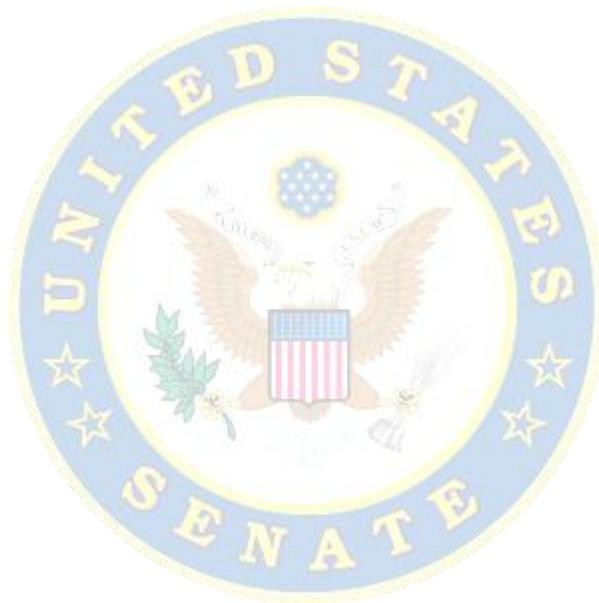


Chairman James M. Inhofe

U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE

1st Session 114th Congress Accomplishments Report



Majority Staff

Released: January 2016

U.S. SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE

With the new Republican Majority, Sen. Inhofe became Chairman of the Senate Environment and Public Works Committee for the 114th Congress. Chairman Inhofe remains focused on rebuilding our nation's crumbling infrastructure, stopping job-killing regulations and promoting policies proven to create jobs and economic prosperity by building on environmental progress. Healthy environments depend on strong economies.

2015 Accomplishments at a Glance

- Enactment of first long-term highway bill in 10 years
- Overhaul of federal chemical regulation passed through the Senate
- **39** committee and subcommittee hearings – including eight field hearings
- **5** mark ups
- **26** new laws
 - **4** additional bills passed the Senate but not yet enacted
 - **4** additional bills reported out of Committee but not yet passed the Senate
- **3** CRAs passed the Senate
- **7** nominees confirmed
- **2** oversight reports:
 - [Obama's Carbon Mandate: An Account of Collusion, Cutting Corners, and Costing Americans Billions](#)
 - [Forecast for COP21: Senate Predicts Obama Climate Promises to Come Up Short Again](#)

