



Local Government Advisory Committee Meeting
May 15, 2020
11:00am-2:00pm ET

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I. Welcome and Call to Order:

Joseph Daniels: Hi, my name is Joe Daniels and I am the Designated Federal Officer of Local Government Advisory Committee and Small Communities Advisory Subcommittee. I want to thank everyone for joining us today. I know everyone is very busy, so we appreciate your time. With those few words, I'd like to hand the floor over to Chairwoman Kitty Barnes.

Chairwoman Kitty Barnes: Good morning everyone. I'd like to call our meeting to order at this time. I am Kitty Barnes, the Chair of the Local Government Advisory Committee for EPA, and I serve on the Board of County Commissioners in Catawba County, North Carolina, which is located about 30 miles north of Charlotte.

I'm excited to have been appointed chair of the LGAC for EPA. Having served on the committee for the past four years, I know we have a great opportunity to provide policy advice and recommendations to assist the EPA to improve the capacity of local governments and to implement and carry out programs for which we are ultimately responsible.

These public health and environmental programs ensure that our citizens have clean air and water, safe drinking water, and environmentally sound waste disposal. Our Small Community Advisory Subcommittee, known as SCAS, often reminds our committee as a whole of the efforts and lack of resources that they encounter. Finding a balance comes about as we discuss issues that are presented to our work groups as a charge. Serving on this committee gives us a seat at the table on many issues that affect state, local, tribal, and territorial entities.

I'm really sorry we aren't able to meet in person today, but I do look forward to the time when we will be able to meet in person in the future. I'd like to call on Jeff Witte, Vice Chair of LGAC, Secretary of Agriculture in New Mexico, to make a few introductory remarks. Jeff?

Vice Chairman Jeff Witte: Thank you, Madam Chair, and I have to agree, it's a great honor to serve on the LGAC and serve as your vice chair. Tomorrow starts my 10th year as Secretary of Agriculture in the State of New Mexico, and the beginning of my 27th year at the Department of Agriculture in New Mexico.

I want to encourage everyone that's on the LGAC, make sure you provide the great input that we know you have. We all are the boots on the ground and being an advisor to the Administrator of EPA is a great honor and a privilege.



I cherish this opportunity to share all of our experiences with each other and to provide that good sound advice of boots on the ground to the Administrator. It's going to be a great meeting, I wish it was in person. We've had some great meetings in the past in person. But you know what, we can all adapt and we'll provide that great input that we all have. So with that, Madam Chair, I'll turn it back over to you so we can introduce the Administrator.

II. EPA Remarks

Chairwoman Kitty Barnes: Thank you. It's truly an honor to introduce the Administrator of the Environmental Protection Agency, Andrew Wheeler. On February 28th, 2019, the U.S. Senate confirmed Andrew Wheeler as the 15th administrator of the U.S Environmental Protection Agency. Prior to his confirmation, he served as Acting Administrator of EPA beginning in July, 2018.

He was previously confirmed by the U.S. Senate as the Deputy Administrator of EPA in April of 2018. His first job following law school was at EPA as a career employee. He served as Special Assistant in the Pollution Prevention and Toxics Office where he received three bronze medals.

After his time at EPA, Administrator Wheeler moved to congress where he eventually became the Majority Staff Director and Chief Counsel of the Senate Committee on Environment and Public Works. Throughout his career, he has received bipartisan support and recognition for his work and leadership. And now, I'd like to introduce Administrator Wheeler.

Administrator Andrew Wheeler: Good morning. Thank you, Chairwoman Barnes and Vice Chairman Witte. I want to thank all of the members of both the Local Government Advisory Committee, LGAC, and the Small Communities Advisory Subcommittee for this opportunity to meet with you today.

The last time I addressed this committee was as Deputy Administrator in 2018. I'm happy to have the opportunity to meet with you again, I just wish it could also be done in person. I like to extend my appreciation to all of you who have graciously volunteered your time to help strengthen EPA's partnership with state, local, and tribal governments. LGAC is one of the most unique federal advisory committees at EPA, being comprised of elected and appointed officials of state, local and tribal governments across the country.

We are pleased to see such diverse representation on the committee of large, small, rural, and agricultural communities. This year also marks the 50th anniversary of the EPA. It may be



worth pausing for a moment to consider some of the positive actions we've made in the last 50 years, as well as the last several months.

I would like to speak a moment about COVID-19 and what we're doing at EPA on the coronavirus. We've been involved in the federal response on a variety of fronts concerning COVID-19. One primary role is to support our frontline's state, local, and tribal officials. The EPA recently contributed almost 10,000 personal protective equipment, excess equipment pieces to use fighting COVID-19, including 520 lab coats, and over 7,000 disposal gloves to emergency responders around the country.

On March 27th, I signed a letter asking that municipalities designate employees working in water treatment as essential employees. EPA approves products on the disinfectant list. We approve the products that are used to disinfect surfaces, countertops, tabletops, doorknobs, light fixtures, light switches. Those products are approved by EPA, and we have approved them for use against the coronavirus. On March 5th, we had approved 60 different products. As of today, we have now approved over 400 products that are effective against coronavirus.

These products are available – the list of the products is available on our website, epa.gov, in a searchable database. We just unveiled a new app earlier this week that people can use when they're out shopping to ensure that the products that they're purchasing are effective against the coronavirus.

Think about wipes that you would use to wipe down a tabletop, aerosols, and other disinfectants. What we don't regulate are the products that are used on people such as hand sanitizer gel. Those are done by the FDA. But we want to make sure that if you are purchasing either for your offices, or for your families, that you are purchasing products that have been approved effective against the coronavirus.

On March 26th, EPA announced an enforcement discretion policy for COVID-19. There are no increases in emissions allowed under this policy. There's been a lot of missed reporting in the press over this enforcement discretion policy. No one is allowed to increase their emissions at all. The policy is limited to routine monitoring and reporting requirements at admitting facilities, essentially the paperwork.

We regulate over a million different facilities around the country, and they all have various different paperwork requirements as far as submitting reports to the agency for those that are closed because coronavirus. They have to justify their inability to submit their reports because of coronavirus, and we're giving some leeway to submitting those reports. But no one is allowed to increase their emissions at any manner.

EPA has also taken to more aggressive temporary policies in the past when dealing with emergency situations that disrupt normal operations. This is a blanket for the entire country, but



it is limited on the paperwork reporting that's required. Again, there are no increases in emissions that are allowed.

The EPA has worked closely with the Centers for Disease Control on national guidelines for cleaning and disinfecting public spaces. We've issued guidelines to help people understand what they need to do to reopen public spaces, whether it be an office building, a store, a factory, a government office. These instructions are also available on our website, EPA.gov, specifically EPA.gov/coronavirus. We've also included information on guidance to building owners, building managers and businesses who need to flush their water systems to minimize water stagnation during extended closures.

All together, we have the disinfectants list, we have the water guidance for flushing your water systems in buildings that have been closed. And then the disinfecting guidelines for how to clean the buildings. One thing that's included on our guidance, so I mention to everyone, if a building has been shut down for at least seven days without anyone inside it, that building does not need to be cleaned specifically for coronavirus, because coronavirus cannot last on a surface more than seven days. It should still be cleaned with routine cleaning products before re-habitation. We want to make sure that people understand what they need to do to ensure the safety of their employees, customers, or citizens when they visit government buildings.

One of the main issues that I focus on as Administrator at the Agency is to try to tear down the siloes between the EPA programs that get in the way of producing better environmental protection for all Americans. The public does not want EPA operating in isolated separate programs. Americans expect one EPA working as one to improve human health and the environment. We've been structured over the last 50 years in different siloes; a water silo, an air silo, a chemical silo, and a waste silo.

It doesn't matter to average citizen where they go within the agency. They want to be able to turn to the EPA for advice and the regulatory certainty that they need if they're business owner. We don't want people to have to figure out what program they need to talk to, and we want to make sure that we are using all of our resources to address environmental issues and problems as they come up.

One of the ways we have done this is by increasing our attention to risk communication, which involved integrating information, and messaging from different parts of the agency. The public deserves to know and understand the risk that they face. Unfortunately, EPA has struggled in the past of communicating risk in part to the silo programs. We set out to change that, and is especially relevant today given the COVID-19 pandemic and the responsibility it places on public health related agencies like the EPA.

Over the past year, we formed an EPA-wide risk communication workgroup charged with creating a cohesive approach for how EPA conducts risk communication. Last December,



we hired a Senior Risk Communications Advisor. She's working to develop a risk communication framework. Later today, you as a body will deliberate and vote on the LGAC's Risk Communication Report that will inform EPA's work. I look forward to receiving your recommendations. Risk communication should be meaningful, understandable, and actionable, so no matter where you live in the country, if you experience a certain risk, you should be able to make the right decisions about that risk.

Again, this has been one of my top priorities since my confirmation, and I appreciate all the effort that has been made to get to this moment. We're also putting communities first. We often hear talk about national interest and local communities as if they are quite separate things, without realizing how interconnected the two really are. We are a nation of communities. Communities are the foundation of a nation. And the strength of our country starts first with communities, not the other way around.

When the average citizen can look at their community and see it is being improved by the existence of the EPA, then we know we're fulfilling our mission as an agency whether they recognize our presence or not. One of my favorite authors, William Shakespeare once wrote, "Love sought is good, but given unsought is better." I believe EPA embodies this sentiment, as well as any agency in the federal government when you look at our actions. Strengthening communities is patriotic, and the agency operates with that view in mind.

For instance, earlier this month EPA announced the selection of 155 grants for communities to receive over \$65 million for brownfields assessments and cleanups across the country. Under President Trump's leadership, we have delivered over \$287 million in brownfields grants directly to communities. Nearly 30% of the communities selected this year are receiving brownfields funding for the very first time.

We're also working on our National Ambient Air Qualities Standards. On April 30th, EPA published its proposed decision to retain the current primary and secondary particulate matter next standards. And that is now out for a 60-day public comment period, which ends on June 29th. If you're interested, please take a look at that and provide comments to us on what you think.

We will be finalizing both this review, our particulate matter review, and ozone review later this year. Our joint work with states and tribes and local governments has led to the re-designation of 40 non-attainment areas across the country during this administration. By 2022, working with the same partnerships, we are on track to re-designate at least 65 of the 166 areas that were designated non-attainment in October 2017. This improves not only air quality and the lives of all of our citizens in those areas, but that also increases economic opportunity if an area or municipality is classified as in attainment.



On Waters of the United States, we recently published the Final Navigable Waters Protection Rule which respects the limited powers the Executive Branch has been given under the constitution and the Clean Water Act to regulate navigable waters. EPA recognizes that many states, tribes, and counties have their own regulations over certain water waste. Together with existing state and tribal regulations and local government programs, the final rule provides a network of coverage for our country's water resources and accommodates regional differences in several ways.

We're also working to modernize and maintain our water infrastructure. We have three important methods to help fund investment in our nation's water and wastewater infrastructure. We have our Drinking Water State Revolving Loan Fund, and Clean Water State Revolving Loan Fund, and the Water Infrastructure Finance and Innovation Act Program. About \$80 billion has been invested to the Clean Water and Safe Drinking Water Revolving Funds by the federal government and the states in the past 30 years. We added an additional \$1 billion each year, and we have over \$80 billion circulating through the revolving loan mechanisms. Actually, that has now increased because of the repayments and the interests. We now have over \$180 billion available for funding for over 41,000 water quality projects, and over 15,000 drinking water projects across the country. Our new program, our WIFIA program has offered \$13.5 billion in total financing for water and waste water projects nationwide, and we have a pipeline of 54 more projects, totaling \$8.8 billion in credit assistance for water infrastructure.

It's my hope as we prepare for the agency's 50th anniversary in December with all the other challenges that we are facing, we should find ways to celebrate our successes. The evidence is everywhere around us when we look at our measured environmental indicators.

