What are the anticipated milestones and projected schedule for proceeding with the rulemaking process for the U.S. Standards?

Does the Agency intend to propose an aircraft CO₂ emissions regulation that includes a standard equivalent to the one the U.S. Government supported at ICAO?

Answer. The EPA is currently evaluating, under the Clean Air Act, whether emissions of Greenhouse Gases (GHGs) from certain classes of aircraft engines cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. To set aircraft engine emission standards for GHGs, the EPA must first complete this “endangerment finding,” and conclude that Greenhouse Gas (GHG) emissions from such classes of aircraft engines meet these criteria. In 2015, the EPA proposed a positive endangerment finding, and is expected to take final action regarding the proposed endangerment finding this summer. If the EPA finds that GHG emissions from such classes of aircraft engines do cause or contribute to endangerment under the Clean Air Act, the EPA would then undertake a domestic rulemaking with an opportunity for public input, to adopt appropriate aircraft engine emissions standards that are at least as stringent as the ICAO standards. The EPA would look to propose domestic GHG emissions standards for aircraft in 2017, consistent with agency priorities and available resources.

SEDIMENT GUIDANCE AND ADAPTIVE MANAGEMENT POLICIES REPORT

Question. Last year, the subcommittee requested the agency to submit within 90 days of enactment an analysis of the degree to which sediment guidance and adaptive management policies are being applied at sediment sites. Can the agency provide an update on the status of that report?

Answer. At the request of Congress, the U.S. Government Accountability Office (GAO) began an audit of Superfund Sediment Sites (100205) in August 2015. Based upon the GAO’s questions, this audit is expected to include an evaluation of how the EPA applies the recommendations in the 2005 sediment remediation guidance. On June 30, 2016, an exit conference with the EPA and GAO was held to share findings of the audit. In light of the GAO audit’s completion, the EPA will review the audit results to determine if additional analysis or information is needed. After completing our review of the audit, the EPA would like to discuss with the subcommittee whether a report is still needed.

CLEAN POWER PLAN—25 STATES

Question. In earlier testimony you stated that 25 States continue to work on implementation of the Clean Power Plan. Has this number changed since you made that statement and, if so, in what manner?

Answer. Since the stay was issued, many States have said they intend to move forward voluntarily to continue to work to cut carbon pollution from power plants and are seeking the agency’s guidance and assistance. The agency will be providing such assistance, which is not precluded by the stay. In particular, they have asked us to move forward with our outreach and to continue providing support and developing tools, including the Clean Energy Incentive Program (CEIP), the proposed model rules, and the proposed evaluation, measurement and verification (EM&V) guidance. For example, on April 28, 2016, a group of 14 State environmental agency officials wrote the EPA to request that we provide a final model rule or rules, additional information on the Clean Energy Incentive Program, and other information and assistance.

Many organizations are tracking State actions and statements related to CPP. These include the E&E Publishing Clean Power Plan hub (http://www.eenews.net/interactive/clean_power_plan), National Association of Clean Air Agencies (NACAA), Association of Air Pollution Control Agencies (AAPCA), and Environmental Council of States (ECOS).

CLEAN POWER PLAN—LIST OF 25 STATES

Question. Can you provide a list of the 25 States you believe continue to work on the CPP and your understanding of the work they have on-going?

Answer. Since the stay was issued, many States have said they intend to move forward voluntarily to continue to work to cut carbon pollution from power plants and are seeking the agency’s guidance and assistance. The agency will be providing such assistance, which is not precluded by the stay. In particular, they have asked us to move forward with our outreach and to continue providing support and developing tools, including the Clean Energy Incentive Program (CEIP), the proposed model rules, and the proposed evaluation, measurement and verification (EM&V) guidance. For example, on April 28, 2016, a group of 14 State environmental agency officials wrote the EPA to request that we provide a final model rule or rules, additional information on the Clean Energy Incentive Program, and other information and assistance.

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interactive/clean power plan), National Association of Clean Air Agencies (NACAA), Association of Air Pollution Control Agencies (AAPCA), and Environmental Council of States (ECOS).

MARKET CAPACITY STUDY COMPANY LIST

Question. Based on our discussion regarding the EPA's implementation of the directive for a market capacity study in the fiscal year 2016 omnibus bill, I am seeking more information to understand the extent to which EPA is engaged in substantial consultation to inform that study. As such, please provide the following information.

A list the company names EPA has consulted within the financial and insurance sectors to prepare the market capacity study required by the fiscal year 2016 omnibus.

Answer. The EPA is conducting a market study that addresses requests for information included with several committee reports. The draft study examines both the current state and future outlook of the markets for financial responsibility instruments based on publically available and attributable data from the U.S. Department of Treasury, U.S. Government Accountability Office (GAO), S&P Global Ratings, industry leaders, and non-profit institutions.

The draft study report is currently undergoing internal review. The EPA expects to make the report available before it issues the proposed hard rock mining rule.

As part of its ongoing efforts to develop the proposed Hard Rock Mining rule under CERCLA 108(b), the EPA has met with XL Catlin, ACE group, Great American Insurance, Zurich, Liberty Mutual, Deutsche Bank, U.S. Bank, JP Morgan Chase and Argo Surety. The EPA also has met with the American Banking Association, the Institute of International Banking Law and Practice, and the Surety Fidelity Association of America. These discussions focused primarily on the agency's current thinking related to the mechanics of the financial responsibility instruments that owners and operators would need to obtain under the rule.

MARKET CAPACITY STUDY COMPANY—DETAILED INFORMATION

Question. Based on our discussion regarding the EPA's implementation of the directive for a market capacity study in the fiscal year 2016 omnibus bill, I am seeking more information to understand the extent to which EPA is engaged in substantial consultation to inform that study. As such, please provide the following information.

In addition to the list of company names, detailed information on the initial outreach to the financial and insurance sectors, including: the date of the first communication; and the letter, e-mail, or other form of written communication regarding the consultation process.

Question. Based on our discussion regarding the EPA's implementation of the directive for a market capacity study in the fiscal year 2016 omnibus bill, I am seeking more information to understand the extent to which EPA is engaged in substantial consultation to inform that study. As such, please provide the following information.

Detailed information on the consultation process, including: the dates of each meeting or conference call held with the financial and insurance sectors; the participants of each meeting or conference call (including EPA headquarters and regional staff); and all materials shared with the financial and insurance sectors during this consultation process.

Answer. Below are the dates of each meeting or conference call held with the financial and insurance sectors. The EPA also includes numbers and affiliations of participants. No EPA regional staff participated in the meetings or calls.

December 8, 2015 meeting with insurance community. Meeting participants included Great American Insurance (one representative), XL Catlin (three representatives), ACE group (one representative), EPA Headquarters (HQ) (13 representatives), and two representatives of ICF International (an EPA contractor).

January 12, 2016 meeting with banking community. Meeting participants included Institute of International Banking Law and Practice (four representatives), J.P. Morgan Chase (one representative), U.S. Bank (one representative), EPA HQ (8 representatives) and two representatives of ICF International (an EPA contractor).

January 14, 2016 meeting with surety community. Meeting participants included Zurich (one representative), Argo Surety (one representative), Liberty Mutual (two representatives), the Surety Fidelity Association of America (two representatives), EPA HQ (6 representatives) and two representatives of ICF International (an EPA contractor).

January 28, 2016 meeting with banking community. Meeting participants included Deutsche Bank (two representatives), U.S. Bank (five representatives), American Banking Association (one representative), EPA HQ (8 representatives), and two representatives of ICF International (an EPA contractor).

February 1, 2016—Follow-up clarification call with JP Morgan (one participant) and EPA HQ (3 representatives).

February 1, 2016—Follow-up clarification call with Zurich (one participant) and EPA HQ (3 representatives).

February 3, 2016—Follow-up clarification call with Argo (one participant) and EPA HQ (3 representatives).

February 29, 2016—Follow-up call with U.S. Bank (five participants) and EPA HQ (5 representatives).

MARKET CAPACITY STUDY—EPA PLAN

Question. Based on our discussion regarding the EPA's implementation of the directive for a market capacity study in the fiscal year 2016 omnibus bill, I am seeking more information to understand the extent to which EPA is engaged in substantial consultation to inform that study. As such, please provide the following information.

Please describe the agency's plans to continue this consultation process as it develops the proposed rule this year.

Answer. The EPA has completed its consultation process. The draft study report is currently undergoing internal review. The EPA expects to make the report available before it issues the proposed hard rock mining rule. Members of the financial and insurance industry will have additional opportunity to provide input during the public comment period on the proposed rule. The EPA intends to monitor how the market responds to any final CERCLA 108(b) regulations.

CERCLA—HARDROCK

Question. EPA states in its "CERCLA Section 108(b) Hardrock Mining Rule Structure Overview" filed with the D.C. Circuit on August 31, 2015: "To determine the amount of financial assurance responsibility required for response costs, the Agency is developing a model that would identify an amount of financial responsibility to reflect the primary site conditions that may result in future costs." Has the agency shared a draft of the model, or at minimum elements of the model, with the financial and insurance sectors?

If yes, please include these materials with your response. If not, please provide a detailed explanation of why such materials were not shared to date and provide a specific timeline for when these materials will be shared in the consultation process.

Answer. The EPA is developing a cost formula for determining the amount of financial assurance obligations that owners and operators will be required to cover under the rule, as noted above. The process for determining the required financial assurance amount was not relevant to the EPA's consultation with the financial and insurance sectors, which was focused primarily on the mechanics of the financial responsibility instruments that owners and operators would need to obtain under the rule.

The development of this cost formula has been one of the more complex components in developing the CERCLA 108(b) proposed rule for hard rock mining. Data collection and formula development have been very time consuming endeavors. The formula is currently in the process of being reviewed and tested. The EPA also is drafting preamble language and regulatory text addressing how the formula is to be used by owners and operators. The EPA provided descriptive information on the formula and associated inputs in a May public Webinar, which attracted more than 400 participants. Many participants were from the financial and insurance sectors. The Webinar is available at <https://clu-in.org/conf/tio/108b/slides/CERCLA-108b-webinar.pdf>.

CERCLA—108B RULE

Question. I understand that the EPA has consulted with the U.S. Department of Interior's Bureau of Land Management (BLM) and the U.S. Department of Agriculture's U.S. Forest Service (USFS) on potential duplication between the CERCLA 108(b) rule and their existing programs. Please indicate the dates and duration of any consultation meetings or conference calls between the Agency and BLM and USFS and provide the materials shared with the departments for this consultation.

Answer. Below is a summary listing of dates upon which the EPA held consultation meetings with BLM and USFS. These meetings were designed to begin devel-

oping a joint path forward for requirements for hard rock mining financial responsibility on Federal lands. Through these meetings, the EPA learned about the other agencies' financial responsibility regulations for hard rock mining and their implementation, technical staff from all three agencies looked at selected issues regarding cost estimating and financial instruments, and the EPA communicated about CERCLA 108(b) and current thinking regarding potential approaches for the development of a proposed rule.

