

Response to ECOS Letter to EPA Administrator Wheeler

The Trump Administration's Environmental Protection Agency has worked with individual State Departments of Environmental Quality in a manner unlike the previous Administration, and it will continue to consistently work with states on issues the previous Administration ignored, such as approval of state air and water quality plans and cleaning some of the worst contaminated sites.

Under the Trump Administration, EPA inherited a backlog of 700 unacted upon State Implementation Plans (SIPs) that States use to set clean air standards, including the 127 SIPs California submitted to EPA. Of those from California, not one plan resulted in California reaching attainment with air quality standards. In fact, with 127 backlogged SIPs, California has by far the largest backlog of any state in the nation. Of the more than 700 SIPs EPA inherited from the previous Administration, the Agency has been able to take actions on over 400 since President Trump took office.

The previous Administration imposed more than 50 Federal Implementation Plans (FIPs) on States. That is 10 times the number of FIPs imposed by the three previous administrations combined. President Trump's EPA has been working since day one to convert these FIPs back to SIPs, averaging almost one FIP-to-SIP per month since March 2017.

EPA has made it a priority to restore the appropriate balance between federal and state management of water resources within state borders. Since January 2017, EPA has approved 231 state water quality standards and has reduced its backlog of outstanding actions by approximately 20 percent. Since January 2017, EPA has approved more than 5,000 state Total Maximum Daily Loads (TMDLs) submitted by states. EPA has acted on approximately 70 lists of impaired waters submitted by states, nearly eliminating the backlog of state submittals that had developed under the last administration.

Since January 2017, approximately 110 waterbodies have been partially or fully restored through Section 319 grant program projects, and 590 new projects have been initiated through EPA funding. EPA has stood up the WIFIA program and has closed 12 WIFIA loans, totaling more than \$3 billion in investments to help finance over \$7 billion in new infrastructure. In the last two years, the Clean Water and Drinking Water State Revolving Funds have financed approximately \$20 billion in 4,500 new water quality projects.

In February 2019, EPA issued a new policy to incentivize state water quality trading programs, reducing impediments instituted by prior administrations, allowing for market-based mechanisms. Additionally, EPA issued a policy directive to the Regional Administrators in June 2019 designed to expedite review of state water quality standard submissions while ensuring EPA complies with Clean Water Act statutory deadlines.

Last year, EPA deleted all or part of 22 sites from the National Priorities List, the largest number of deletions in one year since 2005. This year, EPA is on track to complete even more sites. Each year EPA has awarded millions in Brownfield grants to local recipients further cleaning up contaminated sites in our communities restoring them new economic vitality. In June, EPA

awarded over \$64 million in new investments to 149 communities across the Nation through our Brownfields Multipurpose, Assessment and Cleanup Grants. Forty-percent of the selected communities are receiving Brownfields funding for the first time, which means that we are reaching communities that have not been reached before.

On these and many other issues important to States, EPA will continue to work directly with State Departments of Environmental Quality on issues important to assist them in their missions to protect human health and the environment. EPA's senior leadership has been meeting at the Environmental Council of the States (ECOS) conference this week in Seattle and found these meeting to have been productive. EPA believes it fulfills ECOS' request in its statement today.

When a State fails to safeguard the health of their citizens, the EPA has and will step in to fill that void, whether it is ensuring that States submit SIPs which show attainment, fulfill their obligations under delegated water programs, or provide safe sources of drinking water when contaminants are present.

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Contrary to the assertions in the ECOS letter, the following States said:

Becky Keogh, Secretary of Arkansas Department of Energy and Environment and Immediate past president of ECOS:

Our relationship with EPA is much improved from previous years. Our relationship has been collaborative with respect to both process and substance. In particular we have appreciated EPA's work on WOTUS and other policy matters important to Arkansas. I hope to see the states and EPA continue to partner effectively in our collective efforts and commitment to lasting and impactful environmental protection.

Noah Valenstein, Secretary of Florida Department of Environmental Protection:

Florida has a strong working relationship with EPA, a relationship that is much improved over the past several years. We appreciate EPA's collaborative approach to issues, and we look forward to working with them to address key environmental issues important to Florida.

Gary Rikard, Executive Director, Mississippi Department of Environmental Quality, ECOS member:

Over the past three years the State of Mississippi's relationship with EPA has improved and continues to improve. We have been more engaged with EPA on issues that are important to the

people of Mississippi and they have been an important partner in protecting and improving public health and the environment in my State. EPA has treated the State as a partner and we have been pleased with the policy outcomes that have resulted from that collaboration. We look forward to working with EPA in the same manner in the years to come.

Austin Caperton, West Virginia Department of Environmental Protection and ECOS Member:

The State of West Virginia has appreciated the strong working relationship we have had with EPA over the past couple of years. We have worked together jointly on numerous issues and have always appreciated EPA's accessibility and the policy outcomes that have benefited the people of West Virginia our environment. There has been a strong partnership between our Governor and the executive branch of the United States government. We look forward to building upon this positive relationship moving forward.

Todd Parfitt, Director, Wyoming Department of Environmental Quality:

Wyoming's experience with EPA is positive and is more collaborative than it has been for many years. We have worked cooperatively together on numerous issues, including our ground-breaking self-audit MOA, the Waters of the United States Rule, regional haze and more. Importantly, through implementation of cooperative federalism principles, we have significantly improved our relationship with EPA. I look forward to our continued efforts to enhance state/EPA collaboration and advance our joint goal of protecting human health and the environment.

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