



HEARING ON THE FISCAL YEAR 2022 PROPOSED BUDGET FOR THE U.S.  
ENVIRONMENTAL PROTECTION AGENCY

Wednesday, April 28, 2021

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee, met, pursuant to notice, at 10:04 a.m. in room 301, Dirksen Senate Office Building, the Honorable Thomas R. Carper [chairman of the committee] presiding.

Present: Senators Carper, Capito, Cardin, Whitehouse, Markey, Duckworth, Stabenow, Kelly, Padilla, Inhofe, Boozman, Wicker, Sullivan, Ernst.

STATEMENT OF THE HONORABLE THOMAS R. CARPER, A UNITED STATES  
SENATOR FROM THE STATE OF DELAWARE

Senator Carper. Good morning, everyone. I call the committee to order.

We are pleased to welcome back before us our Administrator Michael Regan before our committee as we prepare to discuss President Biden's Fiscal Year 2022 Fiscal Proposal for the Environmental Protection Agency. Welcome. It is great to see you. Thank you for joining us earlier today on another call.

It has been some time since this committee has held a hearing on the EPA budget. I want to thank Administrator Regan for returning before us so soon after his confirmation a little over a month ago. I also want to acknowledge that a leader is only as good as the team around him or her, and I am very pleased and grateful with this committee's work to confirm Janet McCabe on the Floor yesterday by 52-44 vote as Deputy Administrator at EPA.

While not everyone our committee voted for confirmation, I really do appreciate the spirit of goodwill that everyone has demonstrated. The Administrator just talked to me again about his interactions with some of the members of this committee, how much he appreciated those. I think it bodes well for the work we have ahead of us to ensure cleaner air, cleaner water, and a better future for the American people.

With that, let me get started. It is oftentimes said that budgets are about priorities. While President Biden has only released a bare bones budget to date, it is clear that the Administration's priorities are aligned, at least in my view, with the needs of the American people. The budget focuses on protecting public health, supporting our Nation's economic recovery, and addressing the greatest threat that we face, and that is the climate crisis.

Over the last decade, EPA simply hasn't been provided with the resources it needs to get the job done. The agency has been largely flat-funded almost for a decade, a funding commitment that has undermined EPA's mission. Over the last four years, we have seen unfortunate Administration proposals to slash the agency's budget by 30 percent. That would have made EPA's ability to respond to a host of environmental challenges facing us even more daunting.

That is why I am pleased that President Biden's proposed Fiscal Year 2022 budget would largely restore the agency's degraded capacity by increasing its budget by roughly 20 percent. This restorative budget is necessary for EPA to have a fighting chance to ensure the hopes and expectations of a President and Congress 50 years ago are realized today.

At no time in recent memory has the need for investment in American health been more urgent than today, as we emerge from

the worst pandemic in 100 years. As we know, over the past year, the coronavirus has taken over a half million lives and has been especially deadly for many communities of color, low-income communities and rural communities throughout our Country. These are the communities that have been most assaulted by pollution over the years.

As co-founder of the Senate Environmental Justice Caucus along with Senators Duckworth and Booker, I am gratified to see that this budget focuses on protecting the needs of these communities, something that I know you, Administrator Regan, have prioritized at EPA.

I am also encouraged to see the Administration treat the ever-growing threat of the climate crisis with the urgency that it deserves. If we are going to successfully cut greenhouse gas emissions in half by the end of this decade while creating millions of new jobs, we need a strong EPA that uses science as its north star and has the resources that it needs to effectively seize this opportunity.

As we shift toward the clean energy solutions of the future, we must make smart new investments in infrastructure and workforce development to support these efforts. The President's budget reflects the vision of this Nation that we can look to for inspiration as we work together to deliver on the promises of cleaner air, cleaner water in every zip code and create

good-paying American jobs to position our economy well into the future. In this Congress, EPA is already hard at work to realize that vision.

Senator Capito and I, with a whole lot of input from our colleagues throughout the Senate, are drafting a Surface Transportation Reauthorization bill and we have bipartisan water legislation currently before the full Senate, I think tomorrow. We are looking forward to a debate and hopefully a strong passage of that bill with a bipartisan vote.

That spirit of bipartisanship is at the core of EPA's story, whether the Chair was Jim Inhofe, or Barbara Boxer, or John Barrasso, or me. It is in our DNA, and we want to keep that routine as long as we can.

Coincidentally, when the EPA was created over 50 years ago, our Country was facing enormous challenges due to dangerous levels of air and water pollution. In 1965, a study by the New York City Council found that breathing New York's air had the same effect as smoking two packs of cigarettes a day. Think about that, two packs of cigarettes, just by breathing the air in New York City.

In response, spurred by life-threatening air pollution, not just in New York City, but all over the Country, a burning Cuyahoga River in Cleveland, just north of where I went to college, and a host of horror stories borne of rampant emissions

and discharges across the landscape, President Richard Nixon established EPA with the affirmation of both Republicans and Democrats in Congress. They tasked this new agency with protecting our air, protecting our water, and protecting our health.

Since that time, we have made tremendous progress in improving our Nation's air quality, providing safer drinking water, cleaning up hazardous waste sites and protecting against harmful chemicals. Today we face perhaps even greater challenges, a deadly pandemic, the worst economy since the Great Depression, and the urgent crisis of climate change.

On top of all that, another challenge persists at EPA, that is, how do we build agency morale after years of undermining it. To EPA's career employees, who have persevered through this turmoil, our Nation owes you a heartfelt thank you.

I will conclude by saying this. The challenges before us are great. But as my colleagues and Administrator Regan oftentimes hear me quote Albert Einstein, in adversity lies opportunity. Lots of adversity, but also plenty of opportunity.

We have Joe Biden as our President, our old colleague as our President, and Michael Regan as EPA Administrator, two people who I believe are uniters, not dividers. Now we have an opportunity to come together to face the crises before us, united in common purpose. With new and capable leadership,

strengthened by a restorative budget proposal, EPA and the rest of us face brighter days ahead, especially if we continue to make more progress on vaccination, on vaccinating Americans. Michael, we look forward to hearing from you about how you plan to bring us to that brighter future.

With that, I want to turn first to our Ranking Member, Senator Capito, for any remarks that she might like to make. Welcome, and thank you, Senator Capito.

[The prepared statement of Senator Carper follows:]



STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES  
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Thank you, Chairman Carper, and thank you for having today's hearing on the EPA's budget proposal for the upcoming fiscal year.

Administrator Regan, welcome back to the committee. Congratulations on your confirmation. I think this is the first chance I have had to tell you that in person. I greatly appreciated our commitment throughout the nomination process to regular and transparent communication with Congress and your presence here today is a testament to that commitment. So, thank you.

I look forward to hearing more about the President's budget proposal and your vision for the EPA. We all want a government that serves the American people and is receptive to their needs. While we work together to develop bipartisan legislation and policies through regular order, we increase our chances of achieving that goal.

I want to thank Chairman Carper for following that approach to developing a drinking water and wastewater infrastructure bill that is on the Floor this week. We are all excited about that in this committee, aren't we? Yes.

Administrator Regan, I thank you and your team for their technical assistance to our committee staff in developing this

bill. It has been absolutely critical. We look forward to pushing for its enactment into law and eventual implementation by EPA.

I also want to thank the Administration for pushing forward with the publication of the regulatory determination for PFAS and PFOA, you and I have talked about this many times, under the Safe Drinking Water Act following my letter that I wrote to Chief of Staff Ron Klain. Setting drinking water standards that follow the regulatory process is another example of an area where there is bipartisan agreement.

I look forward to hearing more from you during this hearing about the status of the agency's activities under the PFAS action plan that was released in 2019.

An area where I have real concerns, however, is the direction that the agency is taking, and the Administration is taking, with climate. I do not believe a bipartisan approach to climate regulation is being followed by the EPA so far. I hope that you can change that. The Biden Administration has rolled out historic numbers of new climate actions by executive order.

Last week, the Administration unveiled a new U.S. nationally determined contribution under the non-binding Paris Agreement. The Administration promises to meet that new target through new regulations. I fear that the Biden Administration intends to double down on its regulation of the American energy

sector while letting China take our place as a global energy leader.

The budget proposal we are discussing today, unfortunately limited in its detail, calls for \$14 billion more to be spent on climate across almost every agency. That is the entire President's budget. EPA's overall budget would grow by 20 percent. The Chairman has talked about that.

Part of that requested increase is to fund implementation of climate regulations under the Clean Air Act. I am concerned this request signals a desire to reimpose over-reaching climate regulations. We want to get to the same place here, I think all of us do, in terms of clean air and less emissions.

West Virginia saw the effects of aggressive climate regulations combined with difficult economic conditions during the Obama Administration. I don't want to repeat that history as we come out of this pandemic.

Regulations like the Clean Power Plan had such tremendous implications for States like ours. It created, for me, environmental justice concerns. You and I have talked about this. I know environmental justice is important to you, and it is to me as well. Without question, the climate regulations of the Obama Administration contributed to "disproportionately high and adverse effects on the health of low-income populations in West Virginia." The economic decline since 2008 in some parts

of my State is shocking.

As John Deskins from West Virginia University testified at a House hearing last month, the decline of the coal industry has cost West Virginia 15,000 jobs and \$3.5 billion in direct economic impact. Deskins observed that the concentration of these job losses created a great depression in six southern West Virginia counties.

Economic decline has left behind a cycle of drug abuse, poverty, despair, and health implications. I think sometimes we struggle to define environmental justice, what it is and what it is not. Executive Order 12898 on Environmental Justice was signed by President Clinton in 1994, and has been implemented by Democrat and Republican Presidents. I think it offers a perspective on environmental justice that we can all agree with. The Executive Order tasks the EPA and other agencies with "identifying and addressing as appropriate disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

Environmental justice is meant to prevent negative impacts on low-income populations from regulations before they happen. Environmental justice for West Virginia means recognizing that some regulations can harm communities, and making a decision not to enter a regulation would be maybe the better path.

I look forward to discussing with you how we can work together. I appreciate your openness, I really do, to ensure new climate regulations that could present some harm to communities like I have described in my State and across the Country, that we prevent those from moving forward.

I also look forward to discussing other environmental issues, from ensuring safe drinking water, to cleaning up contaminated land, and these are places where I know we can work together.

Thank you again for joining us today, and thank you, Mr. Chairman.

[The prepared statement of Senator Capito follows:]

Senator Carper. Senator Capito, thank you very much for those remarks.

After our Administrator testifies, I am going to step aside and, Senator Capito, if you want to ask the first round of questions, feel free. I will yield to other members of the committee who may have greater pressing matters to get to.