EPA—BLM—USFS Meetings on CERCLA 108(b)

Policy Group

July 5, 2012
 August 8, 2012
 September 12, 2012
 October 10, 2012
 April 10, 2013
 November 18, 2013
 December 11, 2013

Workgroups

Kick Off Both Groups

January 25, 2013

Technical Workgroup Financial Workgroup

January 30, 2013 February 19, 2013
 February 13, 2013 March 5, 2013
 February 20, 2013 March 19, 2013
 March 20, 2013

As the EPA thinking has progressed, the Agency has held additional meetings with BLM and USFS. In addition, these agencies have participated in a meeting with the Office of Management and Budget (OMB) and the Small Business Administration (SBA) in advance of the EPA's planned SBREFA (Small Business Regulatory Enforcement Fairness Act) panel for the rulemaking:

- July 2, 2015.*—The EPA met with BLM and USFS regarding the EPA's current thinking and approach for CERCLA 108(b) proposed regulations for hard rock mines. Meeting duration: 1 hour.
- May 10, 2016.*—The EPA met with BLM and USFS regarding the EPA's current thinking and approach for CERCLA 108(b) proposed regulations for hard rock mines. Meeting duration: 1 hour.
- May 11, 2016.*—BLM and USFS participated in meeting with the EPA, OMB and SBA. Meeting duration: 1.5 hours.

CERCLA—108B REQUIREMENTS

Question. Please provide the legal analysis and supporting materials the agency relied on for concluding that Section 108(b) requirements are distinct from Federal closure and reclamation bonding requirements imposed under other statutes.

Answer. The EPA is scheduled to propose CERCLA Section 108(b) regulations for the hard rock mining industry by December 1, 2016. The objective is to promulgate stand-alone financial responsibility requirements under CERCLA, for CERCLA liabilities, and not for any obligations under other statutes. The agency does not expect the proposed rule to include technical requirements regulating the operation, closure, or reclamation of hardrock mining facilities, nor to provide for financial responsibility to ensure closure or reclamation requirements made applicable to hardrock mining facilities through a permit. Furthermore, the regulations are not expected to determine that a CERCLA response is required at any given regulated facility, nor affect CERCLA liability when an owner or operator provides evidence of financial responsibility.

The EPA is studying how CERCLA 108(b) requirements may relate to or interact with other Federal laws; however, this rulemaking is still ongoing and is currently at the pre-proposal development stage. Neither legal conclusions nor factual findings have been made.

QUESTIONS SUBMITTED BY SENATOR ROY BLUNT

PRESIDENTIAL MEMORANDUM—SECTION 1

Question. Please articulate the “clear and consistent approach for avoidance and minimization of, and compensatory mitigation for, the impacts of (the agency’s) activities and the projects (the agency) approve(s)” that EPA will adopt in accordance with Section 1 of the Presidential Memorandum (PM). How does this approach compare to current EPA policy and practice?

Answer. The EPA’s approach for mitigating adverse impacts to wetlands, streams, and other aquatic resources (i.e., avoidance, minimization and compensation) is described in the agency’s regulations 40 CFR Part 230, promulgated in 1980. In 2008, the EPA, in coordination with the U.S. Army Corps of Engineers, revised these regulations to include more detailed standards for compensatory mitigation. The agency’s regulations, and corresponding policies and practices, are consistent with Section 1 of the Presidential Memorandum (PM) and, therefore, we do not anticipate the need to make significant changes in response to the PM.

PRESIDENTIAL MEMORANDUM—NET GAIN

Question. Does EPA believe the PM establishes a “net gain” goal for mitigation activities required or recommended by Federal agencies as articulated by the U.S. Fish and Wildlife Service in its draft revised Mitigation Policy? If so, please define “net gain,” including how it will be measured and how much will be required or recommended?

Answer. The Presidential Memorandum (PM) encourages agencies to establish a net benefit goal or, at a minimum, a no net loss goal for certain natural resources the agencies manage “[t]o the extent permitted by each agency’s legal authorities.” While the Fish and Wildlife Service’s draft Mitigation Policy does seek to incorporate this goal, the EPA is currently evaluating how a “net gain” goal might be applied to its programs.

PRESIDENTIAL MEMORANDUM—CLEAN WATER ACT—SECTION 404

Question. Does EPA believe “Section 404 of the Clean Water Act codifies the significance of wetlands and other waters of the United States as important public resources for their habitat value, among other functions” as stated by U.S. Fish and Wildlife Service in its draft revised Mitigation Policy? How does the PM affect respective jurisdictional responsibilities for EPA and U.S. Fish and Wildlife Service under the Clean Water Act?

Answer. The EPA regulations at 40 CFR Part 230 that implement Clean Water Act section 404 identify wetlands and other specified resources as special aquatic sites and provide specialized requirements aimed to afford such resources greater protections. The Presidential Memorandum does not alter existing jurisdictional responsibilities for the EPA and the U.S. Fish and Wildlife Service under the Clean Water Act.

PRESIDENTIAL MEMORANDUM—LARGE-SCALE PLANS

Question. Please explain how EPA’s use of “large-scale plans” in “identifying how proposed projects potentially impact natural resources and to guide better decision-making for mitigation” as directed in Section 3 of the PM will compare to current practice in terms of procedures and outcomes.

Answer. The Presidential Memorandum’s recommendations regarding the use of large-scale plans to inform mitigation decisionmaking are consistent with the watershed approach to mitigation adopted by the U.S. Army Corps of Engineers and the EPA joint regulations issued in 2008. The watershed approach encourages reliance on watershed plans to make more informed decisions about the type and location of mitigation projects. The ultimate goal of the watershed approach is to maintain and improve the quality and quantity of aquatic resources within watersheds through strategic selection of mitigation sites. For additional information see 33 CFR Part 332.3(c) and 40 CFR Part 230.93(c).

NATIONAL DROUGHT RESILIENCE PARTNERSHIP—GOALS #4 AND #5

Question. As presented in the Federal Action Plan of the National Drought Resilience Partnership issued in concert with the PM, what is EPA’s role relative to implementation actions “Enhance Federal drought resilience investments at the watershed scale” (Goal #4) and “Support state local strategies for more flexible water management” (Goal #5)?

Answer. The EPA will continue to fully engage with the National Drought Resilience Partnership (NDRP) in support of the Goals and Implementation Actions described in the Federal Action Plan. With respect to Goal 4 Implementation Action “Enhance Federal Drought Resilience Investments at the Watershed Scale” and Goal 5 Implementation Action “Support State and Local Strategies for More Flexible Water Management,” the EPA is listed as a supporting agency to USDA and DOI. Over the coming months, specific activities pertaining to these and other Implementation Actions found in the Action plan will be developed. The exact nature of each agency’s role also will be developed as the agencies move forward.

As it states within the NDRP Action Plan, the overall objective of Goal 4 is to improve coordination and integration of drought-related activities to enhance the collective benefits of Federal programs and investments. The best way to accomplish this is through better coordination and collaboration within the Federal Government and with stakeholders on the ground. The EPA is in a position to promote this type of work based upon our strong working relationship with the States, specifically in terms of the State Revolving Funds (SRF). While specific activities have not yet been determined as stated above, the EPA’s assistance could entail a review of each State’s SRF intended use plans. These plans outline a State’s list of priority projects for SRF funding. Working within the Federal partnership, the EPA can share information as to where and when projects will be underway and assist in identifying potential leveraging opportunities for other Federal funds.

In terms of Goal 5, specific implementation has not been fully determined; however, the EPA anticipates its role to be related to working with communities that are experiencing drinking water shortages. The EPA has many strong relationships with small communities and tribes that could benefit from increased water use flexibility and working with their on the ground partners, as these small communities and tribes are usually disproportionately impacted during drought. An important aspect of this action is ensuring that the EPA is fully partnering with the appropriate State agencies.

PRESIDENTIAL MEMORANDUM—WILDWOOD MISSOURI

Question. Residents of Wildwood, Missouri remain very concerned with the public health risks that may still remain within the Ellisville Site and its subsites. Past removal actions have been undertaken, but I have heard from constituents that certain areas still remain contaminated at concentrations above residential standards. This is despite numerous existing residences being located adjacent to the site and other new residences currently proposed to be developed. Has the EPA considered a complete cleanup to residential standards and the reinstitution of the 5-year CERCLA Review to address these concerns?

Answer. Yes, the EPA continues to consider conducting Five-Year Reviews (FYRs) where appropriate. The Ellisville Superfund Site was added to the National Priorities List (NPL) in 1983 and is comprised of three non-contiguous subsites near Wildwood, Missouri, with subsite designation as OU1 (Rosalie), OU2 (Bliss), and OU3 (Callahan). With regards to cleanup standards and, as discussed below, the EPA does not consider affected areas at OU2 Bliss to be “residential” and, therefore, applied recreational site-specific cleanup goals to reflect this area’s current and projected land use.

—*OU1 Rosalie:* In 1980, more than 200 buried drums were encountered and subsequently removed from the Rosalie subsite. The EPA followed that work with a remedial investigation and feasibility study, which resulted in a Record of Decision that selected off-site disposal of contaminated soil, drums, cans and debris to be followed by backfill and re-seeding. In 1986, the State conducted an investigation to determine if any residual contamination was left behind at the former excavation areas. The investigation showed that all test results were below the EPA’s residential screening levels for soil. The Rosalie subsite is not subject to FYRs because the subsite is being cleaned up to allow for residential use, with no contamination left in place. The EPA is not considering the Rosalie subsite for deletion at this time.

—*OU2 Bliss:* The EPA conducted on-site soil sampling that included an area north of a planned residential development and within the planned residential development itself. The sampling results within the planned residential development did not exceed residential screening levels. In the area north of the planned residential area, results identified soil with elevated concentrations of dioxin. The EPA determined that site conditions could pose a threat to public health and welfare and completed the removal and the disposal of 1,545 tons of dioxin-contaminated waste in March 2015. A residential standard was not deemed appropriate because, among other reasons, it is an area of brush, trees,

meadow and drainage that do not meet the residential use. The EPA continues to engage in discussions with the community, State agencies, and elected officials to collaboratively ensure long-term stewardship and protectiveness.

—*OU3 Callahan:* After a 2012 removal action, the partial NPL deletion process was started for the Callahan subsite since no waste was left in place. An evaluation of all subsite data concluded that the Callahan property no longer posed unacceptable human health risks for any type of exposure, including residential use. The Callahan subsite is not subject to FYRs because the subsite is being cleaned up to allow for residential use, with no contamination left in place. Based on all requirements in the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300.425(e)) being met, the EPA concluded that the Callahan subsite could and should be deleted from the NPL. The proposed partial deletion was published in the Federal Register on March 18, 2016, and the EPA is currently evaluating public comments on the proposed partial deletion.

