

**TESTIMONY OF  
MICHAEL S. REGAN**

**ADMINISTRATOR  
U.S. ENVIRONMENTAL PROTECTION AGENCY**

**BEFORE THE  
U.S. SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

**April 6, 2022**

Chairman Carper, Ranking Member Capito, and members of the Committee, I appreciate the opportunity to appear before you today to discuss the bold vision laid out in the U.S. Environmental Protection Agency’s proposed Fiscal Year (FY) 2023 Budget request. In this Budget request, we lay out an ambitious and transformative plan for the Agency with the goal of a cleaner, healthier, and more equitable Nation where all people have equal access to safe and clean water, air, and communities.

**The FY 2023 President’s Budget Request**

President Biden’s proposed FY 2023 Budget request for EPA provides \$11.9 billion to advance the key priorities outlined in our new *FY 2022-FY 2026 EPA Strategic Plan*, including tackling the climate crisis, delivering environmental justice, protecting air quality, upgrading the Nation’s aging water infrastructure, and rebuilding core functions at the Agency. Almost half of EPA’s Budget request, \$5.7 billion, is directed to support Tribal, state, and local partners through grants and to directly reach communities. Additionally, the Budget includes an increase of more than \$900 million to fully fund the water programs authorized in the Drinking Water and Wastewater Infrastructure Act (DWWIA). . The Budget complements the resources provided in the bipartisan Infrastructure Investment and Jobs Act (IIJA) and will expand the Agency’s capacity to protect human health and the environment across the Nation.

***Tackling the Climate Crisis***

Under the continued leadership of the Biden-Harris Administration, EPA is prioritizing addressing climate change with the focus and resources the crisis demands. President Biden has directed a whole of government effort to confront this urgent threat, and EPA will be at the center of delivering on this agenda. The FY 2023 Budget invests \$773 million towards the strategic goal of tackling the climate crisis while also uplifting underserved and overburdened communities, creating good-paying jobs, and building a cleaner energy economy.

At EPA, we know both climate mitigation and adaptation are essential components of the strategy to reduce the threats and impact of climate change. We will invest in programs to reduce greenhouse gas emissions, including an additional \$100 million for air quality grants to states and tribes to reduce greenhouse gas emissions on a local and regional scale. We will direct an additional \$60 million to improve knowledge of the impacts of climate change on human health and the environment through our research programs—an increase that more than doubles EPA’s climate change research. We will leverage an additional \$35 million to implement the American

Innovation in Manufacturing Act to continue phasing out hydrofluorocarbons (HFCs), and we will invest an additional \$13 million in wildfire prevention and readiness.

Tackling the climate crisis depends not only on the Agency's ability to mitigate the effects of climate change, but also our capacity to adapt and deliver targeted assistance to ensure our partners across the Nation are also prepared to meet these challenges. As part of a whole-of-government approach, EPA will directly support federal partners, Tribal governments, states, territories, local governments, environmental justice organizations, community groups, and businesses as they deal with the impacts of climate change. As part of this effort, the Budget provides \$150 million to expand the availability of Diesel Emissions Reduction Act (DERA) grants and rebates, focusing on school buses, ports, and where conditions disproportionately affect vulnerable populations, including our children. EPA will provide \$20 million for climate adaptation efforts to strengthen the adaptive capacity of our partners. In addition, the Agency will lead through example and prioritize climate resiliency investments across EPA-owned facilities. We will invest \$35 million to pursue aggressive energy, water, and building infrastructure improvements to advance the Agency's use of carbon-pollution free electricity.

### ***Elevating Environmental Justice***

The communities hardest hit by pollution and climate change are most often communities of color, indigenous communities, rural communities, and economically disadvantaged communities. For generations, many of these vulnerable communities have been overburdened with higher instances of polluted air, water, and land. This inequity of environmental protection is not just an environmental justice issue, but also a civil rights concern. Neither an individual's skin color nor the wealth of their zip code should determine whether they have clean air to breathe, safe water to drink, or healthy environments in which their children can play. And yet, the development, implementation, and enforcement of environmental laws, regulations, and policies has not always ensured the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income.

To address these inequities, EPA recognizes that effective environmental policy must clean up the legacy pollution that many historically overburdened and underserved communities have lived with for far too long and ensure equitable practices for the future. A foundational component of the Agency's work to address environmental justice is the President's Justice40 Initiative, with the goal of delivering at least 40 percent of the overall benefits of relevant federal investments to underserved and overburdened communities.

In FY 2023, EPA will expand upon the historic investments made in FY 2022 in environmental justice and civil rights to reduce the historically disproportionate health impacts of pollution in communities with environmental justice concerns. Across the Budget, EPA is investing more than \$1.45 billion to advance environmental justice by cleaning up legacy pollution in overburdened and underserved communities and creating good-paying jobs. To ensure the success of these investments, we propose creating a new Environmental Justice National Program to be led by a Senate-confirmed Assistant Administrator to elevate and maximize the benefits of environmental justice efforts across EPA. Under this new Program area, more than \$300 million is included for the Environmental Justice program to expand support for community-based organizations, indigenous organizations, Tribes, states, local governments, and territorial governments in pursuit

of identifying and addressing environmental justice issues through multi-partner collaborations. This includes \$150 million in six environmental justice grant programs to support states, tribes, and local communities in addressing the impacts of environmental harms. Importantly, the Budget includes \$25.9 million to increase civil rights capacity across the Agency and ensure recipients of EPA's financial assistance comply with Title VI of the Civil Rights Act. The budget would also invest \$100 million will support a new community air quality monitoring and notification program. The Budget proposed additional funds and FTE to increase fence-line inspections in communities with disproportionately high pollution exposure.