EPW LEGISLATION ENACTED INTO LAW

- **H.R.22 / S.1647, Fixing America's Surface Transportation "FAST" Act** – For the first time since 2005, Congress enacted long-term, five year legislation to improve the nation's surface transportation infrastructure, roads, bridges, transit systems, and rail transportation network. The bill reforms and strengthens transportation programs, refocuses our national priorities, ensures long-term certainty, provides more flexibility for states and local governments, streamlines project approval processes, and maintains a strong commitment to safety.
 - FAST ACT included the following bipartisan legislation:**
 - S. 280, *Federal Permitting Improvement Act*
 - S. 842, *Intermountain West Corridor Development Act*
 - S. 848, *Resolving Environmental & Grid Reliability Conflicts Act*
 - S. 863, *Appalachian Regional Development Amendments*
 - S. 880, *Transit-Oriented Development Infrastructure Financing Act*
 - S. 983, *Military Corridor Transportation Improvement Act*
 - S. 1348, *ROAD Act*
 - S. 1499, *Vehicle-to-Infrastructure Safety Technology Investment Flexibility Act*
 - S. 1649, *Sonoran Corridor Interstate Development Act*
 - S. 1781, *Legislation allowing state flexibility with excess obligated transportation funding*
 - S. 1782, *Legislation allowing state flexibility for interstate planning*
- **S. 124, A bill to amend the Water Resources Development Act of 1996 to deauthorize the Ten Mile Creek Water Preserve Area Critical Restoration Project** This legislation deauthorizes a Corps of Engineers project and allows the State of Florida to assume responsibility for meeting water storage and water treatment obligations.
- **S. 538, Idaho Safe and Efficient Vehicle Act** This legislation addresses specific commercial truck operations opening commerce in the northwest.
- **S.611, Grassroots Rural and Small Community Water Systems Assistance Act** This legislation reauthorizes funding for third party technical assistance to small public water systems to carry out on-site training to comply with the Safe Drinking Water Act.
- **S. 722, A bill to extend the date after which interest earned on obligations held in the wildlife restoration fund may be available for apportionment** – This legislation authorizes use of interest earned on funds collected under the Pittman Robertson Wildlife Restoration Act for North American Wildlife Conservation Act funding through 2026.
- **S.1024, Great Lakes Restoration Initiative** – This legislation amends the federal Clean Water Act to direct the EPA to implement a new Great Lakes Restoration Plan addressing remediating toxic substances, invasive species, wildlife protection, and pollution from run-off.
- **S.1586, Great Lakes Water Protection Act** – This legislation requires EPA to work with States surrounding the Great Lakes to establish public notice requirements for publicly owned treatment works with combined sewer overflow (CSO) discharges.
- **H.R.212 / S.460, Drinking Water Protection Act** – This legislation amends the Safe Drinking Water Act to direct the EPA to develop a strategic plan for assessing and managing risks associated from algal toxins particularly blue-green algae in drinking water provided by public water systems.
- **Legislation naming public buildings after veterans, public officials, judges, civil rights leaders, and local leaders.**
 - H.R.1075, designating the U.S. Customs and Border Protection Port of Entry in Douglas, Arizona, as the "Raul Hector Castro Port of Entry."
 - H.R.1690, designating the U.S. courthouse in Pittsburgh, Pennsylvania, as the "Joseph F. Weis Jr. United States Courthouse."
 - H.R.2131, designating the Federal building and U.S. courthouse in Charleston, South Carolina, as the "J. Waties Waring Judicial Center."
 - H.R.2270, designating the Nisqually National Wildlife Refuge in the State of Washington as the "Billy Frank Jr. Nisqually National Wildlife Refuge".
 - H.R.2559, designating the "PFC Milton A. Lee Medal of Honor Memorial Highway" in Texas.
 - S.261, A bill to designate the U.S. courthouse in Oklahoma City, Oklahoma, as the "William J. Holloway, Jr. United States Courthouse."
 - S.1707, A bill to designate the Federal building in Helena, Arkansas, as the "Jacob Trieber Federal Building, United States Post Office, and United States Court House."

REPORTED FROM EPW COMMITTEE FOR FURTHER ACTION IN 2016

- **S.653, Water Resources Research Amendments Act**
 - Passed the Senate June 9, 2015
- **S.697, Frank R. Lautenberg Chemical Safety for the 21st Century Act**
 - Reported out of EPW Committee on June 18, 2015 by a bipartisan 15-5 vote
 - Passed the Senate bill as a substitute for the House companion, H.R. 2576, by voice vote December 17, 2015
 - Currently in negotiations between the House and the Senate
- **S. 544, Secret Science Reform Act of 2015**
- **S.1140, Federal Water Quality Protection Act**
- **S.1324, Affordable Reliable Electricity Now Act**
- **S.1523, A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program**
 - Passed the Senate August 5, 2015
- **S.1500, Sensible Environmental Protection Act**



Chairman Inhofe holds a press conference with Ranking Member Boxer and industry leaders on the importance of a long-term highway bill (April 2015)

HOLDING THE ADMINISTRATION ACCOUNTABLE

Chemical Safety Board Reform – In addition to conducting nomination hearings and confirming a new member and chairman of the U.S. Chemical Safety Board, Sen. Inhofe and Regulatory Oversight Subcommittee Chairman Mike Rounds (R-S.D.) requested the President remove CSB former Chairman Rafael Moure-Eraso for violations of law identified by House of Representatives investigators and the EPA Inspector General. When the former chairman was removed, the EPW Committee confirmed a new chairman and Sen. Inhofe requested that the new chairman initiate an investigation of CSB senior staff that aided and abetted the former chairman in his severe mismanagement of the CSB. To date, that investigation has led to the removal of the top staff member, CSB Managing Director.