COMMUNITY AFFORDABILITY

Question. EPA was asked to work with the National Academy of Public Administrators to conduct an independent study to create a definition of community affordability, this being a situation where a community might be protected from their water rates going up too quickly, but they might not be protected from their water rates hitting that cap and two or three other things in the community hitting that cap. Can EPA provide an update on where we are on this study?

Answer. The EPA is discussing possible approaches for the study with the National Academy of Public Administrators and will proceed with funding once a plan is finalized.

QUESTIONS SUBMITTED BY SENATOR STEVE DAINES

METHANE EMISSIONS

Question. As you are aware, many States, including Montana, have already implemented regulations to address methane emissions. Montana has set a flaring limit of 100MCFG per day, and other States, including Wyoming, have set even stricter rules. Can you confirm that your pending rules on methane will allow those State existing regulations, which meet the EPA's rule for new sources, to apply, thereby avoiding unnecessary conflict and administrative burden for the States, EPA, and industry while resulting in no added environmental benefit?

Answer. On May 12, 2016, the EPA issued three final rules that together will curb emissions of methane, smog-forming volatile organic compounds (VOCs), and toxic air pollutants, such as benzene, from new, reconstructed and modified oil and gas sources, while providing greater certainty about Clean Air Act permitting requirements for the industry.

A number of States regulate, or are considering regulating, air pollution from the oil and natural gas industry, and the EPA's rules allow them to continue to do so. Under the Clean Air Act, States have the authority to regulate air emissions from sources within their boundaries, provided their requirements are at least as protective as Federal requirements. Because the EPA recognizes the importance of not requiring industry to comply with duplicative requirements, the final rule provides a pathway for companies to demonstrate that State requirements to which they may be subject are equivalent to the requirements established in the New Source Performance Standards (NSPS). This pathway is in addition to States' ability to seek an equivalency determination from the EPA.

CLEAN AIR ACT

Question. In an attempt to regulate air quality, BLM has proposed a rule that will regulate existing sources on Federal and Indian lands. BLM has claimed their rule is necessary, and that it doesn't conflict with EPA's pending methane rules because your rules cover only new sources. However, you recently announced that EPA will, under the Clean Air Act, pursue the nationwide regulation of methane from the very same existing sources that BLM proposes to regulate. This appears to be in direct conflict. Will you recommend that BLM remove the overlapping requirements to avoid the conflict of two agencies contemporaneously implementing rules on the exact same facilities?

Answer. The EPA is currently developing an ICR that will allow the agency to collect the information that it needs to develop a proposal regarding existing sources

of oil and gas methane, so it is premature to identify the requirements as overlapping.

As with the EPA's New Source Performance Standards for new, modified, and reconstructed sources, EPA and BLM, where there is the potential for overlap on existing source requirements, will coordinate closely to ensure that the regulations do not conflict and that they minimize any potential for duplication. BLM is still working to complete its final rule and the EPA will continue to work with them to identify ways to minimize potential conflicting requirements and will continue to coordinate through the agencies' respective proposals and final rulemakings.

QUESTIONS SUBMITTED BY SENATOR BILL CASSIDY

NAAQS—2008 STANDARD

Question. EPA is requesting \$5.3 million to support the timely issuance of National Ambient Air Quality Standards (NAAQS) guidance and implementation tools.

The 2015 revised ground level ozone standard resulted from a 7-year review period at a time when the 2008 standard had not fully been implemented. The implementation rules for the 2008 standard were not even released until February 2015. Then, in October 2015, EPA subsequently lowered the 2008 ozone standard from 75 parts per billion (ppb) to 70 ppb.

In the Agency's budget request, it says, "The agency will continue to engage communities to be full partners in agency programs that make a visible difference in their community by working to provide holistic central mechanisms to support, assist, and engage with disadvantaged communities and vulnerable populations, including tribal populations, rural communities and children."

In 2015, I and several of my colleagues with medical backgrounds wrote you to express our concern with lowering the ozone standard. In that letter, it says, "If the true intent here is to improve public health, then the Agency should factor how its ozone proposal affects every aspect of human health—including impacts from unemployment, poverty, and reduced access to health insurance. Public health should not be viewed in a vacuum, but rather considered holistically, mindful of the correlation between health and the economy."

The Environmental Protection Agency (EPA) predicts that ozone levels will continue to improve through the next decade and that a vast majority of these counties will attain a 70 ppb standard by 2025 under other existing Federal, State, and local requirements and industry efforts.

Doesn't it make sense to get the 2008 standard implemented before burdening States with double-regulation?

The National Association of Clean Air Agencies testified to EPA that the new ozone standard "will have a profound impact on the work of State and local air pollution control agencies." Did EPA assess what impact implementing the new ozone standards would have on State and local agencies already implementing the 2008 standard—shouldn't these standards be harmonized?

EPA chose to project the costs of its new ozone standard to 2025. Since EPA bases its entire economic analysis on predicted 2025 air quality, will the Agency support extending compliance deadlines under the standards to 2025?

EPA chose to project the costs of its new ozone standard to 2025 since that would be the year in which most counties would have to attain the standards if granted compliance extensions. If EPA assumed longer compliance deadlines, would it support legislation extending those deadlines?

EPA has said that most counties won't need to attain its stringent ozone standards until 2025. But counties in nonattainment areas will face severe regulatory consequences in just 3 years, and the new standards become immediately effective for permits to expand business. EPA seems to want us to think these standards are a "next decade" problem, but aren't they a now problem?

Answer. The EPA and State co-regulators share a long history of managing ozone air quality under the Clean Air Act (CAA), underpinned by previously issued EPA rules and guidance. The overall framework and policy approach reflected in the implementing regulations for the 2008 ozone standards provide an effective and appropriate template for the general approach States would follow in planning for attainment of the 2015 ozone NAAQS. Planning and implementation work to meet the 2015 ozone standard will build on progress States already have made to plan for and meet the 2008 standards. In particular for areas where States are still actively working toward attaining the 2008 ozone NAAQS, the EPA is committed to helping air agencies identify and take advantage of potential planning and emissions control efficiencies that may occur within the horizon for attaining the 2015 standards. Fol-

Following past precedent, the EPA intends to propose revoking the 2008 standards and provide transition rules intended to help avoid any potential inefficiencies as States begin implementing the Clean Air Act's requirements for the 2015 standards. Accordingly, States' planning will not need to focus on the 2008 and 2015 standards concurrently.

The Clean Air Act governs the process and timing for initial area designations and associated compliance deadlines after the EPA establishes a new or revised NAAQS.

Following Clean Air Act requirements, the EPA anticipates the following schedule for the 2015 ozone NAAQS:

- By October 2017:* The EPA will issue final area designations. Those designations likely will be based on 2014–2016 air quality data. If preconstruction permitting program requirements for the nonattainment area do not already exist, Federal permitting regulations will apply until they are replaced by State-adopted programs.
- 2019:* States will submit area specific inventories of ozone-producing emissions.
- 2020 to 2021:* For nonattainment areas classified as “moderate” and above, States, and any tribes that choose to do so will complete development of implementation plans, outlining how they will reduce pollution to meet the standards. State and tribal plans can include Federal measures and any local or statewide measures needed to demonstrate that a nonattainment area will meet the standards by its attainment date.
- 2020 to 2037:* Nonattainment areas are required to meet the primary (health) standard, with deadlines depending on the severity of an area's ozone problem.

The EPA views any delay in implementation of the ozone standards as unnecessary and harmful to public health and the environment. Delaying the implementation schedule for the 2015 ozone standard would jeopardize progress toward cleaner air and delay health protections for millions of Americans, including children, older adults, and people with asthma. For ozone, the EPA estimates that meeting the 70 ppb standard will yield health benefits valued at \$2.9 billion to \$5.9 billion annually in 2025 nationwide, not counting the health benefits that will be achieved in later years in California. These benefits include avoiding 320 to 660 premature deaths; 230,000 asthma attacks in children; and 160,000 days when children do not attend school. Delaying the designations process also would deny citizens in potential nonattainment areas the information they need about air quality to protect their families from ozone exposure. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

ECOLABELS

Question. Last September, EPA published an interim recommendation for environmental standards as well as ecolabels for use in Federal procurement. EPA's recommendation for lumber includes the Forest Stewardship Council (FSC) Certified but excludes other credible sources such as the Sustainable Forestry Initiative (SFI) and the American Tree Farm System (ATFS). In Louisiana, nearly 4 million acres or 85 percent of all certified lumber is SFI or ATFS certified.

During the hearing you said, “. . . EPA recognizes that their needs to be an expansion of that certification so that others can be readily recognized, because I want what you want which is to have our forests sustainably managed and to use whatever leverage we have to provide the economic incentive for that so we are talking to folks and looking at that in seeing how we can expand the certifications that are recognized”

How is EPA reconsidering its lumber recommendations to ensure that other credible and certified standards SFI and ATFS are recognized?

Answer. The implementing instructions for Executive Order 13693, Planning/or Federal Sustainability in the Next Decade, directed the EPA, in consultation with the Office of Management and Budget and the Council on Environmental Quality, to issue these recommendations in order to assist Federal purchasers in identifying and procuring environmentally sustainable products. The basis for our interim recommendations on wood/lumber was the DOE GreenBuy program. The EPA is pursuing several options to determine if an update to the lumber/wood interim recommendations is appropriate, and the agency has updated the Web site to reflect this (see the footnote for Lumber/Wood under the Construction sector at <https://www.epa.gov/greenerproducts/epas-recommendations-specifications-standards-and-ecolabels>).

The EPA is engaging with both the Department of Energy and the U.S. Department of Agriculture in a high-level review to determine the effectiveness of these standards in protecting human health and the environment. Furthermore, the EPA's standards executive is currently reviewing the forestry standards to determine if they were developed through a voluntary consensus approach consistent with the National Technology Transfer and Advancement Act (NTTAA) and Office of Management and Budget (OMB) Circular A-119. Finally, Sustainable Forestry Initiative (SFI), American Tree Farm System (ATFS), Canadian Standards Association (CSA), and Forest Stewardship Council (FSC) have each volunteered to have their forestry standards assessed against the criteria developed through a multi-stakeholder consensus process in the guidelines pilot for the flooring and furniture sectors. The results of that pilot assessment can help inform whether those standards would meet the EPA's baseline criteria for environmental performance as specified in the EPA's draft guidelines for Environmental Performance Standards and Ecolabels for use in Federal procurement.

