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State of Vermont
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February 4, 2016

The Honorable James Inhofe
205 Russell Senate Office Building
Washington, DC 20510-3603

Dear Senator Inhofe,

I am writing in response to your January 12, 2016 letter seeking feedback regarding the impacts of recent U.S. Environmental Protection Agency (EPA) regulatory actions.

As your letter correctly notes, delegated states such as Vermont are primarily responsible for the oversight and implementation of federal environmental programs. Presently, Vermont is delegated to manage the Resource Conservation and Recovery Act (dealing with hazardous waste), the National Pollution Discharge Elimination System (Clean Water Act), the Clean Air Act, the Safe Drinking Water Act and the Toxic Substances Control Act.

The federally delegated programs that Vermont manages were not forced on our state by the EPA or the federal government, rather Vermont chose to take on the responsibility to run these programs. There are many reasons that Vermont made the decision to assume primary responsibility for these programs. First and foremost Vermont's environment is vital to our economy, which is led by tourism. Business and industry in Vermont use the state's natural beauty and pristine environment as a draw for high quality employees to stay or relocate here. By managing these delegated programs Vermont is in the driver's seat for insuring that our state's most vital resources, our environment and our people, are properly protected by consistent assistance, regulation and when needed, enforcement. This local control is even more important in light of the ever-shifting political views regarding the environment in Washington.

Your letter also notes that the EPA promulgates new rules that the delegated states such as Vermont are required to implement. You are correct that implementing any new rule takes staff time and effort to accomplish. While it sounds like some states are troubled by new EPA rules, in Vermont we are appreciative that the EPA has the expertise to study the environment and manmade impacts on it, and formulate rules that best protect human health and the environment. It would be very difficult and inefficient for each state to try to take on all of the important work done by the EPA. Doing so would

result in a patchwork of regulations that would vary from state to state, and would encourage, at least in some states, a race to the bottom in an effort to attract economic development.

As I am sure you are aware, when a state like Vermont is delegated to manage an EPA program federal funds are provided to the state to run that delegated program. One area where you and your committee could most benefit all the delegated states would be to adequately fund state implementation efforts of new rules and programs. For example, it has been estimated by the Association of State Drinking Water Administrators (ASDWA) that federal funding under the Safe Drinking Water Act is falling short to the tune of \$240 million just to administer a minimum program and \$308 million to run a more robust program. Over time, Congress has failed to increase the funding provided to the states which, as a result of inflation, has further exacerbated this problem. I truly hope that you and your committee will work to insure that delegated states have adequate funding to properly administer these important programs.

Another area where the Senate Public Works Committee can assist the states is in supporting business process improvement strategies that the EPA and the states are undertaking. For example, EPA is currently working in partnership with Vermont to consolidate public notice and comment processes to foster a more accessible, consolidated and cost-effective process for the public and the regulated community. We greatly appreciate the EPA's focus on finding efficiencies to streamline processes while achieving environmental and public health protections.

In closing, I want to reiterate the important work that EPA is doing to protect human health and the environment. The delegated states simply could not do this work without the leadership of the EPA. In Vermont, our partnership with EPA is crucial to our efforts to protect our environment and the health of our citizens.

Thank you again for seeking our opinion on this important matter. I look forward to seeing you and your committee taking the lead to increase funding levels to the delegated states to a level appropriate to the work that the states undertake and to support business process improvements that allow us to better achieve our shared goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Deb Markowitz". The signature is fluid and cursive, with a long horizontal line extending to the right.

Deb Markowitz, Secretary
Vermont Agency of Natural Resources