From 1970 to 2020, our six criteria air pollutants have been reduced by 74%. In addition, all six have gone down then reduced during the Trump Administration. On the water side, in the 1960s more than 40% of our country's drinking water systems failed to meet even the most basic health standards. Today, over 92% of our water systems meet all health-based standards 24 hours a day every day. It's not to say that the other 8% have dirty water, it's just that occasionally they may have a day or two where they go above the standards. We're working with all those communities to bring them into attainment with our water standards as well.

Our air, land, and water are much cleaner thanks in large part to EPA and to our state and local partners. It is truly a partnership protecting the environment. We should be proud of that fact and mention this as often as we can, to as many people as we can.

I want to thank you again for your time and good luck with your deliberations today. I would be happy to take a few questions. While we're pausing for questions, I'll also note the Superfund site. We cleaned and delisted 27 Superfund sites last year, the most in one year since 2001. We've really reinvigorated both our Superfund and brownfields program, and both of those are tied to local communities around the country.



Chairwoman Kitty Barnes: Thank you. I think that you've given us some details on the work that's taking place here most recently, and we look forward to any charge that comes before this committee. And I know that with the broad spectrum of members, we can come up with some good recommendations and some insights into policy. You might like to speak to an issue that affects many of us, and that's regarding PFAS.

Administrator Andrew Wheeler: Yes. And that goes to the siloed issue that we've had at the Agency over the years. We issued a PFAS Action Plan February of last year. For the first time in the – at that point, 49-year history of the agency, we used all our program offices and looked at our environmental statutes to come up with an action plan to address PFAS wherever we find it. We've been implementing the PFAS plan over the last year. We still have more work to do. But this is the most aggressive the agency has ever been for an emerging chemical of concern like we have with PFAS.

For those of you who aren't familiar with PFAS, it is a large family of chemicals. There are currently over 600 chemicals in commerce today, PFAS and the PFAS family. 1,200 PFAS chemicals have been approved and involved in commerce over the last 20 years and there's been over 5,000 PFAS chemicals that have been identified by scientists. A large number of these chemicals are still out in commerce.

The best example would be Teflon in the old Teflon cookware. That chemical has been removed from cookware, but you still have a lot of Teflon frying pans that are still out there in people's homes. Scotchgard is PFAS-based. Gore-Tex is PFAS-based. It's been used in a lot of different products over the years, and a lot of it has been used in firefighting foam, in particular at airports and in the military.

This chemical is everywhere in commerce, which means it's also everywhere in the environment. And it does get into the drinking water system. We have taken enforcement actions at over a dozen different drinking water places around the country, and we've assisted states and local governments with over 24 additional enforcement actions. If we find it in the drinking water, we are making sure that it gets cleaned up so it does not create a human health or environmental risk.

We're not just sitting back waiting. We're also doing some very innovative GIS mapping where we are looking at the facilities where the PFAS chemicals were manufactured and used, and we know the airports where it's been used for firefighting foams. We have been proactively reaching out to communities and saying tests may be necessary to see if they have PFAS because they've had PFAS uses on top of the water table, and we need to make sure that the water table is safe. We're being aggressive and reaching out to communities as well. But where we do find it, we're going after to make sure it does get cleaned up.



We're about out of time. But I do want to stress again that the information that we have on the coronavirus is available at our website, EPA.gov. There would be a button to press that takes you to the specific information, or it's EPA.gov/coronavirus.

The list of the over 400 products that you can use as disinfectants is in a searchable database so you can search by product type and product name if you're at a store or if you're looking to order disinfectants for your offices. Or again, if you're just looking for wipes for example, you can pull up all the different wipes that have been approved against the coronavirus.

We also have our joint EPA/CDC guidelines on reopening buildings that have been closed to make sure that they are safe for re-habitation by both employees and customers. And we have our guidance as far as flushing water systems and what needs to be done there.

I do want to stress that the water system guidance is not because of a concern of coronavirus and the water pipes. It is whenever a building has been shut down for an extended period of time there should be a flushing of the water system in order to make sure that other pathogens besides coronavirus are not present in the water systems in the buildings.

All three of those are available on the EPA.gov website. And if you're doing press conferences, or you're talking to your local business leaders, I recommend that you reference those documents and tell people to look up to disinfectant list. Again, we want to make sure that people are not buying products that are ineffective against coronavirus. And we're also aggressively taking enforcement actions against companies that are trying to sell products that are not effective.

One quick story— we stopped the shipment of plastic lanyards coming into the United States. Think of the things that you wear on your neck if you go to a conference or a convention. Somebody was trying to sell them on both eBay and Amazon. We reached out to both of those databases and they took down the product listings for them, and we confiscated the products. The lanyards had cards in them that said – I believe it was in Chinese characters, that the coronavirus would be attracted to the card and protect the person wearing the lanyard.

I hope you all recognize that that's just impossible. But whenever there's a crisis like this, there's always some snake oil salesman out there trying to take advantage of people's fears, and we're trying to make sure that that doesn't happen. So we are actively policing the online shopping sites to make sure that people aren't selling products like that, or products that haven't been proven to be effective. And we're also publicizing the list of products that have been effective.

I'm very proud, it's our career scientists at the agency that have been working day and night, seven days a week to get this list expanded. In the past, it's taken us on average three to four months to approve a disinfectant. And as I said, we went from 60 disinfectants on March



6th, to over 400 today. And it's been the hard work and dedication of our career scientists at the Agency who have accomplished this.

With that, I'm going to have to jump off the call. I know you have a packed agenda. I again want to give my personal appreciation to all of you for agreeing to serve on these two committees. It's very important to the work that we're doing as you can tell by what I've talked about today, working with communities around the country is a paramount importance to myself, to the President, and to the entire EPA family.

I want to thank both Chairwoman Barnes and Vice Chairman Witte. They both have put in a lot of time and effort behind the scenes on organizing this meeting and the work of the committees. I want to thank you both. I want to thank all of the participants today. Thank you very much. And I hope you have a very productive day. Goodbye.

Chairwoman Kitty Barnes: Thank you, Administrator Wheeler. We truly appreciate your speaking to us this morning and wish you the best. We will now move on with our agenda to roll call. Joe Daniels will call out names, please say present.

Joseph Daniels:

Roll Call:

1. Hon. Jose Aponte Dalmau
2. Mr. Rodney Bartlett
3. Mr. Bruce Bracker
4. Hon. Jeff Branick
5. Hon. Melissa Cribbins
6. Hon. Mark Fox (Representative sent: Lisa Longside)
7. Mr. Brian Fulton
8. Hon. Evan Hansen
9. Hon. Joan Lee
10. Hon. Carvel Lewis
11. Hon. Gabriel Lopez
12. Hon. Ryan Mackenzie
13. Ms. Ann Malley
14. Hon. Bill McMurray
15. Hon. Ron Poltak
16. Hon. Cynthia Pratt
17. Hon. Carmen Ramirez
18. Hon. Victoria Reinhardt



19. Sec. Michael Scuse
20. Hon. Matt Surrency
21. Hon. Libby Szabo
22. Mr. Jai Templeton
23. Hon. Paul TenHaken
24. Hon. Eric Thompson
25. Hon. Shawn Yanity
26. Mr. William Youngblood

(Names of those present at time of roll call)

Chairwoman Kitty Barnes: Thank you very much. I'd like to make a few introductions of members of the Office of Congressional and Intergovernmental Relations for EPA. Our first speaker is Joseph Brazauskas.

Joseph Brazauskas: Hello. This is Joe Brazauskas. I'm the Associate Administrator for the Office of Congressional and Intergovernmental Relations. I just want to welcome you all to today's meeting. I appreciate you all dedicating your time to this committee, and I hope that you have a productive day. Thank you very much.

Chairwoman Kitty Barnes: Thank you. I'll move on to Britt Carter, who is the Assistant Deputy Associate Administrator for OCIR.

Britt Carter: Thank you, Commissioner Barnes. I just want to take this opportunity to welcome the new members and the returning members of LGAC and SCAS. Thank you for taking the time out of your busy schedules. We greatly appreciate your input, and while we wish this could have taken place in person, we hope this provides an opportunity to update you on what the EPA is currently working on and provide an opportunity to ask questions. We're looking forward to starting up our workgroups as well after this call. And with that, I will turn it back to Commissioner Barnes. Thank you very much.

Chairwoman Kitty Barnes: Not on my list, but certainly on the call, we have Jack Bowles. Would you like to speak, Jack?



Jack Bowles: Yes, very quickly, to welcome everybody, and thank you for taking time out of your busy day. I know there's a lot going on in your communities. I wish we could be doing this in person, and hopefully we can very soon. Thank you.

III. Assistant Administrator Panel

Commissioner Kitty Barnes: We're going to move now to our Assistant Administrator Panel. I am really pleased to have several offices from the EPA represented on our Assistant Administrator Panel. There will be time for one or two questions following each of the speakers. If we are not able to address questions due to time constraints or other issues, please follow up with Joe Daniels after this meeting and send him any of the questions that were not answered.

With that, I'd like to introduce from the Office of Land and Emergency Management, Peter Wright, who's the Assistant Administrator. Mr. Wright?

Assistant Administrator Peter Wright: Thank you, Chairman Barnes and Vice Chairman Witte for inviting us to speak today. I'd also like to recognize and thank LGACs for Revitalizing Communities Workgroup Chairwoman Victoria Reinhardt for including my colleagues from OLEM in their monthly calls. I very much appreciate it.

As you know, my office, the Office of Land and Emergency Management, provides policy guidance and direction for the agency's emergency response, cleanup and waste programs. Throughout our work, local governments are critical partners for EPA, especially in the cleanup and emergency response programs where we work locally and in person to protect, serve, and engage communities across the country. We appreciate the opportunity to connect with you, to share information, and get input and support for our plans and initiatives like the National Recycling Framework.

First, let me address COVID-19. OLEM's programs are working hard to keep communities and workers safe as we conduct our cleanup of hazardous waste management and emergency response activities during the COVID-19 public health emergency. We have been and we continue to take the necessary steps, including developing and providing national guidance to ensure ongoing activities are conducted with the health and safety of communities,

EPA continues to work closely with federal, state, local and tribal authorities to discuss COVID-19 related issues and site specific decisions to pause or restart construction work. As always, we are ready to respond to environmental emergencies at sites involving the release of chemical, oil, radiological, biological, and hazardous materials.



Another activity that we're working on during the current pandemic is the disposal of livestock carcasses. As you all know that the supply chains have been disrupted with respect to the livestock, and EPA setup across office taskforce to assist the Department of Agriculture and FEMA with issues related to the disposal of animal carcasses. This taskforce is in the process of gathering relevant resources to put in a central location on our Web pages, such as the guidance on carcass management that EPA has provided in the past with – for example, with respect to the Avian Flu, Swine Flu. And we're ready to provide the support of our experts as the situation develops.

COVID-19 has also had a significant impact in the areas of recycling and food waste. On Tuesday, EPA released several public service announcements and issued a press release encouraging all Americans to recycle materials from their households, as well as properly disposing a personal protective equipment, especially during this pandemic. Recycling isn't just good for the planet by reducing the amount of waste going to landfills and saving energy, it supports American manufacturing. There are critical needs for all these raw materials in the manufacturing supply chain, especially paper and cardboard. And this is probably true more than ever because so many people are having even more materials delivered to their homes in boxes, and box manufacturers need to use the recycled cardboard to make more boxes.

Food waste has also been impacted due to the COVID-19 pandemic. With businesses and institutions closing, suppliers and wholesalers are being left with excess food due to cancelled or postponed orders. We appreciate and support the work of many commercial and institutional establishments like schools and restaurants that are making efforts to make excess food available to those in need. But most of those are efforts designed to provide on-site resources. We are hopeful that food waste can be minimized as much as possible through the development of efficient networks for the distribution of the new volume of excess food.

So now I'd like to talk a little bit more about the work that we're doing with respect to recycling. Under the Trump Administration, EPA has been working diligently to identify market-based strategies and innovative ideas to create a more sustainable recycling system in the United States. The domestic recycling system has not kept pace with the domestic stream of recyclable materials. EPA's America Recycles initiative is a great example of how we can take tackle tough challenges by working together.