President's Council on Environmental Quality Oversight – In 2015, the Senate EPW Committee launched an oversight investigation into the activities, operation, and legal authorities for the White House Council on Environmental Quality. The investigation to date has raised important questions about CEQ's legal authority to continue to operate indefinitely without a Senate-confirmed Chairman. Sen. Inhofe has requested the Obama Administration withdraw the revised draft NEPA guidance document and other actions given these concerns. Sen. Inhofe also submitted comments questioning CEQ's authority under NEPA to issue guidance regarding the consideration of greenhouse gases in NEPA reviews.

Gold King Mine Spill – In 2015, the Senate EPW Committee held an oversight hearing with EPA Administrator McCarthy on the causes, response, and effects of the blowout at the Gold King Mine in Colorado, which released more than three million gallons of contaminated mine water into nearby rivers. The blowout has also renewed interest in legislation to promote cleanup of abandoned mine sites by Good Samaritans, which would be under the jurisdiction of the EPA Committee.

Superfund Clean Ups – At the request of the Senate EPW Committee, the Government Accountability Office (GAO) is reviewing how waterbodies with contaminated sediments are being cleaned up under EPA's Superfund program. The GAO review is focusing on whether EPA Headquarters is conducting adequate oversight of decisions made by the various Regional Superfund programs and whether EPA is following policies intended to improve the consistency and transparency of sediment sites are cleaned up. GAO is expected to release a report of its findings in 2016. Sen. Inhofe also joined Sen. Toomey in a letter seeking review of a proposed remedy at a Pennsylvania Superfund site.

Keeping FEMA Response Free of Climate Change Politics – When FEMA announced using state disaster funds to preventing impacts from climate change, the Senate EPW Committee requested an explanation from FEMA concerning how it planned to require States to address climate change before becoming eligible for receipt of certain disaster mitigation grants. FEMA clarified its previous announcement to not include new requirements and Congress included language in the Homeland Security Appropriations legislation directing FEMA to focus of the mitigation grants against the hazard itself and not on causation of hazards allowing states to address disasters and not add new bureaucratic red tape to demonstrate how disaster response addressing impacts from climate change.

Agency Budget Oversight – In 2015, the Senate EPW Committee held oversight hearings on the budgets of the EPA, Nuclear Regulatory Commission and the Fish and Wildlife Service.

Nominees Confirmed

- Gregory Guy Nadeau, of Maine, to be Administrator of the Federal Highway Administration
- Vanessa Lorraine Allen Sutherland, of Virginia, to be Chairperson of the Chemical Safety and Hazard Investigation Board
- Kristen Marie Kulinowski, of New York, to be a Member of the Chemical Safety and Hazard Investigation Board
- Eric Martin Satz, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority
- Richard Capel Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority
- Mark Scarano, of New Hampshire, to be Federal Co-chairperson of the Northern Border Regional Commission
- Eric D. Eberhard, of Washington, to be a Member of the Board of Trustees of the Udall Foundation

REGULATORY OVERSIGHT

Climate Change and Clean Power Plan Oversight – In 2015, the Senate EPW Committee requested information, cost analysis, and held six full committee, subcommittee, and field hearings on the EPA’s greenhouse gas regulations on new and existing power plants, two hearings on the Administration’s commitments to the international community leading to COP-21 in Paris, reported for full Senate consideration Sen. Capito’s ARENA Act, discharged **Senate Joint Resolutions 23 and 24** disapproving of the President’s new standards new and existing power plants which passed the U.S. Senate in two bipartisan votes, and issued two oversight reports on EPA and environmental lobbying collusion in the development of EPA’s power plant regulations and the legal effect of any commitment from the COP-21 in Paris.



