

**TESTIMONY OF
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U.S. ENVIRONMENTAL PROTECTION AGENCY**

**BEFORE THE
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
U.S. HOUSE OF REPRESENTATIVES**

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Good morning Chairman Gibbs, Ranking Member Bishop, and Members of the Subcommittee. I am Mathy Stanislaus, Assistant Administrator for the U.S. Environmental Protection Agency's (EPA) Office of Solid Waste and Emergency Response (OSWER). Thank you for the opportunity to appear today to discuss EPA's proposed budget for programs falling under the Committee's jurisdiction.

In the State of the Union, as President Obama laid out a plan to win the future, he made clear that we "will not hesitate to create or enforce common-sense safeguards to protect the American people," and explained that these safeguards are "why our food is safe to eat, our water is safe to drink, and our air is safe to breathe."

These are the services EPA provides. EPA's activities prevent thousands of illnesses from asthma, cancer and other diseases. They help keep students and workers healthy so they can be more productive.

However, as millions of American families are cutting back and making sacrifices, they expect the same level of good fiscal sense out of their government. This budget reflects the tough choices that Americans are making every day.

While this budget request will still allow EPA to carry out its mission and fund the most critical efforts to protect the health of American families, it makes tough choices by reducing funding for important programs, reflecting the need for fiscal constraints.

The choices in this budget reflect EPA's commitment to its core regulatory work and preserving the hard-won progress made over the last 40 years in safeguarding human health and the environment by protecting and restoring the quality of our air, water, and land; ensuring the safety of our chemicals; and providing strong enforcement of environmental laws and regulations.

To clean up our communities, the President is proposing investments that clean up contamination and promote economic development and job creation. The President's 2012 Budget proposes \$175 million for EPA's Brownfields Program to support State and Tribal cleanup programs and to support planning, cleanup, job training and redevelopment of brownfields properties, especially in underserved and disadvantaged communities. Included within the \$175 million request are the following categories: (1) \$49.5 million in categorical grants awarded directly to the states to support their own brownfields programs; (2) \$99 million for the Brownfields projects account supporting competitive grant competitions, revolving loan

funds, and job training grants; and (3) \$26.4 million in technical assistance and sustainable development through EPA's EPM account.

EPA's Brownfields Program uses its funding to successfully leverage economic investment. On average, more than \$17 is leveraged for every dollar expended, and more than 67,000 jobs have been created through brownfields projects funding since the inception of the Brownfields Program. In FY 2012, Brownfields Program grantees are projected to assess more than 1,000 properties, clean up more than 60 properties, help create at least 5,000 cleanup and redevelopment jobs, and leverage more than \$900 million in cleanup and redevelopment funding. The assessment and clean up of brownfields properties is essential to community revitalization in economically disadvantaged areas.

Area wide planning incorporates the surrounding areas associated with brownfields sites to encourage community based involvement and provide for broader revitalization of neighborhoods. By focusing on economically disadvantaged communities suffering from economic disinvestment, brownfields properties can be redeveloped to help meet the needs for jobs, housing, and infrastructure investments that would help rebuild and revitalize these communities, as well as identify opportunities to leverage additional public and private investment. EPA identified area wide planning as one of its Priority Goals for FY 2010 to FY 2012. In FY 2012, EPA will continue to support the 23 communities who already received brownfields area wide planning awards, and, as part of the Agency's on-going efforts to assist economically disadvantaged communities, plans to award an additional 20 area wide planning projects.

An example of EPA's area wide planning effort is the pilot awarded to Ranson, West Virginia. The area wide pilot is providing funding to support site assessment and cleanup of properties in the Ranson to Charles Town Commerce Corridor to help attract high tech commercial office development. The EPA funding will help leverage HUD and DOT sustainable community development funding awarded in the area.

EPA will continue to ensure that the Nation's wide-ranging rural areas benefit from brownfields funding and technical assistance. EPA will also provide funding for assessment and cleanup of underground storage tanks and other types of petroleum contamination on brownfields sites.

This budget requests \$1.23 billion for Superfund cleanup efforts across the country, which represents a reduction from FY 2010 enacted levels and reflects the hard budget choices that are being made. We will continue to respond to environmental emergencies, clean up the nation's most contaminated hazardous waste sites, and maximize the participation of liable and viable responsible parties in performing and paying for cleanups. We are committed to continuing the Superfund Program's success in protecting human health and the environment and providing local communities opportunities for economic development by cleaning up our Nation's worst hazardous waste sites.