ECOLABELS DETERMINATION

Question. Last September, EPA published an interim recommendation for environmental standards as well as ecolabels for use in Federal procurement. EPA's recommendation for lumber includes the Forest Stewardship Council (FSC) Certified but excludes other credible sources such as the Sustainable Forestry Initiative (SFI) and the American Tree Farm System (ATFS). In Louisiana, nearly 4 million acres or 85 percent of all certified lumber is SFI or ATFS certified.

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When will this determination be made?

Answer. The EPA will consider the input received from other Federal agencies, stakeholders, and experts, along with information obtained during our assessment of forestry standards during the pilot process, to inform the further refinement and finalization of the EPA's guidelines and recommendations. The agency believes it can decide on a path forward within the next several months.

DICAMBA

Question. Given your past public statements on concluding your agency's registration for new uses of dicamba in conjunction with soybean and cotton products already in the market, will your agency finalize the registration by the end of this summer so that corresponding State registrations will enable farmers to have the full flexibility of weed control options for the 2017 growing season?

Answer. On April 1, 2016, the EPA released the proposed decision to register dicamba for public comment. The public comment period, originally 30 days, was extended to May 31, 2016. The comment period having now closed, the EPA will consider the comments received and make a registration decision. The EPA expects to issue a decision by late summer or early fall of 2016.

CORN ROOTWORM

Question. I understand that the EPA has been reviewing a new mode of action to control corn rootworm for a number of years and has recently completed a preliminary step in the process. As growers will need additional modes of action to most effectively deal with this pest, can you please provide the subcommittee with an update on when registration for his new mode of action to control corn rootworm might be expected?

Answer. The EPA recognizes that the corn rootworm is one of the most troublesome pests confronting the Nation's corn growers. At this time, the use of Plant Incorporated Protectants (PIPs), including Bt corn, is one of the safest methods of insect control. If used properly, PIP crops greatly reduce the need for conventional pesticides and the risks they may pose to human health and the environment. For these methods to continue to be available, it is essential that they remain effective. Recognizing this, on February 18, 2016, the EPA released new requirements to address corn rootworm resistance to Bt corn. The goal of the requirements is to maintain the effectiveness of Bt corn by delaying resistance and applying corrective measures if resistance is confirmed. The EPA believes that these requirements will help growers effectively deal with corn rootworm now and in the future.

The EPA is currently reviewing a corn rootworm application for commercial use. This application represents a new mode of action to control corn rootworm. This new mode of action is based on a natural process that occurs in all living organisms called “RNA interference”, or “RNAi”. Using RNAi, an organism can control when key substances needed to grow and survive are turned on and off, and how much is produced. The pesticide proposed for corn rootworm control co-opts the RNAi process to shut off a key housekeeping function that the corn rootworm needs to grow and live.

The agency plans to consult with the FIFRA Scientific Advisory Panel (SAP) in the fall of 2016 on our risk assessment, which is informed in part by an earlier SAP convened in January 2014 on considerations for the assessment of RNAi used as a pesticide. The agency hope to make a decision on the current application in the spring 2017.

QUESTIONS SUBMITTED BY SENATOR JACK REED

SNEP

Question. Can you share your thoughts on the value of efforts like SNEP in taking a regional and integrated approach to issues of combating nutrient pollution, ocean acidification, and other problems with water quality? How can we make such efforts even more effective?

Answer. The EPA and Southern New England partners recognize that addressing the impacts of nutrient pollution, loss of habitat, and climate change on our coastal watersheds requires targeted regional and watershed-wide solutions that reach upstream and downstream and across State boundaries. The EPA also recognizes that these broad solutions are best implemented at the local and municipal level. Since 2014, the Southern New England Program (SNEP) has solicited and funded project proposals that range from broad policy, technology, and management innovations to municipal capacity-building and resource sharing. Projects selected include testing innovative methods to treat and remove nutrients, such as “nature-based” approaches involving shellfish aquaculture and green infrastructure, exploring new financing approaches, and data-sharing for wastewater management, including septic systems. Other projects have fostered improved collaboration across city and State lines to develop shared monitoring programs and integrated planning, and have provided access to tools such as GIS, improved septic system technology, and stormwater Best Management Practice (BMP) design and construction improvements.

GRANT FUNDING

Question. As you know, the fiscal year 2016 Omnibus Appropriations Act allowed EPA to adjust the distribution of air monitoring categorical grants. The problem is that without additional funding for these grants, some States could lose important resources as the formula is changed. The Rhode Island Department of Environmental Management is particularly concerned about losing funding and possibly staff because of changes in distribution of these resources. Can you explain how you are working within a limited budget to make sure that States don’t lose funding and capacity because of the change in formula?

Answer. The EPA recognizes the challenges posed to State and local air agencies in any region that might experience decreased resources and the agency has consistently stated its intent to limit any region’s loss of resources to no more than 5 percent of its prior year funding as a result of the revised allocation.

The EPA has determined that it is appropriate to apply additional mitigating measures to prevent disruptions to ongoing State and local air program operations in this first year of transition, given that the EPA and State and local air agencies are well into fiscal year 2016.

For fiscal year 2016, the EPA is implementing the revised allocation as follows:

- All regions will receive at least their fiscal year 2015 post rescission funding levels.
- Regions slated to gain resources using the revised allocation methodology from 2010 with updated data will receive modest increases in funding.

BEACH ACT GRANT

Question. Can you please help me to understand why the fiscal year 2017 budget request eliminates funding for the Beach Act grant program?

Answer. After more than 15 years of States and tribes receiving BEACH Act grants, they now have the technical expertise and procedures in place to run beach monitoring programs. The agency is proposing to eliminate certain mature program activities that are well-established, well understood, and where there is the possibility of maintaining the human health benefits through implementation at the local level.

QUESTIONS SUBMITTED BY SENATOR JON TESTER

SUPERFUND SITES

Question. Can EPA provide a list of all Superfund sites that have been cleaned up and others that have been de-listed?

Answer. Deletion of a site from the Superfund National Priorities List (NPL) signifies that all remedial action objectives for the site have been achieved and no further response actions are required to protect human health and the environment. The EPA equates deleted NPL sites to the list of sites that have been “cleaned up” as stated in the question, though institutional controls may be in place if waste remains at the site at levels that prohibit unrestricted access. As of May 19, 2016, 391 sites have been deleted from the NPL. The list of deleted sites below is sorted by State and then site name. The EPA’s Superfund Web site contains current information on deleted sites: <https://www.epa.gov/superfund/npl-site-totals-status-and-milestone>. EPA’s Superfund Web site also contains current information on sites where all physical cleanup construction has been completed: <https://www.epa.gov/superfund/construction-completions-npl-sites-state>.

TABLE

State	Site Name	City	Zip	County ¹	Deleted Date
AK	ALASKA BATTERY ENTERPRISES	FAIRBANKS	99701	FAIRBANKS NORTH STAR	7/26/1996
AK	ARCTIC SURPLUS	FAIRBANKS	99701	N/A	9/25/2006
AK	STANDARD STEEL & METAL SALVAGE YARD (USDOT)	ANCHORAGE	99501	ANCHORAGE	9/30/2002
AL	MOWBRAY ENGINEERING CO.	GREENVILLE	36037	BUTLER	12/30/1993
AL	REDWING CARRIERS, INC. (SARALAND)	SARALAND	36571	MOBILE	9/28/2015
AR	CECIL LINDSEY	NEWPORT	72112	JACKSON	9/22/1989
AR	FRIT INDUSTRIES	WALNUT RIDGE	72476	LAWRENCE	10/14/1997
AR	GURLEY PIT	EDMONDSEN	72332	CRITTENDEN	11/6/2003
AR	INDUSTRIAL WASTE CONTROL	FORT SMITH	72901	SEBASTIAN	4/7/2008
AR	JACKSONVILLE MUNICIPAL LANDFILL	JACKSONVILLE	72076	LONOKE	3/14/2000
AR	MONROE AUTO EQUIPMENT CO. (PARAGOULD PIT)	PARAGOULD	72450	GREENE	9/29/2014
AR	ROGERS ROAD MUNICIPAL LANDFILL	JACKSONVILLE	72076	PULASKI	10/12/2010
AR	SOUTH 8TH STREET LANDFILL	WEST MEMPHIS	72301	CRITTENDEN	9/28/2004
AS	TAPUTIMU FARM	PAGO PAGO	96799	N/A	3/7/1986
AZ	LUKE AIR FORCE BASE	GLENDALE	85309	MARICOPA	4/22/2002
AZ	MOUNTAIN VIEW MOBILE HOME ESTATES	GLOBE	85501	GILA	4/18/1988
AZ	NINETEENTH AVENUE LANDFILL	PHOENIX	85041	MARICOPA	9/25/2006

TABLE—Continued

State	Site Name	City	Zip	County ¹	Deleted Date
CA	CELTOR CHEMICAL WORKS	HOOPA	95546	HUMBOLDT	9/30/2003
CA	COALINGA ASBESTOS MINE	COALINGA	93210	FRESNO	4/24/1998
CA	DEL NORTE PESTICIDE STORAGE	CRESCENT CITY	95531	DEL NORTE	9/18/2002
CA	FIRESTONE TIRE & RUBBER CO. (SALINAS PLANT)	SALINAS	93901	MONTEREY	4/21/2005
CA	JIBBOOM JUNKYARD	SACRAMENTO	95814	SACRAMENTO	9/10/1991
CA	LIQUID GOLD OIL CORP.	RICHMOND	94804	CONTRA COSTA	9/11/1996
CA	LOUISIANA-PACIFIC CORP.	OROVILLE	95965	BUTTE	11/21/1996
CA	RALPH GRAY TRUCKING CO.	WESTMINSTER	92683	ORANGE	9/28/2004
CA	SAN FERNANDO VALLEY (AREA 3)	GLENDALE	91209	LOS ANGELES	10/12/2004
CA	SOLA OPTICAL USA, INC.	PETALUMA	94952	SONOMA	10/31/2013
CA	SOUTHERN CALIFORNIA EDISON CO. (VISALIA POLEYARD)	VISALIA	93277	TULARE	9/26/2009
CA	T.H. AGRICULTURE & NUTRITION CO.	FRESNO	93727	FRESNO	8/21/2006
CA	WESTERN PACIFIC RAILROAD CO.	OROVILLE	95965	BUTTE	8/29/2001
CO	SAND CREEK INDUSTRIAL	COMMERCE CITY	80022	ADAMS	12/20/1996
CO	SMUGGLER MOUNTAIN	ASPEN	81611	PITKIN	9/23/1999
CO	WOODBURY CHEMICAL CO.	COMMERCE CITY	80022	ADAMS	3/22/1993
CT	CHESHIRE GROUND WATER CONTAMINATION	CHESHIRE	6410	NEW HAVEN	7/2/1997
CT	NUTMEG VALLEY ROAD	WOLCOTT	6716	NEW HAVEN	9/23/2005
CT	REVERE TEXTILE PRINTS CORP.	STERLING	6377	WINDHAM	9/2/1994
DE	COKER'S SANITATION SERVICE LANDFILLS	CHESWOLD	19936	KENT	8/2/2011
DE	NEW CASTLE SPILL	NEW CASTLE	19720	NEW CASTLE	6/12/1996
DE	NEW CASTLE STEEL	NEW CASTLE	19720	NEW CASTLE	3/17/1989
DE	SEALAND LIMITED	MIDDLETOWN	19709	NEW CASTLE	7/1/1997
DE	SUSSEX COUNTY LANDFILL NO. 5	LAUREL	19956	SUSSEX	9/28/2001
DE	TYLER REFRIGERATION PIT	SMYRNA	19977	KENT	3/29/2004
DE	WILDCAT LANDFILL	DOVER	19901	KENT	3/14/2003
FL	ALPHA CHEMICAL CORP.	LAKELAND	33810	POLK	6/28/1995
FL	ANACONDA ALUMINUM CO./MILGO ELECTRONICS CORP.	MIAMI	33147	MIAMI-DADE	7/9/1998
FL	B&B CHEMICAL CO., INC.	HIALEAH	33010	MIAMI-DADE	8/5/2014
FL	BEULAH LANDFILL	PENSACOLA	32506	ESCAMBIA	6/22/1998