On November 11th through 15th of last year, we held a series of highly successful events, showcasing America's innovation in recycling, and the power of collaboration to address challenges facing U.S. recycling system. Last year, we released several key products including the national framework to advance the U.S. recycling system, which outlines the path forward for continued collaboration that will improve the U.S. recycling system.

Let me just quickly highlight some of the things that we're working on this year. We're continuing to work with over 200 signers to the America Recycles pledge, who are working to



implement the national framework. We're establishing national recycling goals to inspire and incentivize action. We're developing a national strategy as directed by congress, and we're conducting education an outreach focused on the collection of plastic films to keep it out of the recycling bin and as much as possible out of the landfills and direct towards recycling.

EPA plans to host events this coming November 16th and 17th. And I hope we will be able to get together in person in celebration of America Recycles Day. On America Recycles Day, we will announce national recycling goals. We continue to encourage governments and we appreciate this particularly as an issue for local governments to support recycling initiatives.

Let me quickly talk about brownfields. Just last week, EPA announced the granting of 155 brownfields grants which involved over \$65.6 million through the agency's assessment revolving lunch fund and cleanup grants. Soon, we plan to announce our selection for revolving loan fund supplemental funding in June.

Last fall, our brownfields program provided \$5 million in environmental workforce development and job training grants. These grants helped to create a skilled workforce in communities with brownfield assessment and cleanup activities. Brownfield grants have been demonstrated to be very effective in many of them. And this year, approximately 75% went to communities with opportunity zones. And we look forward next year to having a Brownfield training conference where again we hope that everybody will be able to attend in person. It will April 26th to 30th, 2021 in Oklahoma City.

Let me stop there. I could go on and on. Just to see if there are any questions that I might be able to answer about any of OLEM's programs.

Ms. Ann Mallek: Thank you very much. Mr. Wright, I would love to know if the Agency is looking at recycling and shifting the burden of the recycling from the purchaser back to the producer, because so much of the burden has been changed so that instead of the person selling the toothpaste in a great big box, having to deal makes some investment in the disposal of that great big box. It's all been dumped upon localities and citizens to take care of.

And this is especially concerning regarding the plastics industry who seems to want to produce more and more and more plastics when it's always the responsibility of someone else to take care of it. I thank you for your answer.

Assistant Administrator Peter Wright: Thank you for the question. What EPA has done over the last few years with the America Recycles initiative is to bring together representatives of all kinds from across the recycling factory. This would include the plastic manufacturers and the waste recyclers. It includes state and local representatives. It includes those who invest in



recycling facilities. And then also those – for example, who have brands that actually want recycled content.

EPA doesn't actually have particular regulatory authority in this area. But what we do have is the ability to convene people from across the recycling sector to come up with ways to improve recycling in the United States.

We appreciate that the recycling of plastic is a critical component of meeting the demand with the change in waste streams over the course of time. And they are representatives from both the plastic industry, as well as brand owners who package their products in plastic, who have been very active participants in the America Recycles recycling efforts. So I would command your attention to the work that we're doing there, and then encouraging everyone to check out the website and the reports that we're working on, as well as have input in the dialogue, seeking comment on establishing of national recycling goals.

Mayor Matt Surrency: Thank you. Is there any economic development funding for some of these recyclers to start, particularly with plastics? I don't know if you have something directly in the pipeline and ready to work for that.

Assistant Administrator Wright: Well, EPA has some limited amount of funding that it can provide, and not directly for the development of manufacturing or recycling equipment. But we have some limited amount of funding that can support the development strategies and approaches to recycling.

I referenced the America Recycles network which does it, but there are entities that are in the business that fund recycling initiatives. One of the things that we've done around the country is have some market development workshops, where we're bringing together manufacturers, waste handlers, and a variety of different businesses to get them to understand the opportunities to work together to improve recycling in the different localities. And these have proven to be pretty effective techniques.

So again, while we don't directly fund recycling equipment, there are those in the recycling initiative who do that. There's a certain amount of congressional interest looking into that. We'll have to see if anything develops in that regards.

Chairwoman Kitty Barnes: Thank you Mr. Wright, we appreciate it. And now we will move on to the Office of Enforcement and Compliance Assurance. I'd like to introduce Susan Bodine, who is the Assistant Administrator.



Assistant Administrator Susan Bodine: Thank you so much, Chair Barnes and Vice Chair Witte. And of course, all the members of the advisory committee. I did speak to this group last year in the Map Room at EPA, and it's amazing how different things could be just one short year later. But I want to assure all of you, as the Administrator did, that the Agency is operating extremely well during this public health emergency, and the work of the EPA is continuing unabated.

I was happy to hear the Administrator speak a little bit about our temporary COVID-19 enforcement policy. There's been a lot of misinformation about that. I've seen statements and I've received letters that repeat the statements saying that we have suspended enforcement. And I just want to assure all of you that that is completely not true.

Since March 16th, we have opened 52 criminal enforcement actions. We've charged 10 defendants. We have finished 122 civil enforcement actions. We started 115 new civil enforcement actions. We have obtained from responsible parties \$21.5 million in superfund response commitments. We've obtained commitments from parties to clean up over 68,000 cubic yards of contaminated soil and water. So contrary to what you may have read, depending on which press outlet you read, EPA enforcement is robust and active.

The policy that I issued on March 26th was in response to questions we were getting from across the board from a lot of states, members that regulate communities, including municipalities, about what they should be doing if non-compliance was not possible as a result of the COVID-19 public health emergency. The examples that were given to us, for example, if you were using a contractor to obtain your sampling and the contractor now is no longer travelling and therefore you can't get your sampling done.

We've looked at that other potential non-compliance issues. We put them in buckets and said, OK, if it's routine monitoring reporting, then we are going to look at that after the fact. We're not going to look at it upfront. We're not going to require a company to come to us and say, here's my contractor issues, here's my staffing plan, please bless this upfront. What we've said was, if – when we look at it case by case after the fact – if you can prove that the non-compliance was due to COVID, then we won't seek a penalty for that activity. As the Administrator said, that's the only place in the enforcement policy that says we would exercise enforcement discretion. And even that's case by case because we will look at it after the fact.

Let's take the scenario of making sure facilities know how they need to be actively engaged with their regulators, whether it's a state regulator or EPA. If their equipment breaks down and they can't get it fixed, what should they do? What if you're aware of a situation that's presenting an imminent risk? What should you do? Well, they need to call a regulator because



the policy does not say you can increase any emissions or discharges. You absolutely have to call a regulator and figure out how to work it out.

And then we've dealt with the drinking water in a completely different way. We said for drinking water that this is critical for public health, we are not going to offer any enforcement discretion even for routine monitoring reporting, because we need to make sure that all of the drinking water plants are continuing to sample the water before it goes out to people's homes. What we said there was we're not offering enforcement discretion, but we might have resources to help you. If you think you have a problem, call your regulator, call EPA at the region because all of us want to make sure that those drinking water plants are providing clean and safe water to all of our communities.

But we know that there are workforce issues, we know that that are challenges. And so again, the advice we provided was some flexibilities that exist under regulations. That's not enforcement discretion. And if you have a problem, you have to start engaging to get the help so that we can make sure that everybody is staying safe.

The fact that we have over 80,000 deaths and over 1.5 million people who've tested positive. The fact that we've seen the transmission that can happen in the workplace like all the meat packing workers in Pennsylvania, in Colorado, South Dakota, Iowa and Minnesota shows that this is a real issue. I needed to communicate out to the regular public that we get it. We understand that you have to keep people safe. We understand that the staff of facilities that remain operational have to remain operational because they're the ones that aren't shut down under government orders. They're the ones that are providing critical services. They're operating and they have to do it in a safe way. And if that means that we're not going to get a routine report or a routine sample, then we'll catch up with you later, and not right now. But you have to prove it is a COVID-19-related issue.

Let me also just say a little bit about the COVID fraud issue, which the Administrator talked about as well. He talked about the lanyard, which is unbelievable. We've stopped over 10,000 products from entering this country, working with customs and border patrol. And these are fraudulent products that claim to be effective against COVID-19, and they are not on EPA's list.

And so we are actively working on this issue both with our criminal enforcement program and our civil enforcement program. As the Administrator said, we've been talking to the online retailers about getting these products off their websites. We've issued advisory letters, I think over 26 of them. We have made arrests, as the Administrator mentioned. I can't tell you who, but we have a bunch of other investigations going on as well. The thing I'm really worried about is that people will be fooled, that they think that they're protecting themselves and they're going to take risks that they shouldn't be taking.



And so we are going to come out with a compliance advisory that lets people know that if a product is not on EPA's list, then you shouldn't be buying the product. We're going after this on the enforcement side, but we're trying to also to educate the consumers so that demand for these products go away. And understanding that, as the Administrator said, people should check the EPA's website and go to coronavirus page where you can find lists and understand what's effective.

So yes, there has been a big uptick in those kinds of cases. Of course, all of our regular enforcement is still going on. And the states are also very active, many of them issuing their own enforcement discretion policies. They have a different style to regulate communities. Most of those states are asking for notice upfront of when people are asking or seeking enforcement discretion. And that's perfectly appropriate. That's how our federal laws are implemented, our federal environmental laws, the states are sort of the first line.

In fact, we don't get first reporting from the regular communities. We only get things directly from a few programs. We get it from states who are the frontline regulators. And while we have 1.1 million facilities that we regulate across the country, each state obviously has a much smaller universe of people that they're working with. We're working together with states on these issues. We're working together with regulated community with these issues. We're working with the public. And we're working to be transparent about everything we're doing. We're all very hopeful that this situation will be over soon. So with that, let me stop and open it for questions.

Chairwoman Kitty Barnes: Hearing no questions, I'll move on to Assistant Administrator Dave Ross from the Office of Water.

Assistant Administrator Dave Ross: Good morning. Thank you for inviting me to participate, I greatly appreciate it. And thanks for taking the time to continue with these meetings. I know it's a different platform, but I think it's important that we gather.

I want to echo something that Susan mentioned during her talk. As we transitioned our entire workforce to working remotely there were some concerns about whether or not we could continue on with the mission of our agency. And our teams transitioned amazingly. The work product is continuing to cross my desk. It's a different desk right now, but it's the same level of work product, the same quality of work product. So, the answer is yes, the agency is moving forward with implementing our mission. And we've been really just amazingly pleased with our folks, and especially in the Office of Water. It's been great. Now, we don't get to see each other face to face in the office, but we spend virtually every day, all day on the phone, and the work continues.



I understand you guys want to hear a little bit about some of our priorities for the year. I wanted to mention that as I began the year, one of the priorities was being reflective, as we are in EPA's 50th anniversary. The Office of Water was asked to highlight our successes in the month of February. The Office of Water has a website that focuses on a bunch of the announcements we've made and some of the progress that's been made over the last 50 years, which I encourage you to visit.

At a very high level, before the agency was formed, a lot of our waterways were effectively waste management systems. You should have been talking to Peter Wright about it because of the fact they're waste management. Over the years, our surface water has dramatically improved. Just in the last decade or so, we've restored, or partially restored a quarter million acres of lakes and ponds, and 10,000 miles of rivers and streams.

On the drinking water side, before the agency was formed I think 40% of our drinking water systems failed to deliver even the most basic water needs of our communities. Now, we're at 92%-93% of all communities meeting 90 different standards all of the time. It's just remarkable. Because of that progress we like to pat ourselves on the back, and the states like to pat themselves on the back. But I know that that progress doesn't happen without local communities and the investments that you all make.

Our state revolving funds, the clean water and the drinking water state revolving funds are two of the most important initiatives that Congress and this agency have worked on over the last couple of decades. The numbers are staggering. About \$180 billion that's been wheeled out to help fund 15,000 drinking water projects, and 40,000 to 41,000 wastewater and surface water projects. A lot of those programs are being implemented by the folks on the phone, or communities like you across America. And each one of those comes with investments on your part. We don't make progress in surface water quality or drinking water quality without local communities.

One of my priorities going forward is to make sure that we continue to wheel money out. And that the Congress gives us a lot of money to manage. The Office of Water is effectively a large bank. And so when we get new money, whether it's a grant program to stand up, or a grant program to renew, that gets to the top of my desk as quickly as possible and we move the money as quickly as we can because that's basically going a lot of the times to the local communities.