Chairman Inhofe and Sen. Capito, Chairwoman of the Subcommittee on Clean Air and Nuclear Safety, address the media about S. 1324 the ARENA Act (May 2015)

Waters of the United States (WOTUS) Oversight – In 2015, the Senate EPW Committee held six full committee, subcommittee, and field hearings on EPA’s and the Army Corps of Engineers’ WOTUS regulation. The committee reported Sen. Barrasso’s Federal Water Quality Protection Act, and discharged **Senate Joint Resolution 22** disapproving of EPA and Corps’ WOTUS rule which passed the Senate in a bipartisan vote. In April 2015, Sen. Inhofe requested a GAO investigation into EPA’s campaign to seek support of the WOTUS rule while both the proposed rule and related legislation were pending. GAO concluded in that EPA engaged in illegal covert propaganda and violated anti-lobbying statutes. Sen. Inhofe, along with members of the EPW Committee, has sent multiple oversight letters to EPA and the Corps regarding this rulemaking, including letters seeking the legal support for the rule, the record support for the rule, an explanation of the treatment of storm sewers, and a request for the information relied on by Secretary Darcy when she disregarded the opinions of experts in the Corps of Engineers.

Endangered Species Act (ESA) Oversight & Reform – In 2015, the Senate EPW Committee held a comprehensive legislative hearing on all bills referred to the EPW Committee addressing the ESA and heard testimony from Fish and Wildlife Director Dan Ashe twice concerning the FWS budget, legislative improvements to the ESA, along with the testimony from Montana and Wyoming governors representing the Western Governors Association concerning the problems with ESA implementation.

Nuclear Regulatory Commission Oversight – In 2015, the Senate EPW Committee held full and subcommittee hearings continuing Sen. Inhofe’s oversight of the NRC’s fiscal responsibility, timely licensing reviews, and regulatory barriers to U.S. nuclear energy development.

Ozone Regulation Oversight – The Senate EPW Committee held two oversight hearings on the effects and costs of EPA’s proposed ozone regulation with stakeholders and EPA Assistant Administrator for Air and Radiation Janet McCabe. EPA originally proposed reducing the ozone standards despite half the country failing to comply with the former standard of 75ppb. EPA withdrew that proposal in 2011. Most recently, EPA took comments on lowering the ozone standards to 60ppb but still half the country has not complied with the current 75ppb standard. Ultimately EPA finalized a 70ppb standard. EPW will continue its oversight of this unnecessary regulation.

Coal Ash Regulation Oversight – The Senate EPW Committee held a stakeholder hearing on EPA’s coal ash regulation. While EPA determined it would not regulate coal ash as a hazardous waste due as environmentalists requested, it instead promulgated regulations that can only be enforced through citizen lawsuits. The EPW Committee heard testimony from state environmental regulators, the utility industry, and coal ash recyclers calling on Congress to act to provide direction on regulation on legislation to authorize state permitting programs for coal ash. EPW will report sensible legislation responding to EPA’s the stakeholders’ request.

Regulatory Reform & Oversight – In 2015, Oversight Subcommittee held four hearings receiving testimony on EPA and Department of Interior Inspectors General investigations into agency waste, fraud, and abuse. Additional hearings examined the rulemaking process from three angles: the science and advisory process behind EPA regulations, environmental litigation otherwise known as “sue-and-settle” tactics used to manipulate the timing and substance of regulations, and EPA’s cost-benefit calculations underpinning regulations.