TABLE—Continued

State	Site Name	City	Zip	County ¹	Deleted Date
FL	BMI-TEXTRON	LAKE PARK	33403	PALM BEACH	11/18/2002
FL	BROWN WOOD PRESERVING	LIVE OAK	32060	SUWANNEE	9/22/1995
FL	CALLAWAY & SON DRUM SERVICE	LAKE ALFRED	33850	POLK	8/4/2009
FL	CHEMFORM, INC.	POMPANO BEACH	33069	BROWARD	7/28/2000
FL	COLEMAN-EVANS WOOD PRESERVING CO.	WHITEHOUSE	32220	DUVAL	5/27/2014
FL	DAVIE LANDFILL	DAVIE	33314	BROWARD	8/21/2006
FL	DUBOSE OIL PRODUCTS CO.	CANTONMENT	32533	ESCAMBIA	10/1/2004
FL	GOLD COAST OIL CORP.	MIAMI	33155	MIAMI-DADE	10/9/1996
FL	HIPPS ROAD LANDFILL	DUVAL COUNTY	32222	DUVAL	2/27/2011
FL	KASSAUF-KIMERLING BATTERY DISPOSAL	TAMPA	33619	HILLSBOROUGH	10/2/2000
FL	MUNISPORT LANDFILL	NORTH MIAMI	33161	MIAMI-DADE	9/24/1999
FL	NORTHWEST 58TH STREET LANDFILL	HIALEAH	33012	MIAMI-DADE	10/11/1996
FL	PARRAMORE SURPLUS	MOUNT PLEASANT	32352	GADSDEN	2/21/1989
FL	PIONEER SAND CO.	WARRINGTON	32506	ESCAMBIA	2/8/1993
FL	SCHUYLKILL METALS CORP.	PLANT CITY	33566	HILLSBOROUGH	8/22/2001
FL	SIXTY-SECOND STREET DUMP	TAMPA	33619	HILLSBOROUGH	10/1/1999
FL	STANDARD AUTO BUMPER CORP.	HIALEAH	33010	MIAMI-DADE	10/26/2007
FL	TRI-CITY OIL CONSERVATIONI ST, INC	TAMPA	33617	HILLSBOROUGH	9/1/1988
FL	VAR SOL SPILL	MIAMI	33159	MIAMI-DADE	9/1/1988
FL	WILSON CONCEPTS OF FLORIDA, INC.	POMPANO BEACH	33069	BROWARD	4/4/1995
FL	WOODBURY CHEMICAL CO. (PRINCETON PLANT)	PRINCETON	33032	MIAMI-DADE	11/27/1995
FL	YELLOW WATER ROAD	BALDWIN	32234	DUVAL	5/18/1999
FM	PCB WASTES	PALAU	96950	N/A	3/7/1986
GA	CEDARTOWN INDUSTRIES, INC.	CEDARTOWN	30125	POLK	9/19/2006
GA	CEDARTOWN MUNICIPAL LANDFILL	CEDARTOWN	30125	POLK	3/10/1999
GA	LUMINOUS PROCESSES, INC.	ATHENS	30622	CLARKE	12/30/1982
GA	MONSANTO CORP. (AUGUSTA PLANT)	AUGUSTA	30903	RICHMOND	3/9/1998
GA	POWERSVILLE SITE	PEACH COUNTY	31074	PEACH	11/1/2010
HI	SCHOFIELD BARRACKS (USARMY)	SCHOFIELD	96857	HONOLULU	8/10/2000
IA	AIDEX CORP.	MINEOLA	51554	MILLS	10/21/1993
IA	E.I. DU PONT DE NEMOURS & CO., INC. (COUNTY ROAD X23)	WEST POINT	52656	LEE	9/25/1995

TABLE—Continued

State	Site Name	City	Zip	County ¹	Deleted Date
IA	FARMERS' MUTUAL COOPERATIVE	HOSPERS	51238	SIOUX	11/13/2001
IA	JOHN DEERE (OTTUMWA WORKS LAND-FILLS)	OTTUMWA	52501	WAPELLO	1/22/2001
IA	LABOUNTY	CHARLES CITY	50616	FLOYD	10/6/1993
IA	MID-AMERICA TANNING CO.	SERGEANT BLUFF	51054	WOODBURY	9/24/2004
IA	NORTHWESTERN STATES PORTLAND CE- MENT CO.	MASON CITY	50401	CERRO GORDO	8/31/1995
IA	RED OAK CITY LANDFILL	RED OAK	51566	MONTGOMERY	9/26/2005
IA	SHELLER-GLOBE CORP. DISPOSAL	KEOKUK	52632	LEE	9/24/2001
IA	WHITE FARM EQUIPMENT CO. DUMP	CHARLES CITY	50616	FLOYD	10/30/2000
ID	ARRCOM (DREXLER ENTERPRISES)	RATHDRUM	83858	KOOTENAI	12/23/1992
ID	PACIFIC HIDE & FUR RECYCLING CO.	POCATELLO	83201	BANNOCK	11/4/1999
ID	UNION PACIFIC RAILROAD CO.	POCATELLO	83201	BANNOCK	9/22/1997
IL	A & F MATERIAL RECLAIMING, INC.	GREENUP	62428	CUMBERLAND	6/11/2012
IL	BELVIDERE MUNICIPAL LANDFILL	BELVIDERE	61008	BOONE	2/9/2015
IL	ILADA ENERGY CO.	EAST CAPE GIRARDEAU	62957	ALEXANDER	1/8/2001
IL	KERR-MCGEE (REED-KEPLER PARK)	WEST CHICAGO	60185	DUPAGE	2/8/2010
IL	KERR-MCGEE (SEWAGE TREATMENT PLANT)	WEST CHICAGO	60185	DUPAGE	4/22/2013
IL	PETERSEN SAND & GRAVEL	LIBERTYVILLE	60048	LAKE	2/11/1991
IN	CARTER LEE LUMBER CO.	INDIANAPOLIS	46222	MARION	7/9/1996
IN	COLUMBUS OLD MUNICIPAL LANDFILL #1	COLUMBUS	47201	BARTHOLOMEW	1/24/2014
IN	INTERNATIONAL MINERALS (E. PLANT)	TERRE HAUTE	47802	VIGO	2/11/1991
IN	NEAL'S DUMP (SPENCER)	SPENCER	47460	OWEN	10/4/1999
IN	POER FARM	HANCOCK COUNTY	46117	HANCOCK	2/11/1991
IN	SOUTHSIDE SANITARY LANDFILL	INDIANAPOLIS	46221	MARION	7/3/1997
IN	TRI-STATE PLATING	COLUMBUS	47201	BARTHOLOMEW	7/14/1997
IN	WASTE, INC., LANDFILL	MICHIGAN CITY	46360	LA PORTE	10/20/2008
IN	WEDZEB ENTERPRISES, INC.	LEBANON	46052	BOONE	9/10/1991
IN	WHITEFORD SALES & SERVICE INC./ NATIONALEASE	SOUTH BEND	46619	ST. JOSEPH	9/6/1996
KS	29TH & MEAD GROUND WATER CONTAMI- NATION	WICHITA	67219	SEDGWICK	4/29/1996
KS	ARKANSAS CITY DUMP	ARKANSAS CITY	67005	COWLEY	3/1/1996

TABLE—Continued

State	Site Name	City	Zip	County ¹	Deleted Date
KS	BIG RIVER SAND CO.	WICHITA	67205	SEDGWICK	10/14/1992
KS	HYDRO-FLEX INC.	TOPEKA	66618	SHAWNEE	11/9/1993
KS	JOHNS' SLUDGE POND	WICHITA	67212	SEDGWICK	1/6/1992
KY	A.L. TAYLOR (VALLEY OF DRUMS)	BROOKS	40165	BULLITT	5/17/1996
KY	GENERAL TIRE & RUBBER CO. (MAYFIELD LANDFILL)	MAYFIELD	42066	GRAVES	10/27/2000
KY	HOWE VALLEY LANDFILL	HOWE VALLEY	42732	HARDIN	7/26/1996
KY	LEE'S LANE LANDFILL	LOUISVILLE	40216	JEFFERSON	4/25/1996
KY	NATIONAL SOUTHWIRE ALUMINUM CO.	HAWESVILLE	42348	HANCOCK	10/5/2015
KY	NEWPORT DUMP	NEWPORT	41072	CAMPBELL	6/3/1996
KY	RED PENN SANITATION CO. LANDFILL	PEEWEE VALLEY	40014	OLDHAM	9/14/2001
LA	BAYOU SORREL	BAYOU SORREL	70764	IBERVILLE	9/29/1997
LA	CENTRAL WOOD PRESERVING CO.	SLAUGHTER	70722	EAST FELICIANA	9/18/2009
LA	CLEVE REBER	SORRENTO	70778	N/A	12/30/1997
LA	D.L. MUD, INC.	ABBEVILLE	70510	VERMILION	3/7/2000
LA	DELATTE METALS	PONCHATOULA	70454	N/A	8/8/2005
LA	DUTCHTOWN TREATMENT PLANT	ASCENSION PARISH	70734	N/A	11/16/1999
LA	GULF COAST VACUUM SERVICES	ABBEVILLE	70510	N/A	7/23/2001
LA	MALLARD BAY LANDING BULK PLANT	GRAND CHENIERE	70542	N/A	9/19/2005
LA	OLD INGER OIL REFINERY	DARROW	70725	N/A	8/12/2008
LA	PAB OIL & CHEMICAL SERVICE, INC.	ABBEVILLE	70510	N/A	1/3/2000
LA	RUSTON FOUNDRY	ALEXANDRIA	71302	N/A	7/13/2010
LA	SOUTHERN SHIPBUILDING	SLIDELL	70459	N/A	6/16/1998
MA	CANNON ENGINEERING CORP. (CEC)	BRIDGEWATER	2324	PLYMOUTH	9/24/2013
MA	FORT DEVENS-SUDBURY TRAINING ANNEX	SUDBURY	1775	MIDDLESEX	1/29/2002
MA	MATERIALS TECHNOLOGY LABORATORY (USARMY)	WATERTOWN	2172	MIDDLESEX	11/21/2006
MA	NORWOOD PCBS	NORWOOD	2062	NORFOLK	5/31/2011
MA	PLYMOUTH HARBOR/CANNON ENGINEERING CORP.	PLYMOUTH	2360	PLYMOUTH	11/19/1993
MA	SALEM ACRES	SALEM	1970	ESSEX	7/23/2001
MD	CHEMICAL METALS INDUSTRIES, INC.	BALTIMORE	21230	BALTIMORE CITY	12/30/1982
MD	MID-ATLANTIC WOOD PRESERVERS, INC.	HARMANS	21077	ANNE ARUNDEL	7/18/2000
MD	MIDDLETOWN ROAD DUMP	ANNAPOLIS	21401	ANNE ARUNDEL	4/18/1988