So with that, Mr. Regan, we are delighted that you are back, and we wish you and your family all the best. Welcome, tell them we said hello, and please proceed. Thank you.

STATEMENT OF THE HONORABLE MICHAEL REGAN, ADMINISTRATOR, UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Mr. Regan. Thank you. Thank you, Chairman Carper, and Ranking Member Capito, and members of the committee.

I am grateful for the opportunity to appear before you today to discuss the U.S. EPA's discretionary funding request for Fiscal Year 2022. For half a century, EPA has helped provide the American people with clean air to breathe, clean water to drink, and safe, healthy land.

The EPA's dedicated public servants, including seven staff members who have been with the agency since its inception in 1970, work every day to improve the lives of people across this great Nation, and have risen to meet the challenges presented to us as a result of the COVID-19 pandemic.

Earlier this month, President Biden sent to Congress a discretionary funding request for the Environmental Protection Agency at \$11.2 billion. We believe this request will help ensure EPA can continue to meet the essential mandate, set the stage for our Nation's economic recovery, and provide the resources necessary to confront our environmental challenges, especially in our most overburdened communities.

The President has seized this moment to reimagine a new American economy that leads the world in advancing clean energy, modernizing our infrastructure while enabling it to withstand

the impacts from climate change, and rights the historic wrongs of environmental injustices that have held back generation of Black, LatinX, indigenous, and low-income communities. This funding request reflects the understand that a healthy environment and a healthy economy are not mutually exclusive. They actually go hand in hand.

These investments will provide a tremendous opportunity to leverage American innovation, put people back to work, and protect our communities, our families, and our children from environmental hazard and harm. In short, this request recognizes the profound urgency and existential threat of the climate crisis, and provides EPA with the resources essential for fulfilling our mission to protect human health and the environment, which creating good-paying American jobs.

Ensuring access to clean and safe water for all Americans impacts our Nation's climate resilience, and is integral to advancing environmental justice. At EPA, we have seen that investing in water infrastructure is a win-win for public health and economic development. EPA's Water Infrastructure Finance and Innovation Act loan has helped finance \$19.4 billion in water infrastructure and helped to create over 47,000 jobs nationwide.

The 2022 funding request requests \$3.6 billion for EPA to rebuild our water infrastructure. It is an increase of more



than \$600 million over the Fiscal Year 2021 enacted level. This includes targeted increases to the State Revolving Loan Funds to assist States, tribes, and territories with infrastructure projects that help provide safe drinking water and clean water in communities all across this Country.

Water infrastructure investments, however, represent only one side of ensuring safe and clean water. The agency will invest resources and expand its efforts to address the pervasive and persistent chemical known as PFAS found in our drinking water. As part of the President's commitment to tackle PFAS pollution, this funding request provides approximately \$75 million to accelerate toxicity studies and funds research to inform the regulatory developments of designating PFAS as hazardous substances, while setting enforceable limits for PFAS under the Safe Drinking Water Act. Additional funds for technical assistance grants have also been set aside for State and local governments to deal with PFAS contamination in their communities.

Under the President's leadership, we are heeding our call of the youth who are courageously urging world leaders to fight the climate crisis with the innovation, fortitude, and resolve that it demands. This budget invests in programs that will help reduce greenhouse gas emissions, including an additional \$100 million for air quality grants to go to States and tribes to

tackle emission levels on the local and regional scale.

An additional \$30 million will also help improve knowledge and impacts of climate change on human health, the environment, and infrastructure, through our research programs, more than doubling EPA's climate change research and additional investments to decrease emissions of methane and HFCs.

Much like climate change, environmental justice underpins all of our work. The pandemic ignited a perfect storm for communities of color and low-income communities who already bear the burden, the highest burden of pollution, suffer the highest rates of mortality from heart and lung disease, and now COVID-19, too. This budget invests \$936 million toward a new accelerating environmental and economic justice initiative that will help create jobs, clean up pollution, implement the Justice 40 initiative, and advance racial equity and secure environmental justice for communities who have often been left behind.

With that, Chairman and members of the committee, the Fiscal Year 2022 budget will help EPA can meet the interconnected health and environmental crisis we face, lift up communities who have long been left behind, and put the Nation on a prosperous path for economic recovery. This funding request lays down a marker that EPA is ready to meet the moment.

Thank you for the opportunity to testify. I look forward

to our continued partnership, and welcome today's questions.

[The prepared statement of Mr. Regan follows:]

Senator Carper. Administrator Regan, thank you very much for those words, and again, for your presence today.

Senator Capito, would you like to lead us off, please?

Senator Capito. Sure, thank you. And thank you for your statement, and I will get right to it.

Last week, the Administration pledged to reduce greenhouse gas emissions by 50 percent to 52 percent from 2005 levels by 2030 as part of an international climate summit organized by the President. According to a White House fact sheet, the National Climate Task Force developed those figures from "a detailed bottom-up analysis, standards incentives programs, and support for innovation were all weighed in the analysis."

I know that you are a member of that task force. So I am interested to know more about what EPA's role was in developing this, which EPA regulations did they rely on to get this admissions pledge. And I also would like to know if it is public information we could see how these figures were arrived at.

Mr. Regan. Thank you for the question, Senator. I believe and know that EPA is central to the NDC number that was developed. What we did as part of our contribution, I would like to acknowledge that the NDC number is a government-wide approach.

Senator Capito. Right.

Mr. Regan. Not purely from regulation, but looking at all of the agencies' contributions through regulatory and non-regulatory.

Our role will be critical. I think we projected what we can accomplish and do through our non-regulatory and regulatory programs. So when we look at what we are planning to do with tailpipe emissions standards on our vehicles, when we look at what we plan to do on regulations that focus on emission reductions, and when we look at what we plan to do in concert with the Clean Power Plan, those are just a few of the regulatory actions that were considered in the NDC.

Along with voluntary programs that we have, our Energy Star program, looking at our partnership with agriculture and all the work that they are doing on a non-regulatory level.

So we attempted to quantify EPA's role and its contribution to meeting that NDC. We believe that it is a good target.

Senator Capito. Are those figures, you have mentioned quite a few, are those available for public view to see what you estimated the emissions reduction targets would be under those programs?

Mr. Regan. I think the information that we generated that focuses on conceptually where these regulations might land within a range, that information can be made available.

Senator Capito. Thank you. I would like to see that.

Last year, the President signed two pieces of legislation in the Diesel Emissions Reduction Act, and also the USEIT Act, which helps EPA to support carbon capture utilization and sequestration research and permitting. I am wondering, and this was touted at the time, certain, the AIM Act, which is, I think, the Diesel Reduction Act -- no, I am sorry. The American Innovation and Manufacturing Act, is another one of these, your HFCs. Your HFCs, our HFCs. It is perhaps the most significant climate legislation.

Your budget and your testimony do not mention the USEIT Act or the AIM Act. Is this still EPA top priority, and are you going to begin the regulatory framework for this? This is obviously something we came together on and it is important to all of our members.

Mr. Regan. Absolutely. Absolutely, it goes not unnoticed that the AIM Act is one of the most important pieces of legislation to combat climate change. I am happy to report that we are excited about that bipartisan piece of legislation and we are on track, we are on track for developing the regulations and the implementation associated with that.

Senator Capito. Knowing that regulations take a long time to roll out, are we talking years, here? Six months? How do you quantify that?

Mr. Regan. I would have to take a look at exactly what the

time frame is. I can tell you it is a priority. I just had a briefing and a discussion this week. So we can get the specific timeline.

But we recognize the urgency and the importance of the legislation. We can provide you with those details.

Senator Capito. Okay, let's talk PFAS here for just a minute. You mentioned it and certainly I mentioned it as well. While EPA has made a lot of progress under the PFAS action plan, there is obviously a lot of work left to do. As you and I have talked, we need to make sure we have the sound science here.

You are requesting \$75 million focused on PFAS studies and research. Could you give a few more details? Also, that drinking water standard is where I have a great deal of interest. I want to know where you all are on that and where you think you might be able to give us something more definitive in your action plan.

Mr. Regan. Yes, I will say that, and obviously for the \$75 million there would be a lot more detail in the full budget to come. But we are moving full steam ahead. Setting that drinking water standard is very important to us. We are moving ahead with that. I think we had to make up for some lost time to ensure we had the best science informing that drinking water standard and looking at our statutory authority.

In addition to setting that drinking water standard, we are

also looking at the science behind designating PFAS as a hazardous substance. We want to be able to look across multiple EPA programs. So we are having a look at PFAS, and the applicability of CRCLA. We are looking at PFAS as it relates to a drinking water standard. And we are also looking at, I have actually set up a PFAS council within the agency to be sure that as we look at our Superfund-Brownfields approach, CRCLA approach, rather, and looking at our drinking water approach, that we are looking at PFAS in its totality, that we recognize it is a pervasive chemical, it is impacting many communities.

So in addition to the regulations, we also have some remediation and cleanup that we know needs to be done and needs to be done fairly quickly. So we are taking a comprehensive look at it.

Senator Capito. Good, thank you.

A quick question. You allude to a lot of research, additional research dollars. I am curious to know, those research availabilities, they are spread all over the Country, I would imagine, to different higher education institutions. It is not done just within the EPA. Is that a correct assumption on my part?

Mr. Regan. It is. Many of these chemical compounds, there is just not a lot known about the health impacts. So when we think about setting regulations, we want to be sure that we set



the regulations at the appropriate level. We don't want to miss that mark.

So the more we can convene with our academic institutions, the CDC and others, to be sure that we have the right amount of science and health studies to set these regulations, I think the better off it is for all of us.

Senator Capito. So I would encourage you, if you do get the available funds and you are expanding your research, to maybe go outside what would be your typical universities or colleges that are known as the biggies, I will call them, the big guys, to look at West Virginia University or Marshall University, the universities all throughout this Country that have a great deal of bandwidth to be able to do these kinds of things, looking for research opportunities. Particularly in our State, having been the ones that are sort of at the tip of the spear of a lot of these regulations, I think it would help us become part of that solution.

So I would encourage you at EPA to look in that direction. Thank you.

Mr. Regan. Thank you.

Senator Carper. In the Navy, when we are wanting somebody to take home a particular message, whoever is instructing a class or whatever, they would stomp their foot, and we would be reminded to take notes. That was probably a foot-stomper right

there. Thanks for those questions and responses. We have on deck, Senator Cardin, I believe, is next by WebEx, followed by Senator Inhofe. Senator Markey is next on WebEx and Senator Boozman after that.

Senator Cardin, you are up, and then Senator Inhofe.

Senator Cardin. Mr. Chairman, thank you very much.