- **Brick MACT** – EPW continues to conduct oversight of EPA’s Brick MACT rule specifically should the EPA continue to ignore alternative methods and rely on their proposal with minimal data, roughly one-third of the small businesses that comprise the brick industry could go bankrupt or be forced to consolidate operations, costing jobs.
- **NESHAP for major sources in ceramic tile industry** – In its draft rule, EPA proposed to regulate “major sources” of air emissions in the ceramic tile industry, even though EPA admitted in the preamble that there are no major sources in this industry to regulate. EPA even admitted that, because these regulations will regulate no one, they have no environmental benefits – an admission that acknowledges the needlessness of the proposed regulation.
- **Non-hazardous Secondary Materials Oversight** – Sen. Inhofe led a letter to EPA seeking clarification of the regulation of recycling railroad ties for use as fuel.
- **Federal Flood Risk Management Standard Oversight** – Sen. Inhofe submitted comments questioning the legality, lack of transparency, and costs and benefits of the Administration’s new federal flood risk management standard.
- **Oil and Gas Regulation Oversight** – In 2015, the Senate EPW Committee worked with the Senate Energy and Natural Resources Committee to oppose new federal mandates regulating methane emissions from the oil and natural gas industries which included a letter to President Obama in June and will include oversight in 2016. Sen. Inhofe consistently introduces legislation to keep oil and gas

regulation in the hands of the states. Additionally, in December, Sen. Inhofe sent a letter to EPA raising concerns over their application of “social cost of methane” used to inflate regulatory benefits to justify costly and unnecessary new federal mandates on the oil and natural gas sector.

Examining Costs and Benefits of Federal Regulations – In 2015, the Senate EPW Committee sent several oversight letters seeking information on the costs and benefits of regulations.

- **Social Cost of Carbon** – The social cost of carbon (SCC) metric, which the Obama Administration created behind closed doors, has been used to inflate alleged benefits of onerous climate regulations. While the Administration previously shielded its work on the SCC from the public, EPW oversight requests have brought transparency to the SCC.
 - In March 2015, EPW Committee’s oversight request to the Office of Information and Regulatory Affairs led the Administration to the release responses to public comments on the SCC in early July and a subsequent EPW document request to EPA has produced hundreds of pages of documents to the Committee that shed much needed light on how the SCC was developed.
- **Social Cost of Methane** – Similar to the SCC, the EPA recently used a social cost of methane in a proposed rule on the oil and gas industry without public notice or input, which prompted a December 2015 EPW oversight letter to EPA exposing the shortcomings of and requesting pointed answers to outstanding questions on the metric.
- **The Office of Management and Budget (OMB) is required to report annually to Congress on the costs and benefits of all major federal regulations.**
 - After more than a six month delay in producing the report, the Senate EPW Committee wrote OMB requesting the report which was made public a week later.

Ensuring EPA Grant Transparency and Accountability – In 2015, Sen. Inhofe continued his twelve year oversight of EPA grants management spanning to his chairmanship in 2003. Half of EPA’s annual budget is released as grants each year. At the outset, EPA’s online grants database is outdated and lacks key information about EPA grants. At a June 2015 hearing, Sen. Inhofe received a commitment from EPA Office of Environmental Information nominee Ann Dunkin to update the database. Subsequently, Sen. Inhofe sent a letter to EPA seeking details on its plan to update the database and officials have been working with EPW Committee staff to make the database more efficient and user-friendly.

Improving Scientific Integrity at EPA – In 2015, Senate EPW Committee worked towards improving scientific integrity at the EPA.

- In April 2015, members requested detailed information from EPA on its analysis of the impacts of climate change.
- While the Agency’s written response failed to provide data to justify its claims, EPA’s Science Advisor Dr. Thomas Burke testified at a June 2015 EPW hearing that the science on climate change is not settled.
- In April, Sen. Inhofe joined House Committee on Science, Space, and Technology Chairman Lamar Smith (R-TX), in requesting a study by the independent Government Accountability Office (GAO) on the EPA’s Science Advisory Board (SAB). GAO issued its final report in June, which revealed the SAB has not fully carried out its obligations under the law and recommended several steps for EPA to improve its management of the SAB.
- As part of the FY2016 appropriations bill enacted in December, EPA is now required to develop a new policy on science quality and integrity for the SAB that increases state and local representation on the SAB and safeguards against potential conflicts-of-interest or bias.