The area that I spend a lot of my time focused on is the Water Infrastructure Finance and Innovation Act or the WIFIA program. It's a super cool new credit subsidy program that we've been really cranking on over the last couple of years. Just in the last couple of years, we have closed on 20 WIFIA loans that total \$4.2 billion in credit assistance, which roughly translates to about \$10 million in infrastructure projects. And I think our numbers are about 20,000 jobs created as a result.



We've got another 40 or 50 projects in the pipeline. The amount of money and leveraging that we can get out of the WIFIA program is amazing. I encourage you all as you think about future infrastructure needs think about this program. It's a very, very flexible program, and it comes at low interest rates and long-term repayment options. It's a great program. And the people running it at the agency are just outstanding, I enjoy working with them a lot.

From a sustenance standpoint, we are spending a lot of time right now thinking about COVID, obviously America is, the world is. The national response framework has kicked in now as part of the pandemic. There are 16 critical lifeline sectors. And one of them is water and wastewater. The responsibility to manage the critical lifeline sector of water and wastewater under the emergency response framework is in The Office of Water. Particularly our waste water team, the Office of Waste Water Management and our drinking water program are spending a lot of time focused on COVID. That includes looking at supply chain issues, if there's a concern about if you get a particular chemical that our drinking water systems need. If there's a disruption in the supply chain, we're working to try to solve that with our federal partners and state partners.

The Administrator was very concerned early on about drinking water and waste water employees. A lot of the folks in your communities needed to be deemed essential so that they could get to work. We've heard stories from around the country of people locking themselves into their drinking water and wastewater plants so that they can continue to have continuity of operations. It is pretty remarkable what some people have done.

We work very closely with the states, the federal government, and the Vice President's Task Force to ensure that water and wastewater sector workers are considered essential. We're also working very closely with our public health agencies to ensure that personal protective equipment which the water sector, particularly the waste water sector, uses every single day to make sure that they get access to PPE.

So there's a lot of work that's happening on COVID. Obviously, that means other priorities sometimes take a backseat. Our priority and our mission is COVID. We've spent a lot of time on COVID, I'm just really amazed at the amount of work that the team is cranking out.

Another area where we are spending a lot of time, particularly the last few years and will continue to be huge this year is PFAS, or perfluorinated compounds. The Office of Water has a huge role in helping implement our agency wide PFAS Action Plan. We have proposed positive regulatory determination for two of the major compounds that get a lot of attention. And we are on schedule to make a final determination after we go through our mandated scientific review and public participation process. We'll be working to keep on schedule to make that final determination by the end of the year.



We've spent a lot of our time focused on closing the scientific gaps that we have in this area, particularly our analytical methods. How do you see PFAS in different media? We're pretty good at seeing it at drinking water, and we're pretty good at seeing it in clean water sources. But seeing it in waste water, or ground water, or different environmental media; our scientists are working around the clock to try to provide analytical methods that regular folks can use. In other words, sample and get it to a lab in your local community that can run those at a cost that doesn't burden local communities and local wastewater utilities. We're spending a lot of time looking at other sources of PFAS in drinking water, and spending a lot of time thinking about PFAS in bio solids. A lot of work happened in this phase.

We typically think about drinking water and waste water separately, as in they are in separate siloes. We are starting to see fresh water supply concerns in 40 of our 50 states over the next decade, even in areas where you think there's sometimes too much water. We have spent a lot of time thinking about what our water framework looks like 10, 15, 20, 25 years from now, and decided to develop what's called a National Water Reuse Action Plan in coordination effectively with the water sector. Our water sector helped write the national plan. EPA just happened to be coordinating and funding it.

That plan was announced on February 27th of this year by the Administrator. We are pleased to be joined by the Secretary of the Interior, and the Secretary of Department of Agriculture, and the Chairwoman of the White House Council on Environmental Quality, all joined the Administrator in announcing that national plan. It's a couple of hundred action items with specific implementation targets. It's live, it's up on the web, and it's iterative. And so it's a public accountability framework for what we can do to incentivize water reuse, whether that's for drinking water, for agriculture, for life manufacturing, for ground water augmentation, you name it; irrigation, every use is on the table as long as it's done safely. And we have plans in place to really incentivize folks to take a look at it, closer research steps that we need, and be thinking about water 20 years from now. It's an important initiative. And so if you have questions about that, there's this really great website the team has created regarding water reuse. And it's the National Water Reuse Action Plan.

One additional major initiative we're working on is an update and modernization to the Lead and Copper Rule. We understand for local communities, it's an interesting issue and it's very difficult to deal with from a cost standpoint. We took into account local community engagement, state engagement, as we took a look at all the information we gathered. Our scientific advisors had a proposal on the street late last year, and the Administrator has asked us and committed us to finalizing it this year. The team is working very aggressively to take into account all the great feedback that we've got as we finalize that rule at long last. It's been too long in coming. We've made great strides in lead reduction in lead levels in this country, thanks in part to Lead and Copper Rule, and the great work that we've done in the paint world, and lead



in gas and things like that. But we have more work to do to protect our children from exposure to lead.

And finally, in order to understand where we need to invest into our communities, we need to know what the needs are. We have tools that are called the Clean Water and the Drinking Water Needs surveys that holistically take a look at what our infrastructure needs are across the country. The latest information says we have about \$750 billion backlog in infrastructure needs to get us to steady state over the next 20 years. And that's not new development. That's existing infrastructure. We're going to update that to make sure we have the best picture possible, so we can allocate our resources that we get, and so that Congress has information available to it as it decides funding opportunities for the future.

With that, I'm going to pause and see if there are any questions. Thank you.

Deputy Mayor Cynthia Pratt: I'm Deputy Mayor from the City of Lacey, Washington. First of all, I want to thank you for mentioning the WIFIA program. I come from a mid-sized town (51,000+), and our wastewater treatment system is a regional wastewater treatment facility. Our wastewater treatment plant is not able to use WIFIA because of the threshold of the size needed to utilize that program. Do you ever see lowering that threshold down to where somewhat so that smaller projects would be able to utilize that?

And then my second question: I know that you and the Administrator mentioned PFAS; is there funding available through EPA to help with local government clean ups if it is found in our waters? Thank you very much.

Assistant Administrator Dave Ross: Thanks, great questions. On the WIFIA program, we're trying to be as flexible as we can. In fact, we can take a look. We just closed a loan in the City of Cortland, New York, on a very small drinking water program. They're a pretty small community. And the value, I think it was a \$15 million, \$16 million credit subsidy. So the size can be pretty small. If it's a regional community, we've got co-applicants in some circumstances in parts of the country, including I think one in Washington.

And then finally, there are other funding mechanisms, like SRF funding, or state revolving funds, programmatically through the state. The State of Indiana went after a WIFIA loan that they could then match and pair with their SRF funding, to be able to run money out to 20 or 30 projects across the state. In that case the state itself was the applicant, and local communities in Indiana worked with the state to try to push for that. There are ways of getting that smaller project. We can put you in contact with our WIFIA program, Andrew Sawyers, and help answer those questions. There's more flexibility in there that I think people realize.



And then on the PFAS ...

Deputy Mayor Cynthia Pratt: I'm not sure. Because I was on a subcommittee with National League of Cities, I actually helped that legislation through. But I have looked at this in multiple ways, and they've tried and tried.

So maybe we're just way too small of a community, or a county to utilize this. We can't roll the jurisdictions together because they don't need it. There are other things. But thank you anyway about that. But I would like to know about the PFAS funding.

Assistant Administrator Dave Ross: There is availability of PFAS funding. It couldn't be funded through the state revolving funds first and foremost. Obviously we've just talked about WIFIA which is a funding mechanism for it. And we're looking at additional grant programs, some of it I see if Congress appropriates money to us.

But we do have some new grant funding that deals with emerging contaminants, re PFAS, it's also for lead and copper, that our drinking water program just announced within the last three to six months. That grant program is now out on the street, so we can get information on that as well.

We're continually looking at potential funding sources in the PFAS world, because we recognize it's a hyper-local issue. It's a national concern, but it's hyper-local where it hits in a water community, and it's usually associated with funding and how you clean it up. But I will go back to Andrew Sawyers to take a look at your community just to be sure that there's not new flexibilities on the WIFIA program just to make sure that that's not foreclosed to you.

All right, thanks so much. I appreciate it.

Chairwoman Kitty Barnes: Thank you very much for all that you brought to us. I'm sure we'll be speaking again in the future. At this time, I'd like to recognize Ms. Anne Idsal, the Principal Deputy Assistant Administrator for the Office of Air and Radiation.

Assistant Administrator Anne Idsal: Thank you all so much. It's great to have the opportunity to join you today. I do wish it had been in person, but I'm happy we're at least able to do this over the phone. It's great that we're able to keep these lines of communication open. Your input as stakeholders is absolutely critical, and the engagement with you guys is critical for the success of our efforts.



As we're all working remotely and doing everything that we can to stay safe and healthy during this unusual time. Under the unusual circumstances in which we're operating we are doing our utmost to continue to get our work done, and we remain absolutely committed to our mission to reduce air pollution and protect human health and the environment day in and day out. We're just not in the traditional office setting at this point. We are continuing to work together with states, tribes, local government, and other stakeholders during the past nine weeks or so. And we continue to make really significant progress.

For those of you who may not be aware, as EPA was founded 50 years ago, and I'm really happy to report that we have cut air pollution by 74% among the six criteria air pollutants across the country. And that has all occurred at the same time while our nation's economy has grown by over 250%. So that's a lot of progress in 50 years and a lot to be very proud of. A lot of that has to do with the really good positive working relationship we've enjoyed with our tribal, local, and state partners who we would not be able to do any of this without. Suffice to say, that's an impressive statistic. And it shows what we're capable of achieving when we do work together.

I'd like to highlight a couple of our recent activities. First and foremost, our monitoring efforts during COVID-19. As you all probably expect, we have been very busy responding to some of the unique questions raised by the COVID-19 crisis. And one of our first priorities was to ensure the continuity of air monitoring.

We've received a number of questions from state, local and tribal agencies concerning monitoring priorities during COVID-19. And on March 30th, we actually issued a memo discussing issues to consider when balancing the mission essential functions of ambient air monitoring with local orders, as well as those from the health related to the health and safety of employees who are making sure that those monitoring networks are functioning.

We've also provided information to our regional monitoring leads so that in working with their state and local counterparts, they could set priorities where needed and where most appropriate. But thankfully, we were able to get that word out quickly, and I'm getting regular updates which I'm sharing up and down the chain of command here at EPA to make sure that everyone has eyes and ears on what's happening. As of now, I'm happy to report that we're only seeing a negligible impact to our monitoring capacity thanks to our partners across the country.

Another area of focus are continuous emissions monitoring. We've made some temporary provisions on that front. We've issued an interim final rule to protect the workers at power plants and other industrial facilities during the national response to COVID-19. This is just a temporary rule. It affects sources under the Acid Rain Program, the Cross-State Air Pollution Rule, and/or the NOx SIP Call.



For those facilities that failed to complete a required quality assurance test due to COVID-19 emergency reasons, those facilities may temporarily continue to report actual hourly monitoring data providing they meet certain criteria. So we amended the monitoring, recordkeeping and reporting regulations to avoid the unintended consequences of potentially placing power plant and industrial facility personnel at risk. This temporary action does not affect the requirement that sources continue to report emission data to EPA, and that they comply with all applicable emissions limitations.

We also issued in that some guidance to schools on the community front. We communicated with more than 60,000 school stakeholders to provide technical guidance and information to help schools respond to the COVID-19 emergency crisis and maintain healthy indoor air.

A third area is that of NAAQS implementation. We've recently issued the proposal to retain the PM standards. These are just a couple of examples of our response to the current situation. In addition to those ongoing efforts, our day to day business is certainly continuing, and to the best of our abilities is uninterrupted as possible. We have been moving forward on a number of regulatory actions, one fulfilling our foundational mandate to set and implement the National Ambient Air Quality Standards, otherwise known as the NAAQS in EPA speak.