Administrator Regan, thank you for your leadership at EPA. I want you to know, many of us are very supportive of President Biden's commitment in regard to the Climate Summit and what America will do. We are going to be a global leader because we recognize this is a global problem, and we have to lead by example. So there is strong support for the initiatives of the Administration.

I want to follow up on a conversation we had a little bit earlier today in regard to clean water and the availability of clean water and the environmental justice issues, then climate resilience and water infrastructure. We are going to give you some additional help today in a bipartisan bill that we expect to pass on the Floor in regard to clean water, drinking water, and wastewater.

I want to deal with the issue that, in dealing with resiliency, there is a cost issue to the local agencies. The ability to deal with this by the ratepayers presents significant affordability challenges.

So in the legislation we are considering on the Floor, there is a pilot program that was offered by Senator Wicker and myself that will allow you to establish pilot programs to deal with the affordability issue. I know you have other tools available in your tool kit to deal with this. I really want to hear how this budget that is being submitted will help us deal not only with clean water, safe drinking water and wastewater, but how it will deal with the affordability. What resources can be made available to deal with the community challenges on the affordability of water?

Mr. Regan. Senator, thank you for that question. It is an excellent question. I am so delighted that there is a bipartisan bill coming from this body that demonstrates that this is a bipartisan effort that is plaguing many communities across the Country.

The good news is that EPA has experience in this area with our water infrastructure grants and loan programs. So what we want to do is infuse capital into an infrastructure program that is tried and true, and that we have invested billions of dollars in over the years and helped to spur economic prosperity through those lenses.

I think there are low interest and no interest loan programs as well as our grant programs. We have targeted criteria for those recipients who are best positioned to

leverage these resources, whether it can be through a loan program that they can afford to repay or grant programs, where we have some of the challenges that you have raised. Water affordability is very important to this agency, being led out of OW by our Principal Deputy Radhika Fox. She brings a lot of experience on water affordability.

We recognize in the monies that we are asking for, we are asking for these resources that can focus on the infrastructure in general, the water quality aspects of them. But we have water affordability built into the funds that we are trying to distribute to ensure that it is not only good quality drinking water, but that our public can afford it.

By the way, we are also building in resiliency, not only to climate change impacts, but to cyberthreats as well. We estimate that there is about \$743 billion worth of water infrastructure needs across this Country. I know 18 to 27 alone in my home State of North Carolina.

So the resources that we are requesting in the 2022 budget are a beginning for us. We are proud to see the \$111 billion the President has proposed in the American Jobs Plan. It is going to take these resources matched with public and private investments to catch us up to where we need to be.

Senator Cardin. I support those efforts.

Let me give you one other bipartisan initiative here, and

that is the Chesapeake Bay. I have worked very closely with Senator Capito and others on our committee. I know that your budget requests additional funds for the agency. I hope that some of those resources will be used to expand the federal partnership with the Chesapeake Bay, fill the position of the Chesapeake Bay czar, and just up the game with the federal partnership in the Chesapeake Bay.

Mr. Regan. Absolutely. We have requested resources to do exactly what you said, the way you said it, up the game and focus on the Chesapeake Bay, which is a national treasure, both ecologically and economically. So we are supportive in that area.

Senator Cardin. Thank you. Thank you, Mr. Chairman.

Senator Carper. Thank you, Senator Cardin. Thanks very much to you and the team that you lead, your staff, for all the good work that you have done in consultation and cooperation with Senator Capito and myself, Senator Duckworth, and others on our water legislation. Before the full Senate tomorrow, thank you.

Next is Senator Inhofe.

Senator Inhofe. Thank you, Mr. Chairman.

Mr. Regan, confession is good for the soul. I confess that I came from the House to the Senate in 1994, and during that time, I can't think of any person who has possessed a position

like yours that I have been more fond of but had to vote against than you.

[Laughter.]

Senator Inhofe. The reason for that is, I look at all these things that we are, they are attempting to do in this Administration. The job killing, I have a hard time figuring out why we are doing what we are doing.

Why would we be encumbered here in the United States with regulations that are going to put people out of business, cause industries to leave the United States, and yet the largest polluter is China? I mean, China, right now, is building coal-fired power plants at a rate outpacing the rest of the world combined.

In 2020, China brought more than three times what was brought online elsewhere. Last year, China generated 53 percent of the world's coal-fired power plants. We generated 19 percent.

Now, I guess I would start off with, how do you justify that?

Mr. Regan. Senator, thank you for the question.

Senator Inhofe. Are you sure?

[Laughter.]

Mr. Regan. I know it is on your mind and on the minds of others. I think what we saw last week was the President

rallying the world to begin to address this issue, and China was at the table. I think with the American Jobs Plan and the direction we are headed, it is not solely an opportunity just to mitigate against climate impact, it is an awesome opportunity for us to lead in technological advancements and create jobs. We know that the markets are trending directionally in this way.

I believe that is why the U.S. Chamber of Commerce and organizations like the Petroleum Institute are on board with looking at regulations that really pursue deep cuts in methane. The reality is that with CCS, with methane technologies and others, America is poised to cut deeply these greenhouse gases, but also deploy these technologies internationally.

So we have an awesome opportunity to grab onto this, and not only create jobs domestically and ride the wave of where the market is going, but export these technologies as well, to get these deep emission reductions that we need to get.

Senator Inhofe. Under this agreement, and this is kind of reliving what happened in the past, China gets a free ride. China doesn't have to, they can continue for their growth and generations of energy for 15 years. Then you have India. India, I assume, I haven't heard anything recently, since this has re-emerged, initially, in the initial Paris Accord, India was demanding billions and billions of dollars. I was looking for that figure and I can't find it now.

But anyway, they were, and so yes, they join in. Well, why not? I can understand that.

In the case of China, I would say the greatest threat that we have with China is that we have to comply. Have you done any kind of a study that, what EPA regulations will be needed in order to meet President Biden's new Paris commitment? He has made a commitment, what we are going to do in the United States. What is going to be the cost of that commitment?

Mr. Regan. I think the studies that we have done, and what we are actually doing in terms of meeting that commitment, is we are in constant communication, right now engaging with the automobile industry and the unions. We are engaging with many fossil fuel companies. I was on a call with EEI membership just two weeks ago, CEOs from the power plant sector, discussing exactly what we need to do to structure a process where we deploy the right technologies, keep these jobs in America, and get the jump in reducing greenhouse gases and methane.

Senator Inhofe. Yes, but you know, Mr. Regan, since they have to meet these requirements, have we analyzed to see what the cost is going to be, and that would be incurred by industries here in the United States? Now, those industries, some of them, may take the position that, well, we can go to China, we can make more money and move our operation to China. That is the concern that is out there.



Let me ask in a different way. Last week I introduced legislation that would ensure that China is held to the same emissions reductions commitment as the United States. Now, isn't that common sense?

Mr. Regan. Senator, I just see America as a leader. The President's Jobs Plan isn't really following China, it is really looking at what the markets are driving and how we really harness the technological advancements that we are seeing. We are talking about CCS, we are talking about these deep methane cuts, we are looking at electric vehicles and talking with the automobile industry that believes they can get there in a time frame where we can have all those jobs homegrown.

I think this is a huge opportunity, and the President thinks this is a huge opportunity for a government-wide approach to look at how we leverage resources to build American jobs, leverage technology in the market, and by the way, get some really deep emission reductions from methane and CO2.

Senator Inhofe. Okay. Have you done anything to determine what EPA regulations are going to be needed to meet the requirements?

Mr. Regan. What we are doing now is we have provided sort of a range of how we think we play in that NDC number. As we develop our regulations, we will do the cost benefit analysis, we will look at the cost of technologies. To answer your

question directly, as we look at these regulations, there will be a number of technologies, timelines and paths that we will be discussing with those who are regulated. It will be that combination of things that will ultimately yield a regulation that determines that final number.

It is a work in process.

Senator Inhofe. It is a work in process, but you don't know, and I am not, I don't think there is any way you could know at this point, what it is going to cost to comply with those regulations. They are going to have to do things that is going to be more expensive to operate. I think we all understand that.

My concern is that China will not have to do that. There are many industries here in the United States that will actually benefit from more regulations in the United States because all they have to do is move to China and there won't be any regulations.

Senator Carper. Senator Inhofe, I hate to do this, but you are about three minutes over.

Senator Inhofe. Yes, I know.

Senator Carper. So I am going to ask you to hold it there, and if you have further questions, we may have some time at the end. If not, I know the Administrator will be happy to --

Senator Inhofe. Yes, the reason I went over a little bit,

Mr. Chairman, is that I can't stay for longer. And I wanted to be sure to get the point across that some things could happen to actually benefit some of our industries, encouraging them to leave and go to China and actually perform better. But we are the big loser here in the United States. I have run companies, I did that for a living before I got here.

Thank you very much.

Senator Carper. Thank you.

Next, Senator Markey, on WebEx. Senator Markey, welcome.

Senator Markey. Thank you.

Mr. Administrator, talk a little bit about methane, please, and what we can do in order to dramatically reduce the amount of methane which is coming out of the oil and gas sector. Again, just very clearly, that it is 80 times more powerful as a pollutant than CO<sub>2</sub> in terms of increasing the greenhouse effect, while simultaneously, especially in the oil and gas sector, it is the easiest thing to do in order to just eliminate that methane from going up into the atmosphere.

Can you talk a little bit about that, and what the plans at the EPA will be to deal with that issue?

Mr. Regan. Thank you for that question, Senator. Yes, methane is a potent, very potent greenhouse gas. We have been laser focused on this topic from day one, as I mentioned in my previous answer. We have been having conversations about how we

best regulate methane emissions. The President has charged us to propose a rule on methane regulations this September.

We know that there are a great deal of technologies, and the application of those technologies that make sense from a cost competitive standpoint as well as an opportunity to demonstrate in this Country how we can reduce methane emissions while looking forward to exporting and leveraging those technologies in other countries.

We are having conversations with the industry; we are having conversations with our internal technical experts. We are being driven by the science. We believe that there is a good convergence of what the science calls for and what the market can tolerate.

Senator Markey. I agree with you, 100 percent. I think this is something that is relatively easy for the industry to deal with, but again, it is going to require strong rules that are put on the books.

With regard to the tailpipe emissions standards, or another way of saying that, just increasing the amount of, the efficiency of all the vehicles which we drive in our Country. In Massachusetts, we work along with California, in order to set the highest possible standards. What is your goal on that?

Mr. Regan. You might have seen earlier this week, we are revisiting the California waiver situation. I think we have

taken step one of two steps to do what I believe we should be doing, which is to respect the statutory authority and the opportunity for States to lead. California is leading in that regard.