MEDIA

Opinion Articles by Chairman Inhofe

- Fox News Opinion: [The dirty business of Obama’s so-called Clean Power Plan](#)
- Fox News Opinion: [Why every property owner should fear EPA’s “WOTUS” rule](#)
- Municipal Water Leader: [Your sewers and streets could be WOTUS](#)
- CNN Opinion: [Beware of empty climate promises](#)
- Tulsa World: [Global warming is not settled](#)
- Lawton Constitution: [Six year highway bill may pass by Thanksgiving](#)
- USA Today: [Obama’s ozone overreach](#)
- Human Events: [The Obama Administration’s war on fossil fuels](#)
- Tulsa World: [America must rebuild its transportation system](#)
- U.S. News and World Report: [Clean up the clean water rule](#)
- CNN Opinion: [Obama should embrace nuclear energy](#)
- Fox News: [Obama exploits the environment for his new global carbon goals](#)
- CNBC: [Proposed ozone rules are ‘irresponsible’](#)
- Daily Caller: [Setting the Terms of the Debate](#)
- USA Today: [The real climate embarrassment](#)
- The Hill: [Planning for long term key to economic growth](#)
- Tulsa World: [S.B. 676 protects OK businesses, families from EPA’s overreach](#)

Editorial Board Endorsements

- Washington Post: [Time for oversight of dangerous chemicals](#)
- Wall Street Journal: [Mad tax fury road](#)
- Bloomberg View: [Dear Congress: please fix our roads, already](#)
- Bloomberg View: [Is your sofa toxic? Ask the EPA](#)
- Tulsa World: [Inhofe needs support for much-needed transportation act](#)
- Tulsa World: [Inhofe leads battle against EPA’s WOTUS Rules](#)



Chairman Inhofe is joined by fellow Senators, Bonnie Lautenberg, and industry and environmental groups to urge Senate action on the Frank R. Lautenberg Chemical Safety for the 21st Century Act (October 2015)

- Tulsa World: [Good chemistry key to Senate progress on important bill](#)
- Tulsa World: [Senate needs to pass highway funding bill](#)
- Tulsa World: [Time to reform federal toxic substances law](#)
- Oklahoman: [GOP accomplishments in Congress are worth noting](#)
- Oklahoman: [Prospect of long-term road bill from D.C. is encouraging](#)

SOCIAL MEDIA

- Live tweeted all EPW Committee hearings, mark-ups and press conferences
- Live streamed numerous EPW Committee events on Periscope
- Over 100 television appearances, radio interviews and floor speeches delivered in 2015

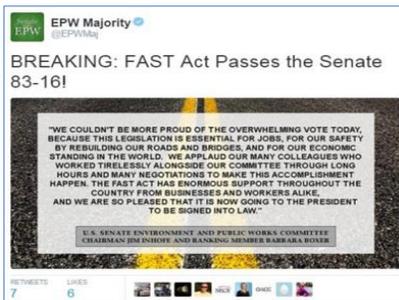
TWITTER

twitter.com/EPWMaj

New Followers: 500+

Tweets: 1,138

Unique Impressions: 181K



YOUTUBE

youtube.com/jiminhofepressoffice

EPW Uploads: 75

New Subscribers: 136

Total Channel Views: 42,369



FACEBOOK

facebook.com/jiminhofe

New Subscribers: 5,170

Total Subscribers: 28,489



INSTAGRAM

instagram.com/senateepw

Joined Instagram!

Photos: 65



Chairman Inhofe with former Secretary of Transportation, Norman Mineta at an AASHTO event (February 2015)