For example, the Southside Sanitary Landfill Superfund Site, located 5 miles southwest of Indianapolis, Indiana, is a former 300 acre landfill that was listed on the Superfund National Priority List (NPL) in 1989. The site was contaminated with heavy metals, asbestos, paint

wastes and sludges which contaminated groundwater and nearby drinking water wells. A slurry wall and leachate collection system was constructed to control contaminated groundwater migration. The cleanup was designed to allow future beneficial uses of the site. Today, a methane gas collection system powers the largest commercial greenhouse in North America, along with a nearby aircraft turbine engine plant. The site also has provided room for commercial businesses, in addition to a golf course. This once unusable site now supports more than 50 jobs.

EPA has initiated a multi-year effort to integrate and leverage our land cleanup authorities to address a greater number of contaminated sites, accelerate cleanups, and put sites back into productive use while protecting human health and the environment. EPA's Integrated Cleanup Initiative (ICI) represents EPA's commitment to bring more accountability, transparency and progress to contaminated site cleanups. As a first step, EPA has developed a publicly reported performance measure starting in FY 2011 which will track the number of Superfund Remedial Action Project completions. EPA has committed to 103 project completions in FY 2011 and 113 project completions in FY 2012. This new measure will augment EPA's site wide construction completion measure and help improve project management and provide communities with additional and important site progress information.

One of the principal elements of the ICI is to increase the project management focus and manage projects to completion. In FY 2010, EPA controlled unacceptable human exposures from site contamination at an additional 18 sites, exceeding the goal of 10, controlled ground water migration from site contamination at an additional 18 sites exceeding the goal of 15, made

ready for site-wide anticipated use an additional 66 sites exceeding the goal of 65, and completed remedy construction at 18 sites throughout the country. The FY 2012 goal for construction completions is 22. Through the end of FY 2010, cleanup construction has been completed at 1,098 NPL sites, which represents 67 percent of sites listed on the NPL.

The Superfund Program also continues to prepare for future cleanup efforts and in FY 2010 the Agency listed 17 new sites on the NPL and proposed an additional 8 new sites. Finally, EPA has continued its effort to efficiently utilize every dollar and resource available to clean up contaminated sites and to protect human health and the environment. In FY 2010, EPA obligated nearly \$443 million, including funding from the Superfund program appropriation, state cost-share funding, and potentially responsible party settlement funding for Superfund construction and post-construction projects. EPA used \$106 million of this obligated funding to fund 18 new construction projects at 17 NPL sites.

EPA has been particularly successful in leveraging appropriated funding through the use of responsible party settlements to establish site-specific special accounts. Through the end of FY 2010, EPA had collected more than \$3.7 billion (including interest) in more than 1,000 site-specific special accounts. Of this amount, EPA has obligated \$1.9 billion for site response actions and developed multi-year plans for nearly 100% of the remaining \$1.8 billion in special accounts that remains available to fund response actions. In total, through FY 2010, EPA has secured more than \$32 billion in responsible party commitments to fund Superfund cleanup work.

In addition, the Superfund removal and emergency response program conducted, or provided oversight for, nearly 400 EPA-lead and responsible party removal cleanup actions in FY 2010. The FY 2012 target for EPA-lead removal actions is 170, as is the target for responsible party removal actions. EPA's emergency response program will continue to maintain capability to respond to incidents of national significance, emphasizing incidents involving Weapons of Mass Destruction (WMD). EPA is the lead federal agency under the National Response Framework for Emergency Support Function (ESF) 10, which addresses oil and hazardous materials.

EPA's chemical accident and oil spill prevention programs play an important role in assessing and reducing risks of chemical accidents and oil spills. EPA's Risk Management program works with State and local prevention and preparedness programs to help protect communities from catastrophic releases of hazardous substances from facilities which are required to submit Risk Management Plans (RMPs). More than 13,000 facilities with Risk Management Plans have been entered into EPA's RMP database. The FY 2012 budget requests an additional \$1.3 million to increase inspections at high risk RMP facilities.

EPA's oil spill program is designed to protect inland waterways through oil spill prevention, preparedness, and enforcement activities associated with the more than 600,000 non-transportation related oil storage facilities that EPA regulates. Recognizing the need to prioritize these activities, the FY 2012 Budget requests a \$4.5 million increase for this program which will allow EPA to broaden and expand prevention and preparedness activities, particularly with respect to the inspection of high risk facilities and the development and implementation of a third

party audit program. Approximately 20,000 oil spills are reported each year to the federal government. While the severity of these spill reports varies, EPA evaluates as many as 13,000 spills to determine if its assistance is required. On average, EPA either manages the oil spill response or oversees response efforts of private parties at approximately 250 to 300 sites per year. The total FY 2012 Budget request for the oil spill program is \$19.5 million.

The President's 2012 EPA budget request maintains the commitment to protect human health and the environment, protects our communities while promoting economic development and job creation, and reflects tough choices in recognizing the fiscal constraints facing our Nation. Thank you again for inviting me to testify before the committee. I would be pleased to answer your questions.