### ***Enforcing Environmental Laws***

Enforcing and ensuring compliance of our Nation's environmental laws is central to achieving EPA's mission. The Agency holds, and will continue to hold, bad actors accountable for their violations, with a particular focus on communities with multiple pollution sources. This Budget invests \$213 million for civil enforcement efforts, such as increasing enforcement efforts in communities with high pollution exposure and preventing the illegal importation and use of hydrofluorocarbons in the United States. The request also includes \$148 million for compliance monitoring and \$7 million to implement a coal combustion residuals compliance program.

We know that overburdened and underserved communities are often victims of environmental crime. Accordingly, the Budget sets aside \$69 million for criminal enforcement efforts, including funding for a specialized Criminal Enforcement Initiative focused on addressing environmental justice issues in partnership with the Department of Justice (DOJ).

### ***Ensuring Clean and Healthy Air for All Communities***

Poor air quality still affects millions of people across the country, perpetuating harmful short- and long-term health and quality of life impacts. In FY 2023, the Agency will improve air quality for communities by reducing emissions of ozone-forming pollutants, particulate matter, and air toxics. The President's Budget includes \$1.1 billion for the strategic goal of improving air quality and reducing localized pollution, reducing exposure to radiation, and improving indoor air for communities across the country. The Budget dedicates \$152 million to the development and implementation of national emission standards to reduce air pollution from vehicles, engines, and fuels. EPA's work to set these standards provides certainty to industry, builds on advances in technology, and reinforces market movement towards a cleaner energy system that provides reliable and affordable energy.

The Budget includes \$289 million to assist Tribal, state, and local air pollution control agencies in the development, implementation, and evaluation of programs for the National Ambient Air Quality Standards (NAAQS) and to establish standards for reducing air toxics. EPA will continue to build on its historic progress in protecting human health and the environment from the harmful effects of air pollution and work to assure clean air for all Americans, with a particular focus on those in underserved and overburdened communities.

### ***Achieving Clean and Safe Water for All Communities***

Clean and safe water is a foundation for healthy communities and a thriving economy, and the Agency is committed to ensuring clean and safe water for all, especially for overburdened and underserved communities where adequate drinking water and wastewater infrastructure has not

been a priority. Although immense progress has been made across our Nation, many still lack access to safe and clean water and suffer the effects of aging infrastructure and legacy lead pipes. America's water systems also are facing new challenges, including cybersecurity threats, climate change, and emerging contaminants of concern, such as PFAS.

In FY 2023, EPA will continue our work with federal, Tribal, state, and nongovernmental partners to advance water quality science, provide clean and safe water for all communities, and protect our Nation's waterbodies from degradation. The Budget proposes more than \$4.1 billion to upgrade drinking water and wastewater infrastructure nationwide, with a focus on underserved communities. This includes a total of \$2.8 billion for the Clean Water and Drinking Water State Revolving Funds and \$80 million for the Water Infrastructure Finance and Innovation Act (WIFIA) program. Also included is \$1.2 billion for grant programs authorized in the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), the America's Water Infrastructure Act of 2018 (AWIA), and the Drinking Water and Wastewater Infrastructure Act of 2021 (DWWIA) and \$25 million for a new water sector cybersecurity grant program dedicated to help utilities and operators protect their systems. EPA requests to fully fund all the water programs authorized by DWWIA, including \$565 million to create 20 new water grant programs, a \$240-million increase to the Sewer Overflow and Stormwater Reuse grant program, and other critical water infrastructure investments. To further the President's goal of replacing all lead pipes within the next decade, the Budget proposes a \$160-million increase for grants to reduce lead in drinking water. This Budget request will complement the supplemental funds provided by the bipartisan Infrastructure Investment and Jobs Act (IIJA), totaling \$8.4 billion in EPA's State Revolving Funds for FY 2023.

In FY 2023, EPA will continue to work across environmental programs to advance Agency efforts to tackle Per- and Polyfluoroalkyl Substances (PFAS) pollution. As part of the President's commitment to tackling PFAS pollution and EPA's PFAS Strategic Roadmap, the FY 2023 Budget proposes approximately \$126 million for EPA to increase its understanding of PFAS and their human health and ecological effects; restrict PFAS use to prevent new PFAS pollution from entering the air, land, water; and remediate PFAS that have been released into the environment.

From the Chesapeake Bay to Lake Pontchartrain to the Puget Sound, the United States is home to water bodies of ecological, cultural, and economic significance. The Budget invests \$578.6 million to continue strong support for EPA's Geographic Water Programs to protect and restore these water bodies of special ecological and economic importance to the Nation. EPA's Geographic Programs deliver