In concert with that, in mid-July we will be looking at a proposed rulemaking that looks at the reduction in tailpipe emissions that we believe we need to achieve for vehicles between now and 2026. Following that, we will have another bite at the apple when we look at vehicles from 2026 and beyond.

I think we are on pace to do some amazing things, and by the way, stay in pace with where many in the automobile industry have pledged to go on electric vehicles and the market demand for those vehicles.

Senator Markey. Exactly. When General Motors says they plan on not making any additional internal combustion engines after 2035, well, that just sets a standard that if we codify it and put it in the books, we have a real chance then to the whole industry follow that leadership.

On the question of environmental justice, Congresswoman Cori Bush and I have introduced an Environmental Justice Mapping and Data Collection Act that we can make a law in the Country that ensures that we actually identify all those communities in the United States that have been adversely affected by environmental injustice over the years. Could you elaborate,

again, on what the Biden Administration's plan is in terms of focusing on those communities? How helpful would an environmental justice mapping bill be to help you to do that job?

Mr. Regan. Thank you for that question, Senator. I would love to learn a little bit more about that legislation. I believe that it would be very complementary and actually help accentuate many of the things that we are attempting to do at EPA.

We have mapping tools, and we have data and information. But we need more. We can always do more. What we are seeing in this 2022 budget request, and also in the American Jobs Plan, it acknowledges that there are significant resources required to pay attention to past transgressions in terms of those who have been disproportionately impacted by pollution. We need to infuse environmental justice and equity into our rulemaking, into our policies, into our grant making. There is so much work that needs to be done.

So I look forward to learning more about the legislation and the complementary aspects of that.

Senator Markey. Would you consider elevating the Office of Environmental Justice to a standalone office, to give it more authority, more autonomy in its decision making?

Mr. Regan. Yes. I am in the process now of identifying an

environmental justice advisor to come in and to do just that, to aggregate all of the environmental justice and equity work within the agency under one roof. Not just environmental justice and equity, but also civil rights.

So what we are doing is, we are looking at unifying those efforts to be sure that they get the level of attention that they should but that they are integrated across all of the offices at the Environmental Protection Agency.

Senator Markey. Great. It sounds like the kind of leadership our Country needs. Thank you. And thank you, Mr. Chairman.

Senator Carper. You are quite welcome.

We have been joined by Senator Whitehouse. Welcome, Sheldon.

I think next to join us is Senator Duckworth.

Senator Duckworth. Thank you, Mr. Chairman.

Administrator Regan, thank you for being here today. I very much am glad to be able to speak to you.

The EPA Office of Inspector General recently published a pair of reports that revealed the Trump Administration's political appointees improperly interfered with the dedicated civil servants in the EPA Region 5 office located in Chicago. I originally requested these IG investigations after receiving troubling information, but even I was shocked by the scope of

the abuse that investigators uncovered. This includes senior political appointees betraying their oath of office by instructing Region 5 staff to not monitor toxic emissions, hide reporting, suppress staff comments, break with standard protocols.

I was particularly outraged to learn that the Trump Administration delayed communicating potential health risks to Illinois residents who lived near ethylene oxide emitting facilities, even going so far as to edit Region 5's web page to hide emissions data from my constituents.

The EPA OIG also discovered that senior political appointees in the Office of Air and Radiation issued instructions that hindered Region 5's ability to effectively address ethylene oxide emissions. Ethylene oxide is a carcinogen that can cause lymphoid and breast cancer. Even for the Trump Administration, the behavior uncovered by the IG represents a shocking dereliction of duty that places the well-being of corporate polluters ahead of the health of Illinois families.

Fortunately, the Biden Administration is following through on its commitment to support EPA's dedicated workforce. Administrator Regan, I am confident that under your leadership, Region 5 will be empowered to carry out its mission with integrity and urgency.



Will you commit to working with me to prioritize the appointment of an excellent, permanent leader of EPA's Region 5 office, and implementing the OIG recommendations to prevent the types of abuses that took place over the past four years from ever happening again?

Mr. Regan. Thank you for that question. It is so disturbing to see the level of political interference and the lack of scientific integrity that took place over the past couple of years. I can commit to you, as a matter of fact, I had a meeting just this week with our Inspector General to talk through this very issue. They, rightfully so, are making sure and holding EPA's feet to the fire that we do things the right way moving forward.

We are enjoying developing our relationship with the IG and trying to right these wrongs. We are going to do our best to do it as expeditiously as possible.

I will commit to working with you on leadership in Region 5. I will commit to you and work with you on not only this issue but many of the environmental justice clean air and clean water issues that you are doing such a great job in championing.

Senator Duckworth. Thank you. I am looking forward to that.

I do want to touch on environmental justice issues. As one of the co-founders of the Senate's first-ever Environmental

Justice Caucus, along with Senator Carper, I am committed to working with you to strengthen our tools to achieve restorative justice for long-neglected communities. Senator Booker is working with me on this as well.

I think critical in this effort to enhance environmental justice is to make sure we enhance our environmental justice mapping capabilities, so that EPA is able to integrate nationally consistent data and environmental and demographic indicators in maps and reports. Such a comprehensive data base will inform and improve development decisions, grant awards, community awareness, all of that.

Do you agree with me that our efforts to build back better would be dramatically enhanced with the help of an effective, accurate and continuously updated federal environmental justice screening tool? Will you work with me to achieve this goal in the coming months?

Mr. Regan. We absolutely believe that with more data we can have better performance. I do look forward to working with you on that, learning more about that legislation. But more importantly, my agency, with the request of the 2022 resources and the resources request in the American Jobs Plan, being able to partner with you in a very thoughtful and careful way and provide all of the technical expertise that you all need to be successful in that piece of legislation.

Senator Duckworth. Thank you. Just to close, I have a little bit of time left, could you explain how passing the Drinking Water and Wastewater Infrastructure Act, along with implementing the American Jobs Plan, would put our Nation on a critical path toward eliminating lead service lines and updating vital sewage systems across the Nation?

Mr. Regan. Absolutely. These are critical investments. EPA's estimate is this Country has about \$743 billion worth of wastewater and infrastructure needs as it relates to water quality. We know that lead is not only harmful to everyone, but significantly harmful to our children, reducing IQ, ability to pay attention, and other serious issues.

With the legislation that you have championed in a bipartisan fashion, or are championing, and with the 2022 budget request at EPA, in addition to the American Jobs Plan that is led by the President, we are beginning to take a look at how we really begin to spur job creation focused on infrastructure improvement, to improve water quality for every single person in this Country, while also protecting and mitigating from climate change impacts and cybersecurity threats.

There are so many wins in this equation I cannot see why we would not pursue it in the fashion that we are collectively.

Senator Duckworth. Thank you so much, Mr. Administrator.

I yield back, Mr. Chairman.

Senator Carper. Senator Capito, who do you think should go next? Senator Whitehouse, since he is here live and in person?

Senator Capito. He is a little sketchy, but we will go with him.

[Laughter.]

Senator Carper. All right, Sheldon, you are recognized. Please, go ahead.

Senator Whitehouse. Welcome, Administrator. It is wonderfully good to see you.

The Trump Administration over and over again failed to follow science and tried to replace people who understood science with people who were shills for polluting industries. You have announced that you are planning on investigating the scope of that problem within EPA. You have already replaced some of the more egregious appointments whose original appointment was not consistent with the law. I congratulate you on that.

What can you tell me about the status of the EPA internal investigation into meddling with the science on which your agency is supposed to depend?

Mr. Regan. Thank you for that question. A couple of things. I think we are taking a careful look at what the IG reports are revealing to us, which are alarming. I am listening to the agency experts. I know many have cast the SAB and the

CASAC replacements as being political, but it is the exact opposite. What I did was sought the expertise of the career scientists and the career staff to better assess who should be in these seats advising the agency. What we determined, as you stated, was the previous Administration followed a process that was unlike any process of any previous Administration, both Democrat and Republican. What it did was it soiled the process in itself.

So we hit the reset button. What we are aiming to do is invite those who previously served and those new individuals who want to serve to reapply and provide the best scientific experience to us. While we are doing that, we are also following the advice of our science and doing a complete review of many of the regulations that were put forward in the previous Administration, and doing a full accounting. That was directed to us by the President, and that has been my goal, to take a look at all the regulations that lacked the scientific integrity or the legal acumen. Where we see that lacking, we are going to revise those regulations.

Senator Whitehouse. Do you think that this conduct under the Trump Administration was a kind of mass coincidence of some kind?

Mr. Regan. I think that the previous Administration made poor decisions that lacked scientific integrity and lacked

transparency.

Senator Whitehouse. Do you think there was a reason for it?

Mr. Regan. I don't pretend to know what the intentions were of those individuals. I have not spoken with them. What we have chosen to do is focus on where things have been done incorrectly or lack that scientific integrity or legal integrity. We are righting those wrongs.

Senator Whitehouse. If it turns out that a lot of these examples were driven by the same force, were interconnected in some way, would that be worth EPA knowing? Or are you simply going to treat this as if this was just some kind of peculiar mass allergy to science that had no impetus behind it, no force behind it, no purpose behind it?

Mr. Regan. I think as our staff reviews, especially our general counsel, reviews the actions that were taken, we are taking a look at what actually occurred, what the motivations were, and based on recommendations that I will get from my general counsel, that we will get from GAO, that we will get from the Inspector General, we will govern ourselves accordingly with the evidence as it is presented.

Senator Whitehouse. Well, the great questions are always who, what, where, when, and why. I urge you not to overlook the why.

At the same time, the White House has announced a task force on scientific integrity with a similar responsibility, but beyond EPA, to reach across agencies of government and ferret out examples where the science was deliberately overlooked or ignored, or where special interests got access to the process, so that they could put their punches in instead of people who actually understood the science and were willing to act on it.

How is that going? Do you have any visibility into that process? I assume you are contributing to it in some way as one of the agencies of government. What can you tell us about how well that is going?

Mr. Regan. I can say that we will be contributing to that process. We are having these conversations. EPA has never and will not act in isolation. Many of the decisions that we make not only impact our stakeholders, but impact our sister agencies as well. So to your point, the wisdom behind it is a government-wide approach. We are going to be a central player in that. We believe that what we are uncovering will inform that process, and what that process uncovers will inform ours as well.

Senator Whitehouse. I will conclude by observing that if at the end of the day, nobody understands the cause of all of this, you haven't done your jobs. My time is up.

Senator Carper. Senator Whitehouse, thank you for being

here, and for those questions.

I notice Senator Stabenow may be ready to join us on WebEx. Senator Stabenow, are you there?

Senator Stabenow. I am, Mr. Chairman. I have had the opportunity to listen for the whole hearing so far, and I want to congratulate you and our Ranking Member again on an excellent hearing. Administrator Regan, it is always wonderful to have an opportunity to talk with you.