One of the principals established in the earliest days of this administration was to improve the NAAQS review process and to fulfill our responsibility under the Clean Air Act Statute to complete the NAAQS review within a five-year timeframe. Towards that goal, we're in the process of reviewing the NAAQS for particulate matter or PM in ozone. In April, just last month, we've proposed to retain without revision the existing primary and secondary NAAQS for PM.

In a prior review of the particulate matter standards, which was completed back in 2012, almost 10 years ago. The EPA revised a level of the primary annual PM 2.5 standard from 15 to 12 micrograms per cubic meter. Last month, the proposal we issued landed at retaining the standard, which was done after reviewing the most recently available scientific evidence and risk and exposure information, as well as consulting with our independent science advisors.

We will be taking comments on the proposed standards through June 29th. It's going to be coming up I believe next week or the following, so please keep an eye out for that. Yes, actually we're going to be holding virtual public hearings via teleconference on May 20th, 21st, and we just extended it to May 22nd as well. If you're interested in providing input, please visit EPA's particulate matter pollution website to submit your comments or to register for the public hearing.

When it comes to ozone, we're moving forward on those as well. EPA's Office of Research and Development just completed their integrated scientific assessment. The next step



for the Office of Air and Radiation is going to be getting ready to issue our policy assessment, and then we'll move moving forward with the proposal. There's more to come on ozone, but our goal is also to complete both PM and ozone by the end of this year.

In addition to the timely review of the NAAQS, a priority goal for this administration is to significantly reduce the number of areas in the U.S. that don't meet air quality standards. It is a fundamental goal and a fundamental job of my office to make sure that we are working very closely with those local communities to identify those opportunities and to further reduce air pollution so that we can get those areas of non-attainment into attainment.

Thanks to our joint work with states and tribes, 40 non-attainment areas across the country have in fact been re-designated during this administration. And by 2022, that we intend to re-designate at least 65 of the 166 areas that were designated non-attainment in October of 2017.

There is lot of work ahead of us, but we're excited about where that will take us across the country and those opportunities to work with state, local and tribal communities to keep the ball moving in the right direction. I'd also like to highlight some of the non-regulatory partnership activities that we've been promoting to protect public health. And none of these efforts would be possible without participation from state and local government, as well as our tribal partners.

One example is AirNow. Just last month to the day we re-launched our AirNow.gov website, which we did in an effort to upgrade the service to the public. It's powered by data and information from EPA and more than 140 U.S. federal state, local and tribal air agency partners, and it provides air quality forecast and real time air quality conditions. We're are confident that this upgrade is going to allow for greater functionality and access for both desktop and mobile users.

We're also working with a variety of partners to reduce the national burden of asthma. We've got a lot going on. I don't need to tell you how serious of a respiratory disease asthma is. It affects the lives and the quality of life for over 22 million Americans and their families. We facilitate a network of more than 1,100 community-based programs to find local solutions for delivering and sustaining comprehensive asthma care. We do that through the asthma community network website where we offer technical assistance and peer to peer learning opportunities, which means more and more programs are being deployed in an effort to push out those innovative approaches and best practices to successfully improve the lives of people with asthma, as well as their communities. Earlier this month we recognized Children's Hospital at Colorado Breathing Institute, and University of Texas Health Science Center at Tyler for their successful strategies that help families bring asthma under control, reduce emergency department visits, and decrease school absenteeism.



So that pretty much wraps up what I've got for you all today. I know I've touched on just a fraction of our activities at OAR. But my time is up. And I've actually got to go run to another call. I've got to say I'm so appreciative of this opportunity to speak with you. If you have any questions, please don't hesitate to share them with the moderator, and I will get answers back to you all as quickly as possible. I hope the rest of the meeting goes very, very well. And you all enjoy the rest of your afternoon.

Chairwoman Kitty Barnes: Thank you, Miss Idsal. And now we'll move on to the Office of Chemical Safety and Pollution Prevention. The Assistant Administrator is Alexandra Dapolito Dunn.

Assistant Administrator Alex Dapolito Dunn: Oh, wonderful. Well, like all my colleagues, I'm just going to say how great it is to be with you. And my same regrets that we're not in person. I've always enjoyed talking to the LGAC as we commonly refer to it. And congratulations on your leadership, Madam Chair. It is just great to have you all here.

I know we're all pretty tight on time, so I'll be brief, and then hopefully answer questions. Our office has responsibility for industrial chemicals, both the review of the safety of existing industrial chemicals that are in commerce and used in products, as well as the review of new industrial chemicals that will be coming on the marketplace. We have that same role when it comes to agricultural and household insecticides, fungicides and rodenticides. We play a big role in the growing of food for our country in terms of making sure it can be grown without invasive pests or weeds or bugs, and so that we have a healthy and safe food supply. We set the residual tolerances which under the FFDCA, the Federal Food, Drug, and Cosmetic Act. We actually set the residual amounts of pesticide that can be remain on food that is safe. We look at children's health and safety with regards to that. We really do play a very, very varied role, and one that I think people are sometimes surprised to know that EPA does. I think when they think of agriculture, they often think of the USDA. They don't realize that EPA regulates pesticides.

Well, not only do we regulate what you think of as a pesticide, but we regulate disinfectants for surfaces. That means that we have been working front and center on COVID since it began. I think you've heard my colleague, Susan Bodine talked about List N, which is a list of now over 420 products that is based on EPA's review of the science and efficacy data. We know that these products are effective to kill the SARS -CoV-2 virus which causes COVID-19. We know what products can disinfect surfaces.

This week, we released a web-based application. If you just Google List N tools, it will let people sort for the disinfectant product by what are you trying to disinfect, whether it's a countertop, or a soft surface. Whether you want it to not have certain ingredients because people



have all kinds of sensitivities. We're trying to be cautious with that regard and make that easy for people.

Also, the way that sprays are effective is the contact time on the surface, so we even have a search by contact time. If you're someone like me who sprays our counter and wants to wipe it right away, well you are probably not getting the effectiveness out of that product. Most of them require contact with the surface of 5 to 10, and some of them as long as about 12 minutes.

You also heard from Susan that we're collaborating with her office on ensuring that fraudulent products are not in the marketplace. Every day, we probably get 5 to 10 inquiries from companies, many local and small businesses, that have been doing research and have a product that they want to get certified to add to our list.

Just this week, we released information on how those companies get through the process. It used to take four to five months to have the science reviewed for something like this. But in a public health crisis like the COVID emergency that we have, we are reducing our review time and having expedited the time up to a couple of weeks.

Let me just say that we're busy on the COVID front. And then of course, we are very busy on the agricultural pesticide side. We will be working on something that many of you may have heard about. Dicamba is up for re-registration this year. We've also been working on glyphosate. That's a well-known product.

We are also always trying to get new active ingredients to the marketplace because those new active ingredients allow us over time to replace sometimes more toxic, older products. And the new active ingredients tend to be much more focused on controlling the actual pests, insects, or the weed that is causing the problem. We want to make sure they're more focused. Hopefully there's a regular supply in our country of new products for growers at large scale, medium and small scale, as well as for residential home and garden uses.

We work on the Endangered Species Act to make sure that when we're applying pesticides out in the open that we are not endangering flora or fauna. We do have to make that upfront assessment and try to ensure that there is no impact on endangered species. And we are actually doing some pretty cutting-edge work around insecticides and herbicides this year. That will reflect some new approaches to looking at endangered species that we hope would be more focused and give us a better analytical approach. Right now, our approach about where the species are can be pretty crude. We want to be as focused as we can be so that we're actually providing protection where protection is needed.

I'm going to pivot here for a moment and talk about our tribes a well, because I know many of you join us who are in the tribal sector. We do have two very active programs; The National Tribal Toxic Council, and the National Pesticide Program Council. On both of those



boards, we have members of tribes to provide advice to us on pesticides and chemicals, and how they affect tribal nations. It is a very important partnership there.

I just want to say a word about pollinators knowing that you all are from state local governments and tribes. We know that protecting our pollinators is extremely important. And we are very proud of our work in 2020 that we'll be doing with the United States Department of Agriculture where we will be holding webinars and other educational opportunities around pollinator protection.

The last thing I'll say, and then I'll be happy to answer questions is that on the industrial chemical side, we are again working very hard to review one by one the chemicals in commerce and to come up with restrictions if needed to protect people. We're looking at chemicals that are household names such as asbestos and formaldehyde. And we're looking at some that might be unfamiliar but are very widely used in the manufacture of product. We look at worker safety and we look at the safety of individuals who might come into contact with that chemical in the workplace as a passerby. Also, we look at general population risk. If the manufacturer of the chemical results in exposures to the general population, we look at that and work with our air program as well to manage those.

We also have authority over lead dust and we run a lead renovation, repair and painting program in a number of states. Other states have their own authority to do that, but they follow our rules. We want to let you all know that this summer, we will be putting out for proposal new, tighter standards for the amount of dust that is acceptable to remain in a house after a cleanup has been done to remove lead paint. Saying it a better way is we want to make sure that house or property is safe for the family to return to. We'll be telling people what that clearance level is and when can that family come back.

We also have been working with our tribes on lead awareness in Indian country. We have a new curriculum and last year worked with over 200 tribal partners and educated them about reducing childhood lead exposure in Indian country. And this curriculum is going to be widely available very soon.

So I'm going to stop there and let you all know that we are very, very interested in partnering with you. We have a number of tools in our office that help educate members of the public and communities about the presence of chemicals in their environment. We have in my office the toxic release inventory, which is a tool that the public can use to search about chemical emissions from facilities in their communities. We have a very wide role from your spray that goes on your counters to make sure that you have a clean surface for food preparation, and now virus-free. We work with hospitals on their use of disinfectants. We work with agriculture on their application of pesticides to the food that we grow in our country. And then we work of course around chemicals and the chemical space.



It's a pretty diverse office and it has a lot of interface with local governments and tribes. We want to be good partners with you and I'm happy to answer any questions. Thanks again for the privilege of briefing you.

Mr. Ron Poltak: I have a general question about the new species of murder hornets in the news recently. I understand it is a very serious threat to pollinator bees especially. What is the EPA's role when something like that makes America on the alert relative to finding a pesticide remedy? And given the nature of what the news is telling us in terms of generic threat for this, would your response be something that is coordinated with the Department of Agriculture? I'm just interested in how we get ahead of this.

Assistant Administrator Alex Dapolito Dunn: I think that is such a great question and thank you for providing it. You are on the cutting edge, because this morning we received our first question about the Asian giant hornet from congressional members. It's a native of Eastern Asia, was first detected in Washington State in 2019. And yes, you are correct, they live in large colonies. They live in the ground. I'm sure we've all read about them. They do not attack people, but they destroy honeybee hives in just unbelievable numbers, and it's quite frightening.

We are going through our inventory of registered insecticides to find ones that we can make available, or at least indicate which could be appropriate for use if someone were to try to manage the hornets through the application of an insecticide. What we would want to be sure of is that you're always looking for that focus impact. We want to focus on the pest, and not anything that we don't have to harm. This is a new line of inquiry. These are fairly robust insects, but we have 725 active ingredients that are available and registered. I do not think it will be long before we'll identify one with our state partners that can be used if needed for these hornets.

Again, I think it is still unclear how people will proceed if they want to try to manage the large colonies, or if there are other strategies that we want to use. I have heard that we want to, and the State of Washington is very committed.

Chairwoman Kitty Barnes: Thank you Ms. Dunn. We really appreciate the information that you brought to us and look forward to working with you. At this time, we'll move on to the Senior Agriculture Advisor to the Administrator, Ms. Carrie Meadows.



Senior Agriculture Advisor Carrie Meadows: Well, thank you for having me with you today, and I'll try to be brief to help get you all back on schedule here. I just like to thank you for giving me the opportunity to speak with you about EPA's commitment to agriculture and rural America. As the Madam Chairwoman said, I am the Agriculture Advisor to Administrator Wheeler. The role of the Agriculture Advisor's Office is acting as the primary advocate and liaison for U.S. agriculture at EPA.