TABLE—Continued

State	Site Name	City	Zip	County ¹	Deleted Date
MD	SOUTHERN MARYLAND WOOD TREATING	HOLLYWOOD	20636	ST. MARY'S	4/5/2005
ME	O'CONNOR CO.	AUGUSTA	4330	KENNEBEC	7/22/2014
ME	PINETTE'S SALVAGE YARD	WASHBURN	4786	AROOSTOOK	9/30/2002
ME	SACO TANNERY WASTE PITS	SACO	4072	YORK	9/29/1999
MI	ANDERSON DEVELOPMENT CO.	ADRIAN	49221	LENAWEE	1/26/1996
MI	AVENUE "E" GROUND WATER CONTAMINATION	TRAVERSE CITY	49684	GRAND TRAVERSE	3/20/2007
MI	BERLIN & FARRO	SWARTZ CREEK	48473	GENESEE	6/24/1998
MI	BURROWS SANITATION	HARTFORD	49057	VAN BUREN	7/14/2015
MI	CARTER INDUSTRIALS, INC.	DETROIT	48208	WAYNE	3/25/1997
MI	CEMETERY DUMP	ROSE CENTER	48442	OAKLAND	4/19/1995
MI	CHARLEVOIX MUNICIPAL WELL	CHARLEVOIX	49720	CHARLEVOIX	12/2/1993
MI	CLIFF/DOW DUMP	MARQUETTE	49855	MARQUETTE	11/17/2000
MI	FOLKERTSMA REFUSE	GRAND RAPIDS	49504	KENT	4/10/1996
MI	GRATIOT COUNTY GOLF COURSE	ST. LOUIS	48880	GRATIOT	9/8/1983
MI	H & K SALES	BELDING	48809	IONIA	5/21/1998
MI	KENT CITY MOBILE HOME PARK	KENT CITY	49330	KENT	3/20/1995
MI	LOWER ECORSE CREEK DUMP	WYANDOTTE	48192	WAYNE	7/1/2005
MI	MASON COUNTY LANDFILL	PERE MARQUETTE TWP	49431	MASON	9/9/1999
MI	METAL WORKING SHOP	LAKE ANN	49650	BENZIE	12/23/1992
MI	NOVACO INDUSTRIES	TEMPERANCE	48182	MONROE	7/14/1998
MI	OSSINEKE GROUND WATER CONTAMINATION	OSSINEKE	49766	ALPENA	1/31/1996
MI	SPIEGELBERG LANDFILL	GREEN OAK TOWNSHIP	48116	LIVINGSTON	6/13/2011
MI	WASTE MANAGEMENT OF MICHIGAN (HOLLAND LAGOONS)	HOLLAND	49424	OTTAWA	1/14/2013
MI	WHITEHALL MUNICIPAL WELLS	WHITEHALL	49461	MUSKEGON	2/11/1991
MN	ADRIAN MUNICIPAL WELL FIELD	ADRIAN	56110	NOBLES	12/30/1992
MN	AGATE LAKE SCRAPYARD	FAIRVIEW TOWNSHIP	56473	CASS	8/1/1997
MN	BOISE CASCADE/ONAN MEDTRONICS, INC. CORP./	FRIDLEY	55432	ANOKA	2/15/1995
MN	DAKHUE SANITARY LANDFILL	CANNON FALLS	55031	DAKOTA	7/24/1995
MN	EAST BETHEL DEMOLITION LANDFILL	EAST BETHEL TOWNSHIP	55011	ANOKA	5/7/1996

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State	Site Name	City	Zip	County ¹	Deleted Date
MN	KOCH REFINING CO./N-REN CORP.	ROSEMOUNT	55058	DAKOTA	6/15/1995
MN	KUMMER SANITARY LANDFILL	BEMIDJI	56601	BELTRAMI	4/26/1996
MN	LAGRAND SANITARY LANDFILL	LAGRAND TOWNSHIP	56308	DOUGLAS	10/23/1997
MN	MORRIS ARSENIC DUMP	MORRIS	56267	STEVENS	3/7/1986
MN	NL INDUSTRIES/TAR ACORP/GOLDEN AUTO	ST. LOUIS PARK	55426	HENNEPIN	5/21/1998
MN	OAK GROVE SANITARY LANDFILL	OAK GROVE TOWN-SHIP	55011	ANOKA	10/17/1996
MN	OLMSTED COUNTY SANITARY LANDFILL	ORONOCO	55960	OLMSTED	2/15/1995
MN	PINE BEND SANITARY LANDFILL	DAKOTA COUNTY	55075	DAKOTA	6/23/1998
MN	ST. AUGUSTA SANITARY LANDFILL/ENGEN DUMP	ST. AUGUSTA TOWN-SHIP	56301	STEARNS	11/14/1996
MN	TWIN CITIES AIR FORCE RESERVE BASE (SMALL ARMS RANGE LANDFILL)	MINNEAPOLIS	55450	HENNEPIN	12/16/1996
MN	UNION SCRAP IRON & METAL CO.	MINNEAPOLIS	55411	HENNEPIN	9/10/1991
MN	UNIVERSITY OF MINNESOTA (ROSEMOUNT RESEARCH CENTER)	ROSEMOUNT	55068	DAKOTA	2/6/2001
MN	WASHINGTON COUNTY LANDFILL	LAKE ELMO	55042	WASHINGTON	5/16/1996
MN	WASTE DISPOSAL ENGINEERING	ANDOVER	55304	ANOKA	6/5/1996
MN	WHITTAKER CORP.	MINNEAPOLIS	55418	HENNEPIN	2/11/1999
MN	WINDOM DUMP	WINDOM	56101	COTTONWOOD	10/6/2000
MO	KEM-PEST LABORATORIES	CAPE GIRARDEAU	63701	CAPE GIRARDEAU	9/20/2001
MO	NORTH-U DRIVE WELL CONTAMINATION	SPRINGFIELD	65801	GREENE	9/8/1994
MO	SHENANDOAH STABLES	MOSCOW MILLS	63362	LINCOLN	9/25/2001
MO	TIMES BEACH	TIMES BEACH	63025	ST. LOUIS	9/25/2001
MO	WHEELING DISPOSAL SERVICE CO., INC., LANDFILL	AMAZONIA	64421	ANDREW	10/30/2000
MP	PCB WAREHOUSE	GARAPAN	96950	SAIPAN	3/7/1986
MS	FLOWOOD SITE	FLOWOOD	39208	RANKIN	2/16/1996
MS	NEWSOM BROTHERS/OLD REICHOLD CHEMICALS, INC.	COLUMBIA	39429	MARION	9/27/2000
MS	WALCOTTE CHEMICAL CO. WAREHOUSES	GREENVILLE	38701	WASHINGTON	12/30/1982
NC	MARTIN-MARIETTA, SODYECO, INC.	CHARLOTTE	28214	MECKLENBURG	1/20/2012
NC	NEW HANOVER CNTY AIRPORT BURN PIT	WILMINGTON	28401	NEW HANOVER	9/20/2012
NC	ROADSIDE PCB SPILL	210 MILES OF ROADS	27589	WARREN	3/7/1986
ND	ARSENIC TRIOXIDE SITE	SOUTHEAST	58053	N/A	7/5/1996

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State	Site Name	City	Zip	County ¹	Deleted Date
ND	MINOT LANDFILL	MINOT	58701	WARD	4/1/1997
NE	WAVERLY GROUND WATER CONTAMINATION	WAVERLY	68462	LANCASTER	11/20/2006
NH	TOWN GARAGE/RADIO BEACON	LONDONDERRY	3053	ROCKINGHAM	7/21/2014
NJ	ASBESTOS DUMP	MILLINGTON	7946	MORRIS	7/12/2010
NJ	BEACHWOOD/BERKELEY WELLS	BERKELEY TOWNSHIP	8722	OCEAN	1/6/1992
NJ	COMBE FILL NORTH LANDFILL	MOUNT OLIVE TOWNSHIP	7828	MORRIS	6/2/2004
NJ	COOPER ROAD	VOORHEES TOWNSHIP	8043	CAMDEN	2/22/1989
NJ	CROWN VANTAGE LANDFILL	ALEXANDRIA TOWNSHIP	8848	HUNTERDON	8/28/2015
NJ	DELILAH ROAD	EGG HARBOR TOWNSHIP	8221	ATLANTIC	10/13/2009
NJ	DENZER & SCHAFER X-RAY CO.	BAYVILLE	8721	OCEAN	12/29/1998
NJ	FEDERAL CREOSOTE	MANVILLE	8835	SOMERSET	6/18/2014
NJ	FLORENCE LAND RECONTOURING, INC., LANDFILL	FLORENCE TOWNSHIP	8518	BURLINGTON	5/13/2004
NJ	FORT DIX (LANDFILL SITE)	PEMBERTON TOWNSHIP	8562	BURLINGTON	9/24/2012
NJ	FRIEDMAN PROPERTY	UPPER FREEHOLD TWP	8514	MONMOUTH	3/7/1986
NJ	GLEN RIDGE RADIUM SITE	GLEN RIDGE	7028	ESSEX	9/2/2009
NJ	GRAND STREET MERCURY	HOBOKEN	7030	HUDSON	9/18/2007
NJ	HOPKINS FARM	PLUMSTEAD TOWNSHIP	8533	OCEAN	8/27/2002
NJ	INDUSTRIAL LATEX CORP.	WALLINGTON BOROUGH	7057	BERGEN	4/21/2003
NJ	JACKSON TOWNSHIP LANDFILL	JACKSON TOWNSHIP	8527	OCEAN	9/13/1995
NJ	KRYSOWATY FARM	HILLSBOROUGH TOWNSHIP	8853	SOMERSET	2/22/1989
NJ	LODI MUNICIPAL WELL	LODI	7644	BERGEN	12/29/1998
NJ	M&T DELISA LANDFILL	ASBURY PARK	7755	MONMOUTH	3/21/1991
NJ	MANNHEIM AVENUE DUMP	GALLOWAY TOWNSHIP	8213	ATLANTIC	8/27/2007
NJ	MONROE TOWNSHIP LANDFILL	MONROE TOWNSHIP	8520	MIDDLESEX	2/3/1994
NJ	MONTCLAIR/WEST ORANGE RADIUM SITE	MONTCLAIR/WEST ORANGE	7044	ESSEX	9/2/2009
NJ	PEPE FIELD	BOONTON	7005	MORRIS	7/11/2003