There are so many things that you will receive that affect Michigan that I care about deeply. I will limit my questions today, but I first have to say that I am very excited about what our American automobile industry is doing to really lean in aggressively, tons of billions of dollars in investments. As you have indicated, we all have an opportunity to be partners with them in doing something very, very significant. So I look forward to continuing to focus on those issues for sure.

I want to follow up on something you and I have talked about privately. We are surrounded by water in Michigan, of course. In fact, the Great Lakes are warming faster than the oceans, which is incredibly concerning to all of us. We are seeing real-world economic impacts right now of what is actually happening to damage the shoreline and buildings, homes and a whole range of things.

So it is critically important that we strongly fund the



Great Lakes Restoration Initiative, GLRI. Since 2010, when I authored it, we have had \$2.8 billion for projects throughout the Great Lakes region. Every dollar we put into the GLRI actually delivers \$3 in economic return. It is a real winner.

In early January, we passed the new GLRI, which was led by Senator Portman and myself and Senator Tammy Duckworth and Senator Braun from the committee. Under the bill, we have increased the authorization for funding from \$300 million to \$375 million in this fiscal year.

I know you haven't yet released the requested funding. We are not sure what is in there. But I am just strongly encouraging you, we certainly hope that the \$375 million will be in this year's budget. I don't know if you want to give us a preview right now, but we certainly think it is incredibly important that those resources be there.

Mr. Regan. I can tell you that we agree with you that the resources should be there. We will be able to give you the full details of just how many resources are there. But we support the resource request.

Senator Stabenow. Thank you so much. Let me now turn to something else related to water that I know you have a lot of experience with, and other colleagues have been talking about today. That is what is happening on PFAS. Even though Michigan has established its own drinking and groundwater standards for

numerous PFAS, and I think we are one of the few in the Country to really do that, the Department of Defense has been a challenge to work with when addressing PFAS found on a legacy basis, like Wurtsmith in northern Michigan.

So as the EPA explores new drinking water standards and a hazardous designation under CRCLA, how will the EPA work with the Pentagon to accelerate cleanup and remediation at decommissioned bases?

Mr. Regan. To answer your question, we will work directly with DOD. But for scheduling issues, Secretary Austin and I were planning to sit together with our teams Monday before last to tackle this issue for the first time in a scheduled meeting. But he and I have talked about how we plan to tackle this issue together. So we know it is a very important issue. I know firsthand, coming from North Carolina, and dealing directly with the PFAS issue in North Carolina being also one of the most military-friendly States in the Country, how important this opportunity is.

So I can commit to you that Secretary Austin and I have already had some outreach on this topic, and plan to look at ways that we can work together as we look at the drinking water standard as we look at the hazardous designation, and as we collectively look at remediation and cleanup all across the Country.

Senator Stabenow. Great. Really important. I am glad to hear you are having those conversations, and I hope it will really result in some much quicker action, not only in Michigan, but I know for colleagues across the Country.

One final question. I first want to thank you for the EPA's decision on February 22nd to support the 2020 decision of the U.S. Court of Appeals for the 10th Circuit, which found that a number of small refinery exemptions approved by the previous Administration were inappropriately issued. I wonder if you can tell us what additional actions the EPA can take this year, and just as one example, how can EPA address the backlog of pathways that qualify various feedstocks for biofuel used to fuel vehicles and in the production of electricity for EVs?

Mr. Regan. The position that we have taken is we believe that the 10th Circuit's reading of the law is the correct reading. We know that this issue will be or is before the Supreme Court. So the agency is awaiting the ultimate decision of the Supreme Court and we will govern ourselves accordingly and follow the law.

As it relates to volumes, we know that there is a backlog in establishing the volumes for the years 2019, 2020. And we have to set volumes for 2021 and 2022. We are working on that backlog. There is a lot of time that we have to make up. But we are focused on ensuring that the intent of the RFS is met and

that EPA does its part.

Senator Stabenow. Thank you so much. Thank you, Mr. Chairman.

Senator Carper. Thank you, Senator Stabenow. Thanks for the great work you do on the Ag Committee, too, with the overlap on environmental issues. Thanks so much.

Senator Stabenow. Thank you.

Senator Carper. We have been joined by Senator Mark Kelly from Arizona. Senator Kelly, thanks for joining us and you are recognized.

Senator Kelly. Thank you, Mr. Chairman. The acoustics are not great in this room. Just an observation. Maybe it is the sound system.

Administrator Regan, thank you for being here today. I may have a PFAS question as well, but first I want to ask you about abandoned uranium mines. There are over 500 abandoned uranium mines on the Navajo Nation. I was really pleased to see the outline of the EPA's Fiscal Year 2022 budget proposal and how it includes more than \$900 million for a new accelerating environmental and economic justice initiative.

Will the EPA's existing work on abandoned mine cleanup be included as part of this initiative?

Mr. Regan. I will that will have some role in those activities. Where EPA's role is appropriate in partnership with

our other sister agencies, we will be there to focus on that issue.

Senator Kelly. These uranium mines, as you know, are affecting the health of thousands of Navajo people.

How will this work on this new initiative, fit into the existing work outlined by the EPA in the 10-year plan to address impacts of uranium contamination on the Navajo Nation which was released back in January?

Mr. Regan. Part of our work is improving, at the President's directive, he has indicated that all agencies need to improve the consultative process with our tribal leadership. So what we are doing is we are engaging there to look at these contamination issues, especially the pervasive issues that impact water quality, not only from a public health standpoint, but from a cultural impact as well.

So as we look at deploying these resources around environmental justice, environmental equity, and sort of these reclamation issues, we are very sensitive to engaging these stakeholders as we look at the best way to move forward.

Senator Kelly. Thank you. I look forward to seeing progress on the uranium mine cleanup issue on the Navajo Nation.

On another topic, in 2015, the Obama-era EPA issued national minimum criteria for existing and new coal combustion residual landfills. These regulations, which were finalized in

November of 2020, including a pilot program which allowed facilities to conduct alternate liner demonstrations. In two Arizona facilities, the Coronado Generating Station and the Apache Station, they each applied for the program in November of 2020.

But to date, the EPA has not provided an update on these applications. So they applied for this program to conduct these demonstrations with this alternate liner in their landfills. This delay is jeopardizing the success of these pilot projects and placing significant costs on these facilities in the State of Arizona.

Given that there is no active litigation related to this rule, what is the EPA's timeline for reviewing the CCR Part B applications?

Mr. Regan. I just recently had a briefing on this a couple of weeks ago. I think that as we are taking a look at the past actions of the previous Administration, there is an analysis being done to ensure that as we make decisions, especially as we look at lining and technological opportunities to prevent water quality impacts, that the best science is used to protect public health.

I know that my team is actively reviewing these applications in terms of exactly where we are in that review process. I can have staff get back to you on that, just so that

you have some certainty and know what to expect.

Senator Kelly. I would really appreciate that.

I know Senator Stabenow asked about PFAS, and we don't have much time. We had an issue, as you probably know, at Luke Air Force Base recently, which is right outside of Phoenix. They had to issue some warnings to households and businesses near the base about elevated PFAS contamination in the drinking water.

This is in addition to existing PFAS contamination around other bases, Davis Moffett in particular, which is in Tucson. These contaminations are especially concerning to me, because it is Arizona, and we don't have a lot of water like other States do. Aquifers are an important source of our drinking water. As drought conditions worsen, that becomes more critical.

Tell me if you already answered this for Senator Stabenow, but I understand you announced the creation of an EPA council on PFAS yesterday. How will the work of this council help EPA provide a national drinking water standard, or promulgate CRCLA regulations?

Mr. Regan. I think it is complementary to that. I know for sure that when we look at the increase in the 2022 budget, when we look at the President's American Jobs plan, there are significant resources there to take a look at PFAS. So as we continue the work that we are doing to set the drinking water standard and look at the proper designation, what I have decided

to do is instruct this council to look across EPA more broadly so that we can go beyond just the drinking water standard, and looking at the designation and think about comprehensively across all of our programs, what can we do to bring the full force of EPA to begin to remedy these issues that we are seeing all across the Country.

In addition to setting these standards and designations, as you know, and as you rightfully pointed out, there are a lot of remediations that need to occur. We need to have resources at the federal level to begin to jump start some of that cleanup now.

I spent about an hour and a half yesterday with individuals from all across the Country outlining for me personal stories about their particular impacts and exposure and family loss and personal loss based on PFAS. This is a top priority for this Administration.

Senator Kelly. Thank you for making it a priority. I really appreciate that.

Thank you, Mr. Chairman.

Senator Carper. You are welcome. Thanks for joining us today, Mark.

Senator Ernst, good to see you. You are recognized. We have been joined by Senator Sullivan, who I think is on deck.

Senator Ernst. Thank you, Mr. Chair.



Thank you, Administrator, for being in front of us today. I appreciate it. As an Iowan who strongly believes in our renewable fuel standard, we will start in that area. Administrator, recent studies indicate that the greenhouse gas reductions from the first generation conventional corn ethanol are almost 50 percent relative to gasoline. When properly administered, the RFS has the ability to dramatically reduce emissions from our transportation sector.

But I am growing increasingly concerned that every time an Administration official talks about biofuels, they only do it in the context of the new fuels and the new markets such as aviation and marine fuels. Can you please set the record straight on where the Administration is with their commitment to ethanol and biodiesel usage in the transportation fleet of today and of the future?

Mr. Regan. I think that is an excellent question, and I will say that the President has indicated from day one that agriculture is at the table. Secretary Vilsack and I are having these conversations. There is no intent in terms of exclusion when we talk about the promising future of electric vehicles, or when we talk about the promising future of advanced biofuels. The reality is that as we talk about these promising futures, we have to deal with here and now and a glide path to get to these promising futures. What we know is that ethanol plays a

significant role in providing those resources here and now, today, and will evolve as we start to look at the new futures for advanced biofuels and electric vehicles.

Senator Ernst. Do you think that corn ethanol will still continue to have a place, and do you see it having a larger role in the future, a smaller role? What do you anticipate?

Mr. Regan. I think that is where I am engaging with the ag community, with the farm bureau, with ag CEOs, to best determine where they believe the markets will go to best understand where they believe the evolution of ethanol will be. It is our job to ensure that that vision coincides with the vision that we see for the lowest carbon economy in the future.

Senator Ernst. I appreciate that. I hope you continue to work with the stakeholders. They will be very valuable in providing input. But you know, again, strong advocate for the RFS. I think it has a significant role to play in reducing greenhouse gas emissions.

