



Oregon

Kate Brown, Governor

Department of Environmental Quality

Agency Headquarters

811 SW Sixth Avenue

Portland, OR 97204-1390

(503) 229-5696

FAX (503) 229-6124

TTY 711

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The Honorable James M. Inhofe
Chairman, Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510-6175

Dear Senator Inhofe:

This letter is in response to your January 12, 2016 request for feedback on the state resources and efforts necessary to comply with U.S. Environmental Protection Agency (EPA) regulatory actions. The Oregon Department of Environmental Quality (ODEQ) appreciates the opportunity to provide comments to the Senate Committee on Environment and Public Works regarding our working relationship with EPA in the implementation of environmental regulations.

Our agency is authorized or delegated to implement a number of federal environmental laws in Oregon including the Clean Air Act, Clean Water Act, Safe Drinking Water Act, and Resource Conservation and Recovery Act. In some cases, we share responsibilities with other state agencies including the departments of health, agriculture and forestry. EPA and our state agency have different roles. It is to the states' advantage that EPA is in an overarching federal role, supporting states in the performance of their responsibilities.

Our agency has been an active member of the Environmental Council of the States (ECOS). ECOS and EPA have been working closely over the past several years to build strong relationships between the states and to allow for greater participation as existing federal rules are modified and new rules are developed and implemented. The dialogue over draft rules helps EPA to better understand the implementation challenges that a state will face. EPA has been receptive to this dialogue and has revised a number of draft rules that in their final version are easier to implement and lead to more effective and less costly compliance. At the state level, ODEQ frequently invites EPA to work with us when developing new water quality standards or addressing challenging permit issues, as this allows the state to benefit from their technical and regulatory expertise. Recent drinking water crises in Charleston, Toledo, and Flint highlight the need for federal, state and local efforts to be well-coordinated if we are to effectively address new and evolving threats to our national drinking water systems.

One of the biggest challenges for many states is helping small communities and businesses understand and comply with environmental rules. Our state has many small communities which lack the financial ability to address environmental compliance. As one example, in 2006 EPA revised the National Ambient Air Quality

Standards for fine particulate matter, also known as PM2.5. Since then the town of Lakeview, Oregon has either come close to exceeding or has exceeded the PM2.5 standard but has not been formally designated as a nonattainment area. In 2013, EPA announced the PM Advance program, which is a voluntary program that allows communities to develop a plan to reduce PM pollution and potentially avoid a future nonattainment designation. In response, Lakeview and Lake County signed up to participate. Local government officials, a local air quality committee and our agency worked together to prepare a plan to reduce PM2.5 emissions through strategies that local citizens and companies can implement. Throughout the planning process, EPA Region 10 Air Quality staff worked with ODEQ and provided guidance on a number of issues to ensure the final plan would work for the community. ODEQ submitted the final Lakeview PM Advance Plan to EPA on September 30, 2014. This is an example of how new tools from EPA along with much needed guidance and cooperation have helped a community improve air quality and avoid the stigma and economic development restrictions of nonattainment status.

Despite such successes, federal support has been declining. Examples are reallocation of Clean Air Act section 105 grants, which will likely result in a 30 to 40 percent reduction in funding to Oregon and other less populated states. The Clean Water State Revolving Fund is proposed to be reduced in 2016 by 23 percent and EPA grant funding to our hazardous waste and underground storage tank programs have decreased by approximately 15 percent over the last ten years. We will be challenged to maintain, let alone make necessary improvements to these programs due to shrinking resources at both EPA and our agency.

Thank you for the opportunity to provide input to the Senate Committee on Environment and Public Works. Our agency's success depends on a cooperative working relationship with EPA to accomplish our collective state and federal environmental goals. We strongly encourage the Committee to consider increased funding through EPA so that we have the resources Oregon needs to update and fully implement programs that maintain environmental compliance, particularly in small communities.

Sincerely,



Dick Pedersen
Director

CC: Oregon Governor Kate Brown
U.S. Senator Jeff Merkley, Oregon
U.S. Senator Ron Wyden, Oregon
Drew Johnston, Federal Relations Director, Oregon Governor's Office
Gabriela Goldfarb, Natural Resources Policy Advisor, Oregon Governor's Office