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State	Site Name	City	Zip	County ¹	Deleted Date
NJ	PUAK FARM	PLUMSTEAD TOWN-SHIP	8533	OCEAN	3/3/1997
NJ	POMONA OAKS RESIDENTIAL WELLS	GALLOWAY TOWNSHIP	8240	ATLANTIC	5/7/1998
NJ	RENORA, INC.	EDISON TOWNSHIP	8837	MIDDLESEX	3/20/2000
NJ	SAYREVILLE LANDFILL	SAYREVILLE	8872	MIDDLESEX	9/29/2011
NJ	SOUTH BRUNSWICK LANDFILL	SOUTH BRUNSWICK	8852	MIDDLESEX	2/27/1998
NJ	SPENCE FARM	PLUMSTEAD TOWN-SHIP	8533	OCEAN	3/3/1997
NJ	TABERNACLE DRUM DUMP	TABERNACLE TOWN-SHIP	8088	BURLINGTON	5/8/2008
NJ	UPPER DEERFIELD TOWNSHIP SANITARY LANDFILL	UPPER DEERFIELD TOWNSHIP	8302	CUMBERLAND	6/9/2000
NJ	VINELAND STATE SCHOOL	VINELAND	8360	CUMBERLAND	5/7/1998
NJ	W.R. GRACE & CO., INC./WAYNE INTERIM STORAGE SITE (USDOE)	WAYNE TOWNSHIP	7470	PASSAIC	9/30/2012
NJ	WILSON FARM	PLUMSTEAD TOWN-SHIP	8533	N/A	9/8/2009
NJ	WITCO CHEMICAL CORP. (OAKLAND PLANT)	OAKLAND	7436	BERGEN	9/29/1995
NM	AT & SF (CLOVIS)	CLOVIS	88101	CURRY	3/17/2003
NM	CAL WEST METALS (USSBA)	LEMITAR	87823	SOCORRO	12/20/1996
NM	CLEVELAND MILL	SILVER CITY	88062	GRANT	7/23/2001
NM	PAGANO SALVAGE	LOS LUNAS	87031	VALENCIA	10/14/1992
NY	ACTION ANODIZING, PLATING, & POLISHING CORP.	COPIAGUE	11701	SUFFOLK	9/29/1995
NY	ANCHOR CHEMICALS	HICKSVILLE	11801	NASSAU	9/30/1999
NY	BATAVIA LANDFILL	BATAVIA	14020	GENESEE	11/29/2005
NY	BEC TRUCKING	VESTAL	13850	BROOME	10/14/1992
NY	BIOCLINICAL LABORATORIES, INC.	BOHEMIA	11716	SUFFOLK	9/9/1994
NY	C & J DISPOSAL LEASING CO. DUMP	HAMILTON	13346	MADISON	9/20/1994
NY	CLOTHIER DISPOSAL	TOWN OF GRANBY	13069	OSWEGO	2/8/1996
NY	CONKLIN DUMPS	CONKLIN	13748	BROOME	4/25/1997
NY	CONSOLIDATED IRON AND METAL	NEWBURGH	12550	ORANGE	12/3/2014
NY	HITEMAN LEATHER	WEST WINFIELD	13491	HERKIMER	2/13/2011
NY	HOOKE (102ND STREET)	NIAGARA FALLS	14304	NIAGARA	8/5/2004
NY	HOOKE (HYDE PARK)	NIAGARA FALLS	14304	NIAGARA	10/23/2013
NY	JONES SANITATION	HYDE PARK	12538	DUTCHESS	9/23/2005

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State	Site Name	City	Zip	County ¹	Deleted Date
NY	KATONAH MUNICIPAL WELL	TOWN OF BEDFORD	10536	WESTCHESTER	3/20/2000
NY	KENMARK TEXTILE CORP.	FARMINGDALE	11735	SUFFOLK	5/1/1995
NY	LOVE CANAL	NIAGARA FALLS	14304	NIAGARA	9/30/2004
NY	LUDLOW SAND & GRAVEL	CLAYVILLE	13322	ONEIDA	12/2/2013
NY	MARATHON BATTERY CORP.	COLD SPRINGS	10516	PUTNAM	10/18/1996
NY	NIAGARA COUNTY REFUSE	WHEATFIELD	14150	NIAGARA	7/30/2004
NY	NORTH SEA MUNICIPAL LANDFILL	NORTH SEA	11968	SUFFOLK	9/27/2005
NY	PASLEY SOLVENTS & CHEMICALS, INC.	HEMPSTEAD	11530	NASSAU	9/26/2011
NY	PETER COOPER CORPORATION (MARKHAMS)	DAYTON	14138	CATTARAUGUS	9/20/2010
NY	PFOHL BROTHERS LANDFILL	CHEEKTOWAGA	14225	ERIE	9/22/2008
NY	RADIUM CHEMICAL CO., INC.	QUEENS	11377	QUEENS	3/24/1995
NY	SMS INSTRUMENTS, INC.	DEER PARK	11729	SUFFOLK	9/13/2010
NY	SUFFERN VILLAGE WELL FIELD	VILLAGE OF SUFFERN	10901	ROCKLAND	5/28/1993
NY	SYOSSET LANDFILL	OYSTER BAY	11791	NASSAU	4/28/2005
NY	TRONIC PLATING CO., INC.	FARMINGDALE	11735	SUFFOLK	10/15/2001
NY	VESTAL WATER SUPPLY WELL 4-2	VESTAL	13850	BROOME	9/30/1999
NY	WARWICK LANDFILL	WARWICK	10990	ORANGE	7/6/2001
NY	WIDE BEACH DEVELOPMENT	BRANT	14027	ERIE	8/30/1994
OH	ALSCO ANACONDA	GNADENHUTTEN	44629	TUSCARAWAS	11/5/2001
OH	ARCANUM IRON & METAL	DARKE COUNTY	45304	DARKE	8/31/2001
OH	BOWERS LANDFILL	CIRCLEVILLE	43113	PICKAWAY	10/29/1997
OH	CHEMICAL & MINERALS RECLAMATION	CLEVELAND	44102	CUYAHOGA	12/30/1982
OH	COSHOCTON LANDFILL	FRANKLIN TOWNSHIP	43812	COSHOCTON	10/7/1998
OH	LASKIN/POPLAR OIL CO.	JEFFERSON TOWN- SHIP	44047	ASHTABULA	9/5/2000
OH	REPUBLIC STEEL CORP. QUARRY	ELYRIA	44035	LORAIN	11/12/2002
OK	COMPASS INDUSTRIES (AVERY DRIVE)	TULSA	74107	TULSA	7/18/2002
OK	DOUBLE EAGLE REFINERY CO.	OKLAHOMA CITY	73152	OKLAHOMA	8/21/2008
OK	FOURTH STREET ABANDONED REFINERY	OKLAHOMA CITY	73117	OKLAHOMA	8/21/2008
OK	IMPERIAL REFINING COMPANY	ARDMORE	73402	CARTER	9/19/2013
OK	MOSLEY ROAD SANITARY LANDFILL	OKLAHOMA CITY	73117	OKLAHOMA	9/26/2013
OK	SAND SPRINGS PETROCHEMICAL COMPLEX	SAND SPRINGS	74063	TULSA	3/17/2000

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State	Site Name	City	Zip	County ¹	Deleted Date
OK	TENTH STREET DUMP/JUNKYARD	OKLAHOMA CITY	73111	OKLAHOMA	11/21/2000
OR	ALLIED PLATING, INC.	PORTLAND	97211	MULTNOMAH	11/14/1994
OR	GOULD, INC.	PORTLAND	97208	MULTNOMAH	9/30/2002
OR	HARBOR OIL INC.	PORTLAND	97217	MULTNOMAH	6/5/2014
OR	JOSEPH FOREST PRODUCTS	JOSEPH	97846	WALLOWA	11/4/1999
OR	MARTIN-MARIETTA ALUMINUM CO.	THE DALLES	97058	WASCO	7/5/1996
PA	ALADDIN PLATING	SCOTT TOWNSHIP	18411	LACKAWANNA	11/16/2001
PA	AMBLER ASBESTOS PILES	AMBLER	19002	MONTGOMERY	12/27/1996
PA	AMP, INC. (GLEN ROCK FACILITY)	GLEN ROCK	17327	YORK	10/2/1996
PA	AUSTIN AVENUE RADIATION SITE	DELAWARE COUNTY	19050	DELAWARE	4/18/2002
PA	BERKLEY PRODUCTS CO. DUMP	DENVER	17517	LANCASTER	3/19/2007
PA	BERKS LANDFILL	SPRING TOWNSHIP	19608	BERKS	11/14/2008
PA	BRODHEAD CREEK	STROUDSBURG	18360	MONROE	7/23/2001
PA	BRUIN LAGOON	BRUIN BOROUGH	16022	BUTLER	9/18/1997
PA	CRAIG FARM DRUM	PARKER	16049	ARMSTRONG	9/30/2013
PA	ENTERPRISE AVENUE	PHILADELPHIA	19153	PHILADELPHIA	3/7/1986
PA	HEBELKA AUTO SALVAGE YARD	WEISENBERG TOWN-SHIP	18062	LEHIGH	9/20/1999
PA	HRANICA LANDFILL	BUFFALO TOWNSHIP	16055	BUTLER	9/18/1997
PA	LACKAWANNA REFUSE	OLD FORGE	18518	LACKAWANNA	9/28/1999
PA	LANSDOWNE RADIATION SITE	LANSDOWNE	19050	DELAWARE	9/10/1991
PA	LEHIGH ELECTRIC & ENGINEERING CO.	OLD FORGE	18518	LACKAWANNA	3/7/1986
PA	MCADOO ASSOCIATES	MCADOO BOROUGH	18237	SCHUYLKILL	12/13/2001
PA	METROPOLITAN MIRROR AND GLASS CO., INC.	FRACKVILLE	17931	SCHUYLKILL	8/16/2005
PA	MIDDLETOWN AIR FIELD	MIDDLETOWN	17057	DAUPHIN	7/10/1997
PA	MOYERS LANDFILL	EAGLEVILLE	19426	MONTGOMERY	5/27/2014
PA	PRESQUE ISLE	ERIE	16505	ERIE	2/13/1989
PA	PUBLICCKER INDUSTRIES INC.	PHILADELPHIA	19148	PHILADELPHIA	11/1/2000
PA	REESER'S LANDFILL	UPPER MACUNGIE TWP	18051	LEHIGH	5/31/1990
PA	RESIN DISPOSAL	JEFFERSON BOR-OUGH	15025	ALLEGHENY	10/21/2003
PA	RIVER ROAD LANDFILL (WASTE MANAGE- MENT, INC.)	HERMITAGE	16148	MERCER	1/29/2004