Administrator, in a recent House hearing, you said in regard to WOTUS, we don't have any intention of going back to the original Obama Waters of the U.S. verbatim. That was welcome news to me and to many of Iowa's farmers and ranchers. Now that you have committed to not reinstating the exact Obama rule, what should we expect to see if you decide to make changes? Will it be something that goes even further than the

Obama Waters of the U.S. rule? Or will it be something closer to the President Trump Administration?

Mr. Regan. I think that that statement was to indicate that we are just not going to pull a rule off the shelf, especially after we have learned so much over the years. So that is not to be dismissive of what was done in the past. But I think there are some lessons learned.

We are also not quite satisfied that the Waters of the U.S. developed under the Trump Administration is as protective of water quality as it could be, while not placing administrative burdens on our small farmers.

What I am not willing to do is prejudge the outcome without an earnest engagement with our ag community. I have pledged to engage with our agriculture community. I pledge to work with USDA and Secretary Vilsack. We are going to set up a structured stakeholder engagement where we actually sit and listen to those who are impacted by our regulations and come to some conclusions on what is the best way to move forward without ping-ponging back and forth, protecting our water quality, and not overburdening our farmers.

Senator Ernst. Good. Stakeholders, again, very, very key here.

The Biden Administration has had two recent opportunities to demonstrate that low carbon biofuels have a place in their

greenhouse gas reduction efforts. A \$2.3 trillion infrastructure bill, and most recently in the new 2030 emission target released last week, but neither contain much mention of or support for biofuels. So I am growing, again, increasingly concerned that every time the Administration talks about biofuels that they continue to do it in the same manner.

As we are looking at that, can you agree that advanced biofuels should be part of the Nation's strategy to address carbon emissions?

Mr. Regan. I think the President is very clear on this, that agriculture is at the table and that biofuels play a role in reducing our carbon footprint, and so do many of the voluntary practices of our ag community to capture carbon, and to operate in a sustainable manner.

So again, I think the President has been very clear that agriculture is at the table and plays a significant role.

Senator Ernst. Good. And we would love to hear our Administration officials really talking about the place that ethanol and biodiesel play, whether it is reducing greenhouse gas emissions or otherwise providing affordable fuels to our American citizens.

We really want to hear more about that, to understand the commitment behind the RFS from this current Administration. Thank you, Administrator. I really appreciate your time.

Mr. Regan. Thank you.

Senator Carper. Senator Ernst, thanks so much for joining us and raising those important issues.

Senator Sullivan has joined us. Senator Sullivan, welcome.

Senator Sullivan. Thank you, Mr. Chairman.

Administrator, welcome. Congratulations again on your nomination and confirmation.

I want to talk a little bit about this issue that has been highlighted a lot by the Biden Administration on racial equity as it relates to environmental issues, job opportunities. I want to talk about the very large population of Alaska Natives in my State who I think often get left out of this conversation on racial equity.

Two areas, water and sewer, and broader economic opportunities. As you and I discussed, there are over 30 communities in Alaska, and it shocks most Americans, that don't have water and sewer, don't have flush toilets, don't have running water. When you get up to Alaska, Administrator, you will see these are some of the most patriotic communities in the Country. Alaska Natives serve at higher rates in the U.S. military than any other ethnic group.

Can you commit again to work with me? We have had a number of good, bipartisan pieces of legislation through this committee to help disadvantaged communities that essentially don't have

water and sewer. Most Americans assume every American have those. We don't. Thousands of my constituents, and it is really outrageous. I would like very much your commitment. I think you are committed to that, but that is certainly in my view a racial equity issue.

Mr. Regan. I will tell you, we are committed to it. I recognize that in Alaska there is about \$1.2 billion and \$1.5 billion worth of wastewater and water infrastructure needs. You will see that that is central to the 2022 budget request here at EPA, is to provide those precious resources to those who need them most.

You will also see that request in the American Jobs Plan, with that \$111 billion request. Your State and so many States, we estimate \$743 billion worth of water infrastructure and infrastructure needs.

To your point more specifically, not only are we looking at those infrastructure investments, but we are looking at water affordability as well, and water quality. So you have my commitment to work with you.

Senator Sullivan. Thank you.

Let me go to another issue, and this is a broader economic opportunity. This is where I hope I can get your commitment. I am dubious, though, there have been nine Executive Orders issued by President Biden targeting Alaska, nine. I don't think there

is any other State in the Country, certainly not Delaware, as I have said in Senate speeches. If there were nine Executive Orders targeting the economy and jobs of Delaware, the Chairman, everybody else would be on the Floor pounding their fists. But my State seems to get a lot of love from this Administration. We don't like the love, right, because it is job killing, it is going after oil and gas jobs.

Let me show you a chart here very quickly. I think I have showed this to you before, Administrator. This is from the American Medical Association, if you can see this. This was a study from 1980 to 2014, what places in America did life expectancy go up or down. In my State, it went up the most, the purple, the blue, that is up to 13 years, in 25 years, people lived longer. No policy indicator of success more important than the people you represent live longer.

Here is my concern. They live longer in my State because they had jobs, because they had resource development, because they are developing oil and gas. Do you think we still need oil and gas in America today?

Mr. Regan. There is no doubt that natural gas plays a critical role.

Senator Sullivan. And oil?

Mr. Regan. And oil.

Senator Sullivan. I appreciated your comments during your

confirmation process. You didn't want to put anyone out of work, that wasn't your goal, correct?

Mr. Regan. That is correct.

Senator Sullivan. So right now, unfortunately, we have a lot of Executive Orders that are doing just that. Gina McCarthy, John Kerry are essentially saying we need to limit and unilaterally restrict production of American energy.

The mayor of the North Slope Borough, Inupiat Alaska Native leader, in an op-ed last year in the Wall Street Journal entitled Goldman Sachs to Native Alaskans: Drop Dead, I would like to put this in the record, Mr. Chairman.

Senator Carper. Without objection.

[The referenced information follows:]



Senator Sullivan. He mentioned that as investors are being told, don't invest in Alaska's energy sector, John Kerry is doing that, by the way, that this is a concern that these banks are "demonstrating the condescending subtly racist attitude that has been a hallmark of the way westerners deal with indigenous people." That is from this article, saying, don't invest there without asking the Native people there.

The vast majority of the people I represent want economic opportunity in these places, including in the energy sector. I think this is an issue of racial equity that doesn't get mentioned very much. There is this project, the Willow Project, that we have talked about, 2,000 direct jobs at stake right now the Biden Administration has put on hold.

Administrator, can I get your commitment to continue to work with me not to kill these really important American jobs that have already been permitted, that in my State often impact Alaska Native communities overwhelmingly, and they are overwhelmingly supportive of them? I think it is putting racial equity on its head to target oil and gas jobs in communities that are primarily indigenous. What is your thinking on that?

Mr. Regan. My thinking is, and I am proud that this Administration has pledged to put environmental justice and equity at the center of all we do.

Senator Sullivan. Is it racial equity and environmental

justice to put Alaska Natives out of work just because they work in the energy sector?

Mr. Regan. What I can say there is I know that the President has put a pause on these types of activities, and this actually falls in Interior's bailiwick, Secretary Haaland's. My pledge to you is to partner with you to be sure that everything that we do is racially sensitive, equitable and culturally sensitive. That is part of EPA's DNA.

And I can tell you that EPA's attitude as it relates to oil and gas is focused on deploying regulations that accentuate the technologies available to reduce methane. It is not to target individual projects, it is not to kill projects. It is focused on the opportunity that we see with the application of technology that we can use domestically and export internationally. So you have my word that we can work together to focus on that application of technology, do it in a culturally and racially and economically sensitive way because that is what EPA's aim is for.

Senator Sullivan. Thank you. Thank you, Mr. Chairman.

Senator Carper. You are quite welcome. Thank you for joining us today and for those questions, Senator.

We may be joined remotely by some others or in person by some other members, so I can go last. How are you holding up down there?

Mr. Regan. It is a friendly crowd, I am doing well.

[Laughter.]

Senator Carper. Do you feel like this is a home game or an away game?

Mr. Regan. Back home.

Senator Carper. Oh, good. We discussed a little bit earlier, the President announced, I think it was last week, that our Country would take actions by the end of this decade that would reduce our Nation's greenhouse gas emissions. I think it was like 52 percent below what they were in 2005. This announcement helps, we think, we hope, to put our Country on a path toward net zero emissions by 2050, as you know, a goal I have supported for some time.

As you mentioned, the Environmental Protection Agency is going to play a pivotal role in helping us to meet these ambitious but achievable goals. Your agency has regulatory authority under the Clean Air Act and AIM Act, which has been mentioned here, that deals with HFCs, hydrofluorocarbons, and the phase-down of those over the next 15 years. You have research programs and you have grant-making authority through DERA and other authorities.

My question is, how important is it, in your judgment, that we meet the President's climate goals?

Mr. Regan. It is absolutely important that we meet the

President's climate goals, again, not only because it is an opportunity to save the planet and mitigate against the climate crisis. But this is a significant opportunity for this Country to create millions of good-paying jobs and really leverage market potential and technological advancements. This is a win-win-win for our Country.

Too often, we are talking about what others are talking about, what China is doing, what India is doing, this is about American leadership. I think that the President has rallied the world and indicated that we are back, that science is back, and that this is an important moment for this Country.

Senator Carper. Thank you.

Achieving the President's climate goals is going to require EPA to be performing at its best. I understand over the past four years, EPA lost nearly 1,000 staff members from its headquarters and regional offices. I can imagine that this sharp decrease in staff could hinder the agency's ability to effectively carry out its core duties and function to protect public health and the environment.

Could you just take a minute to share with us this morning any steps that you have taken or plan to take to be able to rebuild the agency by backfilling key positions and bringing on more staff? How does this budget proposal assist those efforts?

Mr. Regan. Thank you for that. I think it starts with

rebuilding morale. No one wants to work at a place where they don't feel valued. We spend quite a bit of time rebuilding the morale in this agency and letting our staff know that they are valued.

We are hoping that we can recruit back many of the employees that we lost. We lost over 1,000 employees over the past four years. But we don't only want to look at what we lost, we also want to recruit and retain the best and the brightest, because we are looking ahead. We are looking toward the future.

So my leadership team is really rallying around lifting the morale, lifting the organizational health, and putting a recruitment and retention process in place to get the best and the brightest at EPA. Because we need to be in fighting shape.

This budget is a serious signal to the agency that we are being invested in and we are going to be given the tools we need to protect the environment, public health, and the economy.

Senator Carper. Several years ago, I was privileged to chair another committee, Homeland Security and Governmental Affairs Committee. We found there is an annual report done measuring morale, good or bad, among major federal agencies. Year after year, we found that the agency with the lowest morale was Homeland Security.