We have an Agriculture Advisor's Office here at headquarters, along with one in each of EPA's 10 regional offices. We advise the agency on agricultural perspectives to inform relative rulemaking, policies, and activities. We also work closely with various offices within the White House, our relevant sister agencies, aid agencies, producers and agricultural stakeholders.

The Agriculture Office along with our regional agriculture advisors and the program offices are tracking COVID-19 related inquiries and issues as they related to impacts on agriculture and the food supply. There continues to be many emerging issues as the impact of the pandemic reaches across the nation. We will continue to coordinate closely with the agriculture industry and our agency counterparts to identify solutions for ensuring continuity in the food supply.

As Administrator Wright mentioned, I have been working closely across all offices at EPA to coordinate and update information on our website for carcass management to ensure farmers in rural communities have updated material for this unique situation. When this is finalized, I can make sure that it gets shared with each of you.

I also wanted to briefly mention, as many of you know, EPA announced the solicitation for nominees to serve on the farm, ranch, and rural communities committee. We expect announcement on that membership to be made shortly. This will help to continue to ensure we're building a broad balanced representation of perspectives as members to help inform EPA.

I just really want to reiterate to all that agriculture is a top priority at EPA. Agriculture producers, stakeholders, and rural communities are critical for keeping lines of communication open and ensuring that we reach rural America on issues that impact everyday lives. Once we get back to normal, I'm hoping to be with you guys again in the future in person. And with that, I'll ask if there's any questions?

Ms. Ann Mallek: Thank you very much. I would just pass along to you for your information that here in Central Virginia we have several federally inspected processing plants for beef and for the small beef operator, which I've used for my grass-fed certified beef to about 30 families every year directly. The processing plants were told to stop working. The backlog is out of the question now and small people like me who have five or so animals here are being told we're



shutout for 2020 altogether. I hope that there will be something to be done to help it set up. Thank you very much.

Agriculture Advisor Carrie Meadows: I appreciate that comment, and I'm also coordinating closely with USDA too. I will make sure to share that especially as it relates to small producers.

IV. Regional Administrator Panel

Chairwoman Kitty Barnes: Well, we really appreciate each and every one that has served on this assistant administrator panel. Due to our time running short, I'm going to move beyond the break and move right into our regional administrator panel. We are really pleased that we have the regional administrators on this call. And I'll begin with Region 1, Dennis Deziel.

1) Regional Administrator Dennis Deziel: Thanks. It's pronounced like the engine or the drink. Thanks everyone for having me today. Again, I'm Dennis Deziel, Regional Administrator from Region 1: New England. Sorry we can't meet in person, someday soon I hope we will. Thanks for your time and work. I know that time is very short, so I will be quick.

I am a New Hampshire native, have 20 years of federal experience, as well as experience in the private sector. As you may know, unlike most of the country, county government in New England is virtually nonexistent with the exception of sheriffs and district attorneys. Home rule is king in New England, and we have more than 1,100 municipalities across the region. We're making it our business to work closely with them each and every day by with working with the mayors and the town managers.

Our compact geography allows us to travel quickly between our states and cultivate relationships with our elected and appointed municipal leaders. I especially enjoy bringing important resources to mayors and town managers to fund brownfield cleanup, water infrastructure, and clean diesel vehicles.

I would like to acknowledge the three members of the LGAC from New England; Rodney Bartlett, Town Manager of Petersborough, New Hampshire, close to where I grew up. He has worked closely with our superfund staff to find creative ways to support in alternative water supply for his town. Susan Lessard who I know is not on the phone today: she's a Town Manager for Bucksport, Maine, which has really seen the rebirth of a former mill in the community with the help of EPA's federal brownfields funding. The mill area is also a federal opportunity zone which is a priority focus for us. And Ron Poltak is well regarded throughout



our region as the long serving executive director to the New England Interstate Water Pollution Control Commission where he worked for decades with state and municipal leaders, as well as our federal congressional delegation on critical water issues in New England. I look forward to working with each of you. The work epitomizes New England environmental priorities including PFAS, nutrients and harmful algae blooms, lead paint, and lead in drinking water, and brownfields and superfund cleanup.

Finally, I want to let you know that as local and county government struggle with continuing to ensure public participation in decision making, so do we. But we at EPA are committed to finding ways to work with our communities and host virtual public meetings and hearings on issues that are important to your residents. Federal advisory committees like this one even with remote participation play a vital role in helping shape national environmental policies, so your voice and participation matter and it's greatly appreciated. So again, thanks for the opportunity to be here today, I look forward to working with you all.

Chairwoman Kitty Barnes: Thank you very much. We appreciate your information and look forward to working with the representatives from Region 1. We'll move to Region 2, and we have Peter Lopez, who is the Regional Administrator. Mr. Lopez?

2) Regional Administrator Peter Lopez: Thank you to you Chairwoman, to our distinguished colleagues, and our members of the panel. I have to thank each and every one of you for participating. I had the chance to look at the bios and the resumes for you as a cohort and I was extremely impressed by the skillset, the knowledge, the creativity, and the experience. It's very clear that all of you are immersed in your communities and engaged.

I come from a history of engagement with local government. I served 15 years as a local official at village, town, county levels. I also worked in the state legislature staff for 21 years and served as a member of the New York State Assembly for six terms. Like my colleague, Dennis, I respect and understand the importance of local's determination and home rule. And very much, the critical nature of your role in problem solving within your communities. I just want to thank you for sharing your skills and insights.

And on that note, as with Dennis, we have three members who I'm very proud as part of the committee. Vincent Desantis from Gloversville; our Alcalde, Mayor Jose Dalmau from Carolina, Puerto Rico; and Chief Eric Thompson who I was just on the phone with last night from St. Regis Mohawk tribe in Mohawk Nation.

Just in terms of Region 2 for those unfamiliar, it's a very diverse region. We have New York, New Jersey, eight Indian nations, and we also have Puerto Rico and the Virgin Islands.



Our engagement is very diverse, multicultural, and we're very proud of our ability to interact closely with our colleagues in the communities.

Just as a quick note, my focus is on a few highlights. I come from a multi-disciplinary background, and all of the local officials have to do the same thing. We're all generalists and we try to put pieces together to make things work. My strength and what I try to encourage in the region is to focus on how we put pieces together to solve local needs. As I've worked with EPA, we have incredible programs, incredible staff. I also realize that it takes all of our engagement plus working with you and our state colleagues, and other federal agencies to make individual projects work. There's no one funding stream, or one program, or one agency that's going to meet the need. We're a very strong proponent of collaborative engagement and creative problem solving.

A couple of other points I just want to highlight is that as we do our work and as we focus on the environmental objectives, we're very much focused on what are the other priorities that you bring to the table; whether it's economic development with brownfield or other superfund mitigation, cultural or community priorities. It's been my experience and observation, we put this practice in the region, that environmental objectives are not mutually exclusive of other priorities. Because we're working closely with our local partners, trying to make sure those priorities, environmental, as well as the other important community priorities are front and center of any problem solving exercise.

Just one last highlight, the other piece that I'm very focused on is understanding that when we talk about environmental objective, and as I work in the state assembly, we'd often hear my colleagues talk about compliance and punitive sanction, and the more aggressive tools that are used to achieve environmental objectives. The one observation I've had which I've shared with my colleagues in the other regions and with headquarters is that meeting environmental objective is not necessarily – because the community can't reach an environmental objective, or a business, or others, may not mean that they're a bad actor. Some may be, some may be purposely destructive. But in other cases, it may be just the lack of knowledge, or a lack of resources, technical support, needed to achieve an objective. And I'll share a quick story with you, and then also my colleagues can reach out.

A couple of years ago I was asked by Department of Justice to make comment on enforcement action against the community in the Adirondacks, a rural mountainous portion of New York State. The Department of Justice was talking about the punitive sanctions and the penalties, and I was asked to make a quote. My quote was I'm pleased that we could work as a community to state and federal locals to ensure that the people have clean, safe drinking water, that their drinking water met federal standards. The Department of Justice came back and said, Administrator, we don't like your quote. And I thought it was interesting. They said, do you mean that you have to throw money at a problem to resolve it? And rather than get into with



them, I sent them statistics, and I'm sure this will resonate. I sent them per capita income, \$15,000, and the percentage of children in poverty, 25%. That ended the conversation. They accepted my quote. We went on.

So anyway, just to finish, it's our belief and practice that we need to be discerning about what are the challenges that our community sees and how do we put pieces together to effectively problem solve and meet environmental objective, but also be respectful of home rule, and other local priorities.

So with that, thank you so much.

Joseph Daniels: Commissioner Barnes may have been cut off for the time being. I would like to introduce Regional Administrator Cosmo Servidio.

3) Regional Administrator- Cosmo Servidio: First and foremost, I think the Administrator really summed up the incredible amount of work that EPA has done under the Trump Administration, which has been just from the 50-year span of the agency, just the work that we have accomplished and how that ultimately helps our local communities and the LGAC, and how important this discussion is.

I want to thank the members of the LGAC Region 3; Delegate Hansen, Representative MacKenzie, Supervisor Anne Mallek, Bill Youngblood, and particularly Mike Scuse, Secretary Mike Scuse from Delaware. One of the focuses I've had and continue to do so is with our Agricultural community and working with our farmers has been an important discussion. I want to thank Mike for his counsel to me on that.

Again, the work we're doing with our local communities and the success stories of working for EPA's mission, but ultimately we can fulfill our mission and obviously work with our economy, and realize how important that is to see our economy grow and protect the environment. It's possible with discussions like these and interactions with our LGAC members, and our communities throughout Region 3. I want to thank everyone for the opportunity today, and I really appreciate the talking that we've had. So thank you.

Chairwoman Kitty Barnes: We are now on to Mary Walker, Region 4. That's my region.

4) Regional Administrator Mary Walker: Good afternoon, Madam Chair. Thank you. I am Mary Walker, Regional Administrator for Region 4. And I am too am really glad to be with you



all this afternoon. I'd like to start off by recognizing our region's committee members. Certainly foremost, we have Chairwoman Kitty Barnes. We also have Brian Fulton from Jackson County, Mississippi who also chairs the Small Community Advisory Subcommittee. We have Commissioner Gary Black from the Georgia Department of Agriculture. Chairman Carvel Lewis from the Georgetown-Quitman County, Georgia. Mayor Matt Surrency from Hawthorne, Florida. And Jai Templeton from the West Tennessee River Basin Authority. We are very thankful that we have such strong representation on this committee.

For those of you who are not from Region 4, we are the Southeast Region of EPA. We work with the eight states and six tribes in the Southeastern U.S. We are a region that is just incredibly rich in natural resources. We have a third of the coastline in the continental U.S. We have over 400,000 farms, and 460,000 miles of river just to name a few. Given these resources, we are an incredibly fast-growing region and have been for some time.

In 1950, the population of our region was at 23 million, and today it is over 66 million, which means we're home to about 20 percent of the country's population. The growth has really not been evenly spread around the Southeast, so we work with our states and communities on issues on both ends of the spectrum of growth. Those communities that are managing rapid growth and infrastructure needs, but also with smaller, rural communities that have to manage environmental needs like water infrastructure with declining population. So that's the key focus for us.

You all have heard from the Administrator on our broad agency work. I thought I would just focus on a few areas that are unique and special in our region. Since we just announced 2020 brownfield grant, I would start off to highlighting that we are incredibly proud in the region of our Brownfield program. We and our states put a priority on working with our communities on redevelopment of contaminated land. Our communities are consistently very strong performers when it comes to brownfield redevelopment. Last year alone our communities in Region 4 leveraged over \$561 million in private and public reinvestment as a result of the Brownfield Grant Fund. We're always looking for new ways and better ways to work with our communities on brownfield redevelopment.

One special tool that we have in our region, which we actually developed in our region to assist communities is our (CUCP) program. This is our College Underserved Community Partnership Program. This is a program where we work to provide technical assistance to small communities by partnering them with local colleges and universities and some even technical institutions, as well as other agencies, in areas that they have a strong need or interest.

A good example on the brownfield front is work that we now have underway in North Carolina with the North Carolina DEQ. This is where we're following up with recent brownfield grant recipients by partnering them with local colleges so that they can receive services that aren't funded through the grant. This year, we're working with Chadbourn, North Carolina to



partner that city with the local college so the city can get additional GIS analysis and planning to build off their brownfield award.

We also do a lot of work in the front of disaster recovery. After Hurricane Michael, we had students from the University of West Florida who work with Calhoun County to create a housing needs assessment. That really was critical because that county had impact across their entire land mass. Just given where we are, we recognize that every year, we will, in some locations, have a storm that we'll need to respond to. And so readiness is really top of mind.

Right now we are currently planning on how we will respond in the area of COVID, because we will certainly continue to respond and support our communities. We'll just need to do it in a manner that is reflective of the COVID challenges as well. This is an area that we will work very closely with our other federal partners but also with state and local partners.

These are just the few areas that we work to actively engage with our communities. I'm so thankful that I get to be with you all. I will turn it back to you, Madam Chair.

Chairwoman Kitty Barnes: Thank you very much for the update. We'll turn to Region 5's Kurt Thiede.

5) Regional Administrator Kurt Thiede: Great. Thank you, Madam Chairwoman. Well, hello everyone. My name is Kurt Thiede, and I'm the Regional Administrator for EPA's Region 5 office based in Chicago. I'm responsible for overseeing EPA's efforts in Illinois, Indiana, Ohio, as well as Michigan, Minnesota and Wisconsin, and also work with our 35 tribal governments.

In this capacity, I'm also manager of EPA's Great Lakes National Program Office, and that's the role that I'm truly honored to hold. Prior to being appointed to the Regional Administrator position earlier this year, I had served as my predecessor's Chief of Staff here in Region 5 since 2018. My dedication to public service first began with Wisconsin Department of Natural Resources where I finished my 18-years in 2017, 10 of the years serving as the Deputy Secretary for that state agency.

The perspectives that I gained during my time in state government has certainly helped me to better understand the importance of working together and partnership with state and federal agencies. We can accomplish so much more when we're working together. And it also gave me a deep appreciation for the vital role that our local governments plays in the health and vitality of our country.

Throughout my time at EPA we have focused on enhancing the strength of our partnerships with our state co-regulators, local governments, and industry. This strategy has



certainly paid off to helping Region 5 in one area, becoming the leading region in the nation for air re-designations, resulting in cleaner air for our residents here, as well as a more efficient permitting process for companies, and increased economic opportunities for those communities. You heard AA Anne Idsal talked a little bit about that previously. I'm proud to say that we have re-designated 19 areas across the region to attainment of the health-based air standards since 2017. And we plan to re-designate an additional nine areas by the end of 2020.

Another key priority for the region over the past three years has been our cleanup work, both in land and water. Local governments are absolutely vital to the success of our brownfields program as you've heard from the other RAs mentioned this morning. EPA recognizes this, and that's why just last week, the agency announced the \$65 million in brownfield grant. I'm proud to say that \$13 million of which went to 27 Region 5 communities including places like Green Bay, Wisconsin.

The Great Lakes Restoration Initiative is another prime example of the power of this collaborative approach, which is why Administrator Wheeler made partnerships a key priority of something referred to as the Great Lakes Action Plan 3. Now, the fact is that we're all facing demand coordinating strategy, the resources, time, and knowledge that is required to just to have a lift for anyone to bear on their own. Given current state of the world, these struggles aren't going to ease up any time soon. As daunting as this may be, it leaves great room for innovation and creativity in the way we're approaching our work, which makes this job so rewarding.

I've seen firsthand how transformative our work can be to communities across the region. And I commend you all for your leadership, the importance of your vision, and commitment. We have a saying here in Region 5, that we're better together. And I'm so very thankful that you all are here to help us be better. I look forward to working with you as we try to tackle the many challenges that we face.

Before I sign off, a quick shout out to all of our Region 5 local elected officials on the LGAC. And also, our one member on the Small Community Advisory Committee. First, Eric Genrich, Mayor from my home state of Wisconsin, and home of the greatest NFL franchise up in Green Bay, Wisconsin. Joan Lee, Commissioner from Polk County, Minnesota. Steve Miller, Mayor from Fairfield, Ohio. Victoria Reinhardt, Commissioner from Ramsey County, Minnesota. And our Region 5 rep on the Small Community Advisory Committee, Thomas E. Willsey Jr., who's a trustee from Ross County Township, or the Ross Township in Ohio.

Thanks for your time today, and I truly look forward to working with all of you.

Chairwoman Kitty Barnes: Thank you very much. We'll move on to Region 6. And Ken McQueen who's the Regional Administrator. Mr. McQueen?



6) Regional Administrator Ken McQueen: Good afternoon Chair Barnes. Thank you all very much for your invitation to participate in today's meeting. This is my first LGAC meeting, I'm one of the newer RAs on the team. I thought I might introduce myself a little bit with some of my background. I worked 35 years in the industry of energy, oil and gas; the last 15 years primarily was in New Mexico and Colorado. By academic training, I'm a petroleum engineer. After I retired in 2016, Governor Susana Martinez in New Mexico asked me to join our cabinet as Secretary for Energy, Minerals, and Natural Resources.

During that time, Secretary Witte and I served as colleagues in the governor's cabinets. I was delighted to see Jeff's participation in this group. Jeff is a good friend. Governor Martinez termed out at the end of 2018 after serving two terms, so that ended my public service in New Mexico. I was delighted to join Region 6 this past August. As many of you will note, Region 6 is in the South Central and Southwestern part of the United States. It includes the states of Arkansas, Louisiana and New Mexico, Oklahoma, Texas, and 66 tribal nations. We are primarily stationed in Dallas, but we also have employees based on Houston, El Paso, and Tulsa.

Region 6 is a very diverse place on a number of different parameters. Just as one example, our rainfall across the region varies from 10 inches per year on the west side, to 65 inches of annual rainfall on the eastern border. Region 6 is the third largest region by area, and the fourth largest region by population. If you do the math, you'll see that our population density is pretty low. We're the fourth least populated region across the U.S. with 75 people per square mile.

As you might guess, a lot of Region 6 is heavily involved in agriculture. Agriculture plays a very big role across Region 6, whether it's pecans, and dairy in New Mexico, or cotton in Texas, wheat in Oklahoma, timber, pulp paper, rice in Louisiana, and a whole plethora of raw crops from Arkansas, as well as a large animal operation across Region 6. Agriculture significantly contributes to our economy. The other interesting aspect is we share 75% of the southern border with Mexico in Region 6.

Region 6 is also responsible for a large part of the U.S. domestic oil production. Today we produce about 70% of the oil and gas that's produced from the total U.S. And with that, we have a large number of refineries and chemical plants that go with that oil production, as well as a lot of interest being generated today with offshore crude export terminals.

We have a number of large superfund cleanups in process across Region 6. And as Mary mentioned, we are actively gearing up for Gulf Coast hurricane season. While I've been in Dallas, I really try to focus on stakeholder involvement and improving those relationships with the state, local, tribal partners. In addition to Jeff Witte as New Mexico's Secretary of Agriculture, I'd like to recognize our other members starting with Norm Archibald, Director of



the board of the West Central Texas Water Authority; Jeff Branick, the County Judge of Jefferson County in Texas; and Ben Kimbro who serves on the City Council from my home town in Tulsa, Oklahoma. Thank you very much.

Chairwoman Kitty Barnes: Thank you. Thank you for your presentation. And we'll move to Region 7 with Regional Administrator is Jim Gulliford. Welcome, Jim.

7) Regional Administrator Jim Gulliford: Wonderful, Madam Chair. Thanks for the opportunity to say a few words to the LGAC and the Small Community Advisory Subcommittee. First of all, I want to start by saying we are really delighted that Region 7 has a member on each of those committees to work with you. I think we bring you really talented people. City Councilwoman Ella Jones from Ferguson, Missouri is clearly working on issues of small communities that are in large cities, and their concerns for environmental justice, which is very important. But there are also very important concerns there for redevelopment, and we've had some success working with those communities.

The one I want to really call attention to as well is some of the faith-based programs. Because in many of our communities across the Midwest, community leaders and faith-based leaders are very active in their communities to provide great service and can be tremendous leaders. We see that across our region.

For the most part in our region, we have several major cities. Most of the cities and communities in Region 7 are served by people just like your committee members represent, our small cities and communities and towns across the region. As had been pointed out, we're sort of in the Midwest. Our states from Region 7 are Iowa, Missouri, Nebraska, and Kansas. And I'd like to describe them as sort of where the Corn Belt meets the Great Plains. We get a lot of diversity from an agricultural standpoint. And it's very important that we serve all off their needs in several ways.

You heard the inscription of some agricultural programs, how we regulate pesticide use, how important it is that we provide our growers with pesticides that meet their needs but also our concern for workers, and applicator safety, and that they're safe for the environment, and critically non-target species as well, including people. The people who live in those communities as well need to be protected from pesticide misuse.

I've had an opportunity in my career to work in the agricultural sector. For 20 years, I worked as the Director of Soil and Water Conservation Programs for the State of Iowa. There are many ways that our government services could assist farmers and rangers to provide the



conservation, the water quality protection that is so important to them, but also to our goals for a cleaner and safer and healthier environment.

As we look across the region of our states, we have wonderful natural resource assets; from the Sandhills of Nebraska, the plains of Kansas, the lush hills of Iowa, and the Ozark region of Missouri. Notice I didn't mention any mountains. You'll get those from our next speakers, and they'll do a great job describing programs that serve them as well.

We've got many challenges here in the region. We feel we are ground zero for some of the lead challenges in protecting our children. And that's why it's been great to get to know and work with another one of your members from the LGAC; Mayor Bill McMurray of the City of St. Joseph. As I've gotten to know Mr. McMurray, I found that he's had a wonderful career in the private sector, but also his professional lifetime in public service and community service as well. He deals with the many issues that you folks do, whether it's infrastructure, or the health and safety of the people that live in his community. We've had the privilege of supporting his interest in providing lead safety and lead awareness to members of his community. And I'm sure that he will be an advocate to your committee work as he can tell you his experiences in that, but also his goals for the safe and healthy community in St. Joseph.

Why do I like to do this work? It really gets to be very basic in many ways. We have statutes that you're all aware of; the Clean Air Act, the Clean Water Act, the Superfund Act, and some of those as well. But we're also going to a whole set of other broad authorities that serve our people in our country from environmental justice, environmental education, brownfields assessment, and the cleanup and job training that goes with it, food recovery, and pollution prevention. All of these are ways that we can actually work hand in hand with communities, supporting their needs, providing services to them. And the great pleasure that I get from that is that whether we're dealing with controlling emissions from a large power plant, or whether we're replacing the soil in just one family's yard where there's lead contamination and children present that we want to protect.

It's wonderful working with the largest amount of our people or just a single family, providing ways to make people's lives better, safer, healthier. And I think that's what our goal is for the Environmental Protection Agency in Region 7. Thank you, Madam Chair.

Chairwoman Kitty Barnes: Thank you for introducing us to Region 7. We'll move on to Region 8, Gregory Sopkin.

8) Assistant Administrator Gregory Sopkin: Thank you, Madam Chair for the opportunity to speak today. I am honored to be the Regional Administrator for Region 8. I would describe it



largely as the mountain states; Colorado, Utah, Montana, Wyoming, North Dakota, South Dakota, all beautiful states. I would say we do not have compact geography like Region 1. We may be the opposite of that. And other than the Denver Metro Area and the Salt Lake City Area, we do not have very compact population either.

But we have very important, very diverse issues here. A lot of oil and gas production, particularly in North Dakota and Colorado. We have a lot of agriculture here, similar to Region 7. Agriculture is the number one or number two product for four of our six states. So it is a very important issue there.

We also have a lot of mining here. And with that, we have a lot of very large, very complex superfund sites. Some of the oldest superfund sites in the nation lasting 30-35 years or more, and we're very happy to be part of that cleanup effort. Also, drinking water, wastewater, clean air, which are all important issues here in Region 8.