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State	Site Name	City	Zip	County ¹	Deleted Date
PA	ROUTE 940 DRUM DUMP	POCONO SUMMIT	18350	MONROE	11/30/2000
PA	TAYLOR BOROUGH DUMP	TAYLOR BOROUGH	18517	LACKAWANNA	9/30/1999
PA	VOORTMAN FARM	UPPER SAUCON TWP	18034	LEHIGH	5/31/1989
PA	WADE (ABM)	CHESTER	19013	DELAWARE	3/23/1989
PA	WESTLINE	WESTLINE	16740	MCKEAN	10/14/1992
PA	YORK COUNTY SOLID WASTE AND REFUSE AUTHORITY LANDFILL	HOPEWELL TOWNSHIP	17363	YORK	2/14/2005
PR	BARCELONETA LANDFILL	FLORIDA AFUERA	617	N/A	10/3/2011
PR	FRONTERA CREEK	RIO ABAJO	661	HUMACAO	12/29/1998
PR	GE WIRING DEVICES	JUANA DIAZ	665	N/A	10/16/2000
PR	NAVAL SECURITY GROUP ACTIVITY	SABANA SECA	749	N/A	10/7/1998
PR	RCA DEL CARIBE	BARCELONETA	617	N/A	6/17/2005
PR	V&M/ALBALADEJO	ALMIRANTE NORTE WARD	763	VEGA BAJA	10/22/2001
RI	DAVIS (GSR) LANDFILL	GLOCESTER	2828	PROVIDENCE	8/13/1999
SC	GEIGER (C & M OIL)	RANTOULES	29494	CHARLESTON	1/6/2014
SC	GOLDEN STRIP SEPTIC TANK SERVICE	SIMPSONVILLE	29681	GREENVILLE	9/10/1998
SC	INDEPENDENT NAIL CO.	BEAUFORT	29902	BEAUFORT	4/3/1995
SC	KOPPERS CO., INC. (FLORENCE PLANT)	FLORENCE	29503	FLORENCE	9/13/2013
SC	PALMETTO RECYCLING, INC.	COLUMBIA	29203	RICHLAND	10/13/2000
SC	ROCHESTER PROPERTY	TRAVELERS REST	29690	GREENVILLE	10/9/2007
SD	WHITEWOOD CREEK	WHITEWOOD	57793	LAWRENCE	8/13/1996
SD	WILLIAMS PIPE LINE CO. DISPOSAL PIT	SIOUX FALLS	57107	MINNEHAHA	4/2/1999
TN	AMNICOLA DUMP	CHATTANOOGA	37406	HAMILTON	4/30/1996
TN	CHEMET CO.	MOSCOW	38057	FAYETTE	10/9/1996
TN	GALLAWAY PITS	GALLAWAY	38036	FAYETTE	4/29/1996
TN	ICG ISELIN RAILROAD YARD	JACKSON	38301	MADISON	1/7/2002
TN	LEWISBURG DUMP	LEWISBURG	37091	MARSHALL	2/21/1996
TN	NORTH HOLLYWOOD DUMP	MEMPHIS	38108	SHELBY	12/31/1997
TX	BAILEY WASTE DISPOSAL	BRIDGE CITY	77611	ORANGE	10/15/2007
TX	BIO-ECOLOGY SYSTEMS, INC.	GRAND PRAIRIE	75051	DALLAS	8/5/1996
TX	BRIO REFINING, INC.	FRIENDSWOOD	77089	HARRIS	12/28/2006
TX	CRYSTAL CITY AIRPORT	CRYSTAL CITY	78839	ZAVALA	3/23/1995

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State	Site Name	City	Zip	County ¹	Deleted Date
TX	DIXIE OIL PROCESSORS, INC.	FRIENDSWOOD	77546	HARRIS	8/21/2006
TX	HARRIS (FARLEY STREET)	HOUSTON	77034	HARRIS	4/18/1988
TX	ODESSA CHROMIUM #2 (ANDREWS HIGH-WAY)	ODESSA	79762	ECTOR	7/19/2004
TX	PALMER BARGE LINE	PORT ARTHUR	77640	JEFFERSON	2/6/2012
TX	PESESSE CHEMICAL CO.	FORT WORTH	76110	TARRANT	9/28/1995
TX	STATE MARINE OF PORT ARTHUR	JEFFERSON COUNTY	77642	JEFFERSON	2/6/2012
TX	STEWCO, INC.	WASKOM	75692	HARRISON	10/4/1995
TX	TRIANGLE CHEMICAL CO.	BRIDGE CITY	77611	ORANGE	4/8/1997
UT	INTERNATIONAL SMELTING AND REFINING	TOOELE	84074	TOOELE	10/11/2011
UT	MIDVALE SLAG	MIDVALE	84047	SALT LAKE	4/8/2015
UT	MONTICELLO RADIOACTIVELY CONTAMINATED PROPERTIES	MONTICELLO	84535	SAN JUAN	2/28/2000
UT	PETROCHEM RECYCLING CORP./EKOTEK PLANT	SALT LAKE CITY	84116	SALT LAKE	6/30/2003
UT	ROSE PARK SLUDGE PIT	SALT LAKE CITY	84116	SALT LAKE	6/30/2003
UT	SHARON STEEL CORP. (MIDVALE TAILINGS)	MIDVALE	84047	SALT LAKE	9/24/2004
VA	DIXIE CAVERNS COUNTY LANDFILL	SALEM	24153	ROANOKE	9/28/2001
VA	MATTHEWS ELECTROPLATING	ROANOKE	24153	ROANOKE CITY	1/19/1989
VA	RHINEHART TIRE FIRE DUMP	FREDERICK COUNTY	22601	FREDERICK	9/30/2005
VA	SUFFOLK CITY LANDFILL	SUFFOLK	23434	SUFFOLK CITY	1/24/1995
VI	ISLAND CHEMICAL CORP./VIRGIN ISLANDS CHEMICAL CORP.	CHRISTIANSTED	820	ST. CROIX	10/16/2009
VT	DARLING HILL DUMP	LYNDON	5851	CALEDONIA	9/29/1999
VT	TANSITOR ELECTRONICS, INC.	BENNINGTON	5404	BENNINGTON	9/29/1999
WA	ALCOA (VANCOUVER SMELTER)	VANCOUVER	98660	CLARK	9/30/1996
WA	BONNEVILLE POWER ADMINISTRATION ROSS COMPLEX (USDOE)	VANCOUVER	98666	CLARK	9/23/1996
WA	FORT LEWIS (LANDFILL NO. 5)	TACOMA	98433	PIERCE	5/22/1995
WA	HAMILTON ISLAND LANDFILL (USA/COE)	NORTH BONNEVILLE	98648	SKAMANIA	5/25/1995
WA	HANFORD 1100-AREA (USDOE)	BENTON COUNTY	99352	BENTON	9/30/1996
WA	MCCHORD AIR FORCE BASE (WASH RACK/TREATMENT AREA)	TACOMA	98438	PIERCE	9/26/1996
WA	NAVAL AIR STATION, WHIDBEY ISLAND (SEAPLANE BASE)	WHIDBEY ISLAND	98278	ISLAND	9/21/1995
WA	NORTHWEST TRANSFORMER	EVERSON	98247	WHATCOM	9/28/1999

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State	Site Name	City	Zip	County ¹	Deleted Date
WA	NORTHWEST TRANSFORMER (SOUTH HARKNESS STREET)	EVERSON	98247	WHATCOM	9/26/1997
WA	OLD INLAND PIT	SPOKANE	99216	SPOKANE	8/31/1999
WA	PESTICIDE LAB (YAKIMA)	YAKIMA	98902	YAKIMA	9/1/1993
WA	PORT HADLOCK DETACHMENT (USNAVY)	INDIAN ISLAND	98358	JEFFERSON	6/14/2005
WA	SILVER MOUNTAIN MINE	LOOMIS	98827	OKANOGAN	9/22/1997
WA	SPOKANE JUNKYARD/ASSOCIATED PROPERTIES	SPOKANE	99207	SPOKANE	9/23/1997
WA	TOFTDAHL DRUMS	BRUSH PRAIRIE	98606	CLARK	12/23/1988
WA	TULALIP LANDFILL	MARYSVILLE	98270	SNOHOMISH	9/18/2002
WA	YAKIMA PLATING CO.	YAKIMA	98902	YAKIMA	8/23/1994
WI	EAU CLAIRE MUNICIPAL WELL FIELD	EAU CLAIRE	54701	EAU CLAIRE	5/27/2014
WI	FADROWSKI DRUM DISPOSAL	FRANKLIN	53132	MILWAUKEE	9/6/2005
WI	NORTHERN ENGRAVING CO.	SPARTA	54656	MONROE	10/29/1997
WI	OMEGA HILLS NORTH LANDFILL	GERMANTOWN	53022	WASHINGTON	12/11/1996
WI	TOMAH FAIRGROUNDS	TOMAH	54660	MONROE	8/20/2001
WI	WASTE RESEARCH & RECLAMATION CO.	EAU CLAIRE	54701	EAU CLAIRE	2/5/1993
WI	WHEELER PIT	LA PRAIRIE TOWNSHIP	53545	ROCK	4/20/2004
WV	FOLLANSBEE	FOLLANSBEE	26037	BROOKE	1/16/2004
WV	LEETOWN PESTICIDE	LEETOWN	25430	JEFFERSON	8/29/1996
WY	BAXTER/UNION PACIFIC TIE TREATING	LARAMIE	82070	ALBANY	12/6/1999

¹ Please note that not every location listed has a County (i.e., Tribal lands, U.S. Territory, etc.).

CONCLUSION OF HEARINGS

Senator MURKOWSKI. Thank you. And with that, the subcommittee stands adjourned.

Ms. MCCARTHY. Thank you.

[Whereupon, at 12:37 p.m., Wednesday, April 20, the hearings were concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]