Jeh Johnson, you may recall, was the Secretary, Mayorkas

was the Deputy. They concluded one of the causes for the low morale was the lack of Senate-confirmed leadership within the agency. I would describe it as Executive Branch Swiss cheese. Tom Coburn and I went to work. He was the ranking Republican on the committee at the time. We went to work to try to make sure we addressed that.

And we did. We work very hard, as I am sure you know, to try to make sure that the President's nominees to help fill out the leadership team at EPA are pursued and confirmed. That is why we felt that Janet McCabe was so important last week.

I just wanted to mention that in terms of morale. We hope that the leadership team, an excellent leadership team that has been confirmed, will help raise that morale and do it sooner rather than later.

Earlier this month, you announced a series of actions you plan to take to advance environmental justice, one of which was at a roundtable that I had the opportunity to join. You have also directed EPA staff to incorporate environmental justice considerations into their work across the agency. I am encouraged about this effort to advance environmental justice. I think we all are.

My question would be, will you share with us any other actions you have taken or plan to take in order to address the historic failure to meet the needs of disadvantaged communities,

and how does this budget proposal assist those efforts?

Mr. Regan. This budget proposal is critical. This budget proposal is critical as well as the American Jobs Plan. There are precious resources that are tucked into these proposals that give us the ability to help these communities that need it the most through grant applications, through advanced monitoring for air quality and water quality. And just the ability to provide the infrastructure, so that these communities can communicate with us and use the data we provide to help uplift their communities through health, through equity, through economic opportunities.

So EPA has pledged that environmental justice and equity will be part of our DNA. We plan to meet that moment.

Senator Carper. All right, thank you.

I understand Senator Padilla is on WebEx. Senator Padilla, are you there?

Senator Padilla. Yes, I am, Senator Carper.

Senator Carper. We will go ahead and recognize you at this time. Senator Sullivan, I understand you have another question. After he goes, you are next. Alex, go ahead, please.

Senator Padilla. Thank you, Mr. Chair.

First, Administrator Regan, I want to begin by thanking you for following through on President Biden's commitment to reexamine the States' One Rule. I certainly appreciate your

support of California's longstanding statutory authority to set greenhouse gas and zero emissions vehicle standards.

California is and has been a national leader in the fight against climate change and eliminating toxic pollution from our transportation sector. So I appreciate your early leadership and early collaboration.

I also want to elevate another issue that I am hoping is a good topic for collaboration in my State. It begins with personal experience. I know firsthand how outdated school buses expose children to harmful pollution. I experienced it every day in the years when I was in junior high and elementary school, riding the school bus to and from in the San Fernando Valley. That smell of diesel exhaust that would fill our lungs, not just mine, but every student that was on that bus on the way to school, on the way from school. I can still smell it today.

Speaking of today, we know that there are 25 million children across the United States that are still exposed to the same diesel exhaust when they ride 500,000 predominantly diesel buses. We know it is not just an environmental impact, it is also a health impact and it is an academic impact, because then the kids have health issues, respiratory issues, because of the exhaust that they are breathing. It affects their ability to learn, and their academic performance.

So as we work to build back better, and address climate



change, I believe it is imperative that we work with school districts to supply the resources necessary to accelerate the deployment of zero emission electric school buses to reduce the exposure of children to greenhouse gases, while improving the public health, the environment and academic learning.

So I am proud that, along with Senator Warnock and Representatives Cardenas and Hayes, that we introduced a Clean Commute for Kids Act this last week. It seeks to build on an initial proposal in the infrastructure plan. It goes just a little bit bigger, it goes a little longer, to accelerate this transition.

So I am asking, Administrator Regan, why you believe this plan to work with districts to accelerate the transition to zero emission electric vehicles, it is good and leads us to more equitable, sustainable transportation infrastructure?

Mr. Regan. Thank you for that, and thank you for your leadership. I agree with you that electric school buses are critical for not only the health and well-being of our children, the precious cargo, as they go to and from school. But to the point you just made, it really has an impact, not only on them physically, but mentally and emotionally as well, if they cannot breathe while they are sitting in class attempting to learn.

Another benefit of electric school buses, and I have had this conversation with rural electric cooperatives, is once that

precious cargo is dropped off and those school buses are parked, their batteries become available to plug into the grid and begin to provide a level of reliability and certainty to that grid that they don't have to rely on dirtier fuels, fossil fuels and the like. So there is a win-win there. There is a transportation piece to that, there is a public health and education piece to that.

But then you dovetail back into infrastructure. Electric vehicles, in general, can help shore up our grid and create reliability and capabilities. I think electric vehicles are just so important for greenhouse gas emissions on the road as well as those that are generated through electricity production.

Senator Padilla. Thank you very much. I have limited time left, I want to talk about one other issue that we have discussed in the committee prior, and that has to do with not just the need to invest in water infrastructure, but water affordability. We know that in California alone, one in eight households in my home State are a little bit behind or more than a little bit behind on their water bill to the tune of \$1 billion. It is a much bigger number across the Country, as you can imagine.

As we work toward investing in our infrastructure, can you speak to the wisdom of a national water affordability program, to help people who are struggling to keep up with water rates,

let alone face higher bills, to help fund some of the infrastructure investment that is needed?

Mr. Regan. It is critical that we focus on water affordability. We are doing that through our 2022 budget request. We are also doing that throughout the President's request of \$111 billion in the American Jobs Plan.

Water affordability is critical. The good news is EPA has experience here. We have existing water financing programs that we have been operating for a number of years where we have invested billions of dollars and created hundreds of thousands of jobs. I believe that as we take a closer look at the resources that we are asking through the American Jobs Plan and our budget that we will be able to do a better job of dovetailing water affordability into our traditional grant and loan programs.

To the point you just made, there are so many water systems across this Country that cannot afford a zero interest loan, because they are just in that bad a shape. That is where the grant programs come in to help them begin to treat water a little bit better.

Senator Padilla. Thank you very much. I look forward to our continuing work together.

Senator Carper. Senator Padilla, while you are still with us, before I recognize Senator Sullivan again, I would just

mention a couple of things.

Senator Sullivan. Thank you, Mr. Chairman, I just have one comment. And then --

Senator Carper. Senator Sullivan, just wait one minute. I want to mention a point that he has raised and then you are recognized. If you would just give me a minute.

Senator Padilla, you are probably familiar with something called the Diesel Emission Reduction Act. It is legislation that Senator George Voinovich and I introduced 10, 15 years ago. It has continued to enjoy bipartisan support. Senator Inhofe is my wingman on that now.

We continue to push for increased funding for the Diesel Emission Reduction Act, which should help address the issue that you raised here. I would ask you to feel free to join us as a partner in that.

The other thing I would say, we are encouraged by the advances that are being made for automotive of all kinds, including F-150 trucks, all kinds of cars, trucks, and vans using electric vehicles and becoming more affordable and actually much greater ranges. Sometimes overlooked are hydrogen fuel cells, using hydrogen and fuel cells to create electric-powered vehicles. The only waste product is water, H<sub>2</sub>O.

What I am told by people a lot smarter than me is going forward into the future, we are going to continue to use more,

and see more and more electric powered cars, trucks, and vans on the road. But as time goes by, hydrogen and fuel cells with larger vehicles, trucks, mid-size and large trucks will be more common. So there is a combination.

As we work on our surface transportation legislation, we are committed to helping create corridors with charging stations and fueling stations, fueling stations for hydrogen. So it is going to take a combination of those two.

Thanks so much, Senator Padilla. Senator Sullivan had one last question. Then the gentleman from Mississippi.

Senator Sullivan. Just a comment and question. Thank you, Mr. Chairman. Just a word of caution, Administrator. You don't get the good-paying jobs in the future, which is what the Biden Administration is talking about, millions, by killing good-paying jobs in the present. And you don't get to environmental justice and racial equity by killing good-paying jobs and economic opportunities in Alaska Native communities.

So I am going to keep a close eye on that. I appreciated your responses to my questions today. And I appreciated your being here.

Here is my final question. It is an important one. You are here right now. Senate-confirmed, taking questions, oversight. That is the constitutional role that you and we have.

I was surprised to see in the New York Times eight days ago an article, I would like to submit it for the record, Mr. Chairman.

Senator Carper. Without objection.

[The referenced information follows:]

Senator Sullivan. It was on climate czar Gina McCarthy. It mentioned she was the "most powerful climate and energy official in the Country other than Mr. Biden himself." Shocked again to see you weren't mentioned in the article at all, not once. She actually claimed she was the "orchestra leader for a very large band" on these issues.

You might recall my concern, Senator Capito's concern during your confirmation hearing, that she would be, with her radical activist driven views, out of the mainstream, she wouldn't have been able to get confirmed here, that she would be in charge of these issues, EPA issues, not you. And this article again just eight days ago led me to raise this question again.

We can't call her to do what you are doing, and again, I appreciate what you are doing, to testify, to have oversight, to hear what she is really up to. This article made it sounds like she is driving the whole agenda, the regulatory agenda, at EPA.

So let me ask you this again. Is czar McCarthy dictating the agenda at EPA? It is a concern of so many of ours. The New York Time has this glowing piece about her. You are not mentioned once. Who is in charge? Who can come here and testify? Again, I appreciate your testifying. But I don't appreciate the fact that her views seem to be overriding yours.

Mr. Regan. I can say that I haven't read the article. It

think the indication there, though, is that Gina is working across all of our agencies. I am not sure if the article is calling me out specifically. I think what Gina --

Senator Sullivan. Well, it was almost all on EPA.

Mr. Regan. -- may be mentioned. There is a whole of government role. I think Gina is doing a really good job of conversing with me and DOT and DOE and USDA, all across the board. I can assure you that Michael S. Regan is in charge at EPA. I can assure you that when you look at the role that EPA plays in regulatory development and all the conversations that we are having that those conversations are being had within the agency, and we are following the law, and we are exercising our statutory authority.

At any given time, with any member, I am willing to show up and have a conversation about any aspect of what we are doing. I think if we sit down and talk about what we are doing, you can pick apart everything that we are doing, and you will see that those ideas, that information, that analysis and that good work is coming out of EPA and the staff at EPA.

Senator Sullivan. Good. I appreciate that, Administrator. I appreciate your being here answering these questions, tough questions, easy questions. But it is important for us to know who is in charge.

Thank you, Mr. Chairman.



Senator Carper. You bet.

A couple of years ago, Senator Sullivan, when I was elevated, being chair of the Homeland Security Committee, there was an article in the New York Times as well that indicated who the new chairs were going to be. Democrats were suddenly in the majority, and it was noted I was going to be chair of the Homeland Security and Governmental Affairs committee.