I come from a background in public service. I'm an attorney. I worked for the AG for several years. I was the Chairman of Colorado Public Utilities Commission for four years, so I really appreciate the public service that you folks here do. It's very important. And I appreciate your leadership on these issues.

I want to offer my congratulations to Chairman Fox of the MHA Nation for being on LGAC. We have 27 tribal nations in Region 8, and many of the largest tribal nations in the country. We are in very good communication with those nations, and their environmental needs and responsibilities. We also have a new tribe, the Little Shell in Montana. So we actually have 28. We're very excited to have the newest tribal nation in the country.

I've been having a lot of discussions with state environmental directors, tribal leaders, oil and gas directors, and agricultural leaders, as well as chambers of commerce. And the message that we try to impart is really how can EPA help you? We're not just the agency that has environmental enforcement as a lot of people think. We do offer a lot of services and help and grants and funding for a lot of important efforts.

When I get on the phone, as we've been doing in COVID times, I ask how's it going with food supply, and that we're very interested in avoiding food waste. It's one of our and Administrator Wheeler's highest priorities – how can we help with that? How can we help with disinfecting workplaces and public spaces? How could we help with compliance of the regulated industries during COVID-19? And how can we help with brownfields and other issues?

I'm in regular contact with state leaders on those issues, and also like to be in regular contact with the local government leaders, yourselves. I just want to close with the way that I've seen communities transformed with regard to our superfund and brownfields revitalization efforts. As I've mentioned before, we have very large superfund sites here, and I'm very excited that we're getting close to final resolution on some of the largest sites in Montana, Butte and



Anaconda. I've seen the community of East Helena absolutely transformed, cleaned up, and beautiful park-like Riparian areas established for the communities' recreation and benefits.

Chairwoman Kitty Barnes: I'm going to call on Region 9 and ask for Mr. John Busterud to give us a few brief remarks.

9) Regional Administrator John Busterud: Thank you, Madam Chair. I will be brief. I joined EPA Region 9 in February of this year. I'm a native Californian. I have a 30-year career in corporate environmental law, and also served as officer in the Army Reserve, and bring that sense of public service to this position as well.

Region 9, as many of you know, covers California, Arizona, Nevada, Hawaii, 148 recognized tribes and the Pacific Territorial Islands. I do want to just recognize the members who are on today's call from Region 9; Supervisor Bracker, Vice Chairman Lopez, and Mayor Ramirez. And thank you for having me on. I would say in this region we are certainly working a wide array of issues, and in almost every case engaging local leaders as our partners in protecting public health and the environment.

Priorities at this point in Region 9 include addressing transboundary pollution, which is a big issue all along our border. We are engaged in support for our tribes, focusing on drinking water systems, and support brownfields development as well. And we are privileged to make brownfields grant award last week in Arizona and Nevada.

So Madam Chair, I thank you again for the invitation.

Chairwoman Kitty Barnes: Well, thank you. And we will look forward to working alongside you. We'll move to Region 10 to Regional Administrator Chris Hladick.

10) Regional Administrator Chris Hladick: Thank you Madam Chair, and members of the committee. I thank you for your service. And I thank Shawn Yanity, Cynthia Pratt, Brian Holter, and Melissa Cribbins for serving from Region 10. Region 10 is Alaska, Oregon, Washington, and Idaho. Of course, Alaska has more coastline than the continental United States. We have mining, timber, agriculture, and commercial fisheries. 51% of the nation's seafood comes from the Bering Sea. We have 271 tribes in Region 10, and working with the tribes has been one of the joys of this job for me.



I come from a background of local government. I was a city manager for 25 years and moved on to be the Commissioner of Commerce for the State of Alaska. And then of course now, the Regional Administrator for Region 10. I very much appreciate the job that you do, and I pay close attention to the struggles that especially small communities have in trying to meet water quality standards and trying to keep their projects moving forward. And I bring a unique perspective in that I understand that communities have many things on their plates, not just what EPA would like to make the most important things for them. I also understand that some of our regulations become unfunded mandates.

I look forward to working with you, members of the committee. And especially Cynthia, I'd love to help you with your WIFIA loan down in Lacey. With that, thank you very much for the time.

V. Words from the Associate Deputy Administrator

Chairwoman Kitty Barnes: Thank you for your presentations. I will now move to our Associate Deputy Administrator of EPA, Doug Benevento, and ask him to give some remarks on behalf of the EPA.

Associate Deputy Administrator Dough Benevento: Thank you very much. There was an upgrade in leadership in Region 8 when Greg came on. He's doing a great job there and he's a welcome part of the EPA team.

I want to start by saying thank you all for having me on. I'm probably going to repeat Greg in one instance and trump him in another. But I'll also say hello to Chairman Fox of the MHA Nation. It's been a while since I've been out there. But Chairman, I hope you'll have me out again. I would love to do that. I recall you all had a polar bear plunge out there, I think in January. If that's still ongoing and if that's accurate, you can count me in for next January.

I also want to say hello to a really good friend, Commissioner Libby Szabo of Jefferson County, Colorado, who actually represents the area I grew up in. I've known Libby a long time, and it's always great to talk to her.

I think you've heard a common theme, whether it would be the AAs or the Administrator that we're still at work. I've been listening into the RAs as they've been talking about what they're doing and what their regions encompass. We are in the middle of a pandemic, and that makes a difference. But we are still at work, EPA is still doing its job. We are all teleworking. I can tell you, this has been a great example of teleworking and how teleworking actually is an effective tool for us continuing to do our work.



The Administrator went over the work we've done to address COVID. It's been an all agency effort. I won't repeat what he said. But I do want to emphasize a few points. From the programs that we run that approve disinfectants and the work that they've done has just been amazing. They have been working nights and weekends to approve new disinfectants. Because as you know, if anybody has been out shopping recently, there is a scarcity if you try to buy a disinfectant that is effective against COVID-19. They have been working just tirelessly to approve new disinfectants to try and get as many products on the market so that people have what they need to clean their homes and businesses as we move forward.

It's impossible to talk about the agency's response to COVID-19 without talking about the spectacular work that's been done by Office of Research and Development. They received \$1.5 million in funding from congress to do some additional research. We sat down to think about what needs to get done, and we reordered our priorities. ORD is doing a host of work including doing a lot of work on trying to develop, or see how we can assist industry in developing a longer term disinfectant, one that you can actually put down and that will remain effective against the virus without having to constantly reapply it. As anyone who particularly rides mass transit understands, it would be really effective in some of the larger metropolitan areas, and would be what I think makes a big difference in the fight against the coronavirus.

We haven't slowed down though. We're also continuing to do other work that the Agency had been doing before coronavirus. We're continuing to promulgate regulations, and we're certainly working with states and tribes, industry, and local governments on environmental issues that are important.

I think that we need to note that it's important that we continue to work together. Before I came on to be Associate Deputy Administrator, and I just had my confirmation here to be Deputy Administrator, I was in Region 8. Previously before that, I had also run the Colorado Department of Public Health and Environment. My background, and the background for many that you've heard from today, whether it be an RA, or an AA, is in state and local government. We understand that the implementation of environmental laws and the protection efforts are done at the state level. And even with the pandemic, that has not stopped. We know that there is still PFAS out there. We need to address that and we're still implementing our PFAS action plan. We're continuing to work with tribes and state and local governments to ensure that that is not a threat in their communities.

And we're also still focused on air quality improvement. Region 5 in particular over the past few years has done a really good job of working with their states to ensure that we move forward, to move areas that are not meeting air quality standards to developing plans that meet air quality standards, and so that we can ensure the public in those areas that they're breathing healthy air. As Greg mentioned, superfund cleanup is a big focus for us, and that work continues as well.



I do want to end by thanking all of you. You may wonder sometimes if your service on panels like this makes a difference. And I want to tell you, yes, it does. As I mentioned, I was previously in Region 8. I was in Colorado. In September, I moved to DC. I can tell you there's a difference between being in Colorado or being in North Dakota, or being in anywhere else, and being in DC. It's important particularly for those of us that work in DC that we have a place where we can go and touch base with our state and local partners and say – how are things going, are we doing a good job, what are we missing, what should we be focusing on? This panel serves that purpose, particularly for someone like me.

I've been looking over your draft annual report before this meeting. I can read that, I can talk to all of you, I can pick up the phone and call Mark, or call Libby, or any of you, and say how are things going, tell us what we're missing, tell us what we're doing well. And that, particularly for those of us in DC makes a difference.

I'm going to end it there. I want to thank all of you for your time and your effort and your service. And if you need anything, please give me a call, I'm available. Thank you.

Chairwoman Kitty Barnes: Thank you very much. We appreciate hearing from you and appreciate the position that you're in. We are glad to know that you've had been boots on the ground with us also.

VI. Discuss Risk Communication Report

Chairwoman Kitty Barnes: At this time I need to ask at this time if there are any persons on the line for public comment.

I don't believe we have anyone for public comment. We will move on to the risk communication report. This report comes to us from the Revitalizing Communities Workgroup, which is chaired by Victoria Reinhardt. I want to recognize the work that they have done over the past year. I would ask Victoria; do you have any comments or anything you would like to add? I know that all of the members have received the draft copy and notes in regards to what changed from when other workgroups reviewed it.

Commissioner Victoria Reinhardt: Thank you, Madam Chair. I am very pleased with the work of the entire committee with Joe to make sure that we kept on track and really worked through all of the different issues. He did provide, as you stated, an overview of some of the changes as it



went through the other committees. I'm very pleased on behalf of the committee to be able to present it today for approval. I can answer any questions.

Chairwoman Kitty Barnes: Yes, I would like to open the call for any questions or any discussion.

Deputy Mayor Cynthia Pratt: I want to apologize because I'm a new member. I have not had time to really go through this entire document with the fine comb.

It's unfortunate that we haven't taken out some of the superfluous language. It's a good document, but because it's a community effort, so I can see that some of it I could not be tightened up. Otherwise, I think it gets us the point of how to communicate risk to local governments and so forth. So that's my comment.

Chairwoman Kitty Barnes: Thank you. Others?

Administrator Brian Fulton: Madam Chair, this is Brian Fulton with SCAS. I just like to take an opportunity to applaud the work that's been done by the Revitalizing Communities workgroup on this. We reviewed it in our committee and approved it unanimously. And I just think its great piece of work and certainly in support of us adopting it as a group. Thank you.

Mr. Ron Poltak: I've had the opportunity to review each and every iteration of the document given I'm in my second term on this committee. I am appreciative of the efforts that went into this, as well as embracing the intent to which it was done. I understand that it can get wordy in places, but on the other hand, its direction is spot on. With that said, I would move approval.

Chairwoman Kitty Barnes: Thank you. I was going to ask if there was a motion. Is there any other discussion? May we have a second?

Commissioner Victoria Reinhardt: I second.



Chairwoman Kitty Barnes: Victoria has seconded. Now, we will have a verbal vote. All in favor signify by saying aye.

Several Aye's are recorded

Chairwoman Kitty Barnes: Any opposed?

Pause

I believe that has passed unanimously. And thank you Victoria and all the members of this Revitalizing Communities workgroup. We really appreciate all that went into this.

VII. Adjournment

I know this has been a lengthy meeting, and hopefully you've gotten up and walked around a little bit during the course of this. I think we've heard from a one lot of speakers that have highlighted work in areas that perhaps some of us are not as familiar with as others. We look forward to what charges will come before our workgroups in the future.

I would like to make note that we do have workgroup and SCAS meetings set up. Our next workgroup meetings will be the Air Workgroup meeting on Monday, June 8th from 4:15 to 5:15pm ET. The Water and SCAS groups will be combined for a meeting on Tuesday, June 9th from 3:00 to 4:00 pm ET. And the Revitalizing Communities will meet Wednesday, June 3rd, from 2:00 to 3:00 pm ET. And I know that Joe will send all of us notifications of those meetings and keep us apprised of other activities within the EPA.

I want to thank each and every one of you today for your attention and for your participation. I look forward to the time when we can all meet together. This time, I would adjourn the meeting. Thank you.