It went on to say that I was a Senate expert, a Senate expert, on cybersecurity. I showed this to my wife, I said, Martha, look at this, your husband is now the Senate expert on cybersecurity. What do you have to say about that? Her response was, in the land of the blind, the one-eyed man is king.

[Laughter.]

Senator Carper. Senator Wicker.

Senator Wicker. Thank you very much, Mr. Chairman. It is great to be here. I will not take a lot of time.

Let me just say, I want to renew my invitation to the Administrator to come to Mississippi and see a place called the South Delta, were in nine of the past ten years, we have had devastating floods. I think the Administrator is going to be able to do this, Mr. Chairman.

We have a plan that developers, homeowners, small businesses, environmental activists should all support. I think

we finally got it right. It absolutely does involve the environmental justice that Senator Sullivan was talking about. But these floods, for the last nine out of ten years, have devastated wildlife and destroyed many people's livelihoods.

I think we have a plan now that enhances and protects wildlife, will save animals and fish and birds and give certainty to people in this area that actually need help. Frankly, it is some of the most disadvantaged people anywhere in the Country that are devastated by this flooding that we have not been able to come to a consensus about.

So I want to renew my invitation to Mr. Regan and to say I appreciate the opportunity to work with you in the future.

Mr. Regan. Absolutely.

Senator Wicker. I yield back my time, Mr. Chairman, and thanks for extending this hearing so that I could get back from my emergency visit to the dentist.

Senator Carper. Just for you. While you are here, I mentioned this earlier, we appreciate the leadership that you and Senator Ben Cardin have provided on some aspects of our water infrastructure legislation, which will be debated and hopefully adopted tomorrow on the Floor.

We are grateful for the contributions on that to you and your staff. Thank you.

Senator Wicker. Thank you, Mr. Chairman.

Senator Carper. You bet.

I am going to ask a couple more questions, and I will ask again, Administrator Regan, are you okay?

Mr. Regan. Yes.

Senator Carper. I said, check with his staff to see if he is able to handle another question or two. They said, go for it.

As a follow-up to, I think it was Senator Kelly's question, with respect to low-income and communities of color bearing a disproportionate amount of the impact from polluted Superfund sites, according a 2020 report, 70 percent of the Country's most environmentally contaminated sites are located within one mile of federally assisted housing. I will say that again. According to a 2020 report, this is amazing, 70 percent of the Country's most environmentally contaminated sites are located within one mile of federally assisted housing.

Could you talk for a minute or two about any plans you may have to address that longstanding problem?

Mr. Regan. Absolutely. Thank you for that question. This is why the 2022 budget request and the American Jobs Plan is so important. When we look at the resources in both of these places, they increase EPA's ability to expedite the cleaning up of brownfield sites and Superfund sites, which to the point you just made, are located in these communities that already bear a

disproportionate burden.

I am happy to say that I have had a couple of conversations with Secretary Marcia Fudge and HUD to think about how we can tag team this effort as well.

Senator Carper. Good. Keep talking. That is an amazing number. Isn't that an amazing number? Have you heard that before, 70 percent within a mile of federally assisted housing? That is unbelievable.

All right, next question with respect to renewable fuel standards, as discussed a bit earlier with Senator Ernst and others. Recently I wrote a letter along with my colleague Senator Chris Coons and Congresswoman Lisa Blunt Rochester, to you in regard to renewable fuel standards. In the letter, we mentioned the need for EPA to take action to address the volatility in the RFS compliance markets. This includes providing some compliance flexibilities that reflect the COVID challenges, doing more to address market manipulation, and finally, acting on the applications for new advanced biofuel pathways and fuels.

My question is, do we have your commitment that you and EPA, your EPA team, will make it a priority to work to stabilize the RFS market and that the program works as intended? Also, will you commit today to meet with myself and others in our delegation to further discuss this issue?

Mr. Regan. Absolutely. I can commit to both of those.

Senator Carper. All right, great.

We have in our State an oil refinery. When I first came to Delaware, right out of the Navy, at the end of the Vietnam war, I enrolled at the University of Delaware to get an MBA. One of my requirements in a course I took my first semester of graduate school was a course looking at the Delaware business that was under investigation, always under fire by the Federal Government or the State government for alleged abuses and irregularities.

I didn't know anything about Delaware. I had been there like two weeks, and I was in this course. I started reading the paper, they had one major daily paper. I started reading the paper to find out what business or company was maybe a good subject for me to cover in my report. And I just kept reading, day after day after day, about the Getty refinery, which is one of the worst-polluting refineries on the east coast. Terrible place, all kinds of air emissions, water emissions.

That was my introduction to that refinery. Today, the refinery is still alive and hanging in there, but a much, much better environmental steward, much, much better. And a part of that happened when I was governor, and this man right over here, Christophe Tulou, was our secretary of natural resources and environmental control, your counterpart from Delaware. So we are proud of the progress that has been made.

They provide job employment opportunities to about 1,000 people in our State, which is a lot of people in a little State, and good-paying jobs. They have concerns with respect to the chaos that comes out of the RINS market. This is something that is real, it is a matter of concern to us. And at the same time, we think it is important that we create renewable fuels and that they are environmentally friendly and help us fly airplanes and send ships out to sea and so forth.

So I appreciate your assurance, and we look forward to following up with you on this front.

Vehicle emissions standards, I think I have been working on this for -- I see plans to increase sales of electric vehicles such that 50 percent of the vehicles that sell in the U.S. and China will be electric by 2030. Honda has announced plans for 40 percent of its sales to be zero emission vehicles by 2030, 80 percent by 2035 and 100 percent by 2040. And General Motors has announced plans to produce only electric vehicles by 2035. GM is also in a partnership, I believe, with Honda, on fuel cells, which is something that is quite promising.

And there a number of companies, including Toyota, very much into fuel cells with hydrogen. I think there is at least one South Korean company, but there are a bunch. As I said earlier, the focus there is mid-size trucks, large trucks, and they put out a lot of carbon, a lot of greenhouse gases. So

that is all encouraging and important.

However, having said that, EPA hasn't typically factored in availability, the availability of electric vehicles in establishing emission standards. This is a big issue. I think it is too big to ignore.

Your thoughts, if you will, will EPA consider the increasing availability of electric cars when setting vehicle emission standards? I will say this again, will EPA consider the increasing availability of electric cars when setting vehicle emission standards? Mr. Administrator, would you look forward to further correspondence from me on this issue? A couple of colleagues and I will be sending that to you.

With that, my question is, will you consider the increasing availability of electric cars when setting vehicle emissions standards?

Mr. Regan. We do. We take those market considerations under consideration, market dynamics under consideration. The availability of the technology that needs to be deployed, and the ability for the auto manufacturers to produce the vehicles and keep those jobs here in America.

Senator Carper. All right. My staff and I are working on a letter with a couple of our colleagues to follow up on this. We would just ask you to be on the lookout for it.

And I think that might be it. Senator Stabenow joined us

by WebEx an hour or so ago. She chairs the Ag Committee, and she is a new member of this committee, and a very valued colleague and friend. We have in Delaware, we raise, I am told, maybe at one time more soybean than any county, in Sussex County, Delaware, maybe more than any county in America. Little Delaware, we raise a ton of corn. For every person who lives in Delaware, we have about 400 chickens. Most people don't think of Delaware as an agriculture State, but we are.

One of the concerns we have in southern Delaware, we have some of the best beaches in the Country, Rehoboth Beach and Bethany and Dewey and so forth. We are concerned about over-development of the areas close to our beaches and shores.

One of the ways to combat that is to make sure that farmers make a good income and keep the value of their farms and farming so attractive that they wouldn't wait to sell their farms. I am always looking for ways to do good things for our planet, for our environment, for our air, including jobs and economic opportunity.

Will you think out loud for a minute how we can take carbon sequestration, how can we take that technology and the ability to infuse that into the soil to enrich the soil to make it more productive and to create an economic model that rewards farmers for keeping, continuing to farm and to being even better environmental stewards than they are already? Is this something



that you have thought about in North Carolina, or even at EPA since you have gotten there?

Mr. Regan. Absolutely. I think that what you just described is an excellent opportunity and why the President has insisted that agriculture stay at the table. While we look at the opportunities to sequester carbon, we don't have to look at that through solely a regulatory means. It is an opportunity that USDA and farmers are proactively looking at, that we need to quantify and consider as part of the equation.

I think it is an excellent opportunity for all of the reasons you just laid out. It keeps the farms in the family, it is a good revenue source, and it also helps with combating the climate crisis.

Senator Carper. Thank you. I mentioned earlier, and I am not sure who was here, my wife and I come home from church on Sundays, we come home and we fix breakfast in our kitchen and we turn on the television and watch a fellow named Fareed Zakaria. He holds forth for about an hour. He has some really interesting stuff.

This last Sunday, the last four minutes of his show he spent talking about how to, in times when the sun is not shining and the wind is not blowing, how do we make sure we have the ability to produce electricity. He focused on next generation nuclear power. It was enlightening and encouraging. I am a

retired Navy captain, I spent a lot of my life on ships or submarines. I have been on a bunch of them. In all the 70 some years that we have been producing nuclear power for ships, submarines and aircraft carriers, not one sailor has ever died from exposure to radiation.

We have some interesting things, very interesting things that are going on in new technology with respect to advanced nuclear. This is something this committee has been interested in. We passed legislation in this regard. You don't have to respond unless you want to, but this is something that we think is another arrow in our quiver and we would be foolish to ignore it.

Any thoughts you have, I would appreciate it.

Mr. Regan. I agree with that statement. I can tell you, Secretary Granholm speaks very eloquently about where that technology is and how it is applicable, especially when we look at grid reliability and reducing the carbon footprint. So I think it is an excellent opportunity to advance the cause to fight climate change mitigation.

Senator Carper. All right. Again, I am going to do some housekeeping right now and then I will say things for one last time.

For some final housekeeping, Senators will be allowed to submit questions for the record through close of business on May

12th. We will compile those questions and send them to you, Mr. Regan. We would ask that you try to reply to us by May 26th, that is about two weeks.

And with that, thank you for joining us today. This is something that we haven't done for a while, to have a budget hearing and have the Administrator here and to say what this is for this time, and be as forthright as you have been in your responses in this discussion. We look forward to doing it again and again, and again. And maybe again.

Thank you so much. My best again to your family, especially that young son of yours, Matthew, eight years old. We will always remember, you did a great job at your confirmation hearing, but he sat right behind you for three hours and he won the prize. Give him our best.

With that, I think this committee hearing is adjourned. Thanks.

[Whereupon, at 12:10 p.m., the hearing was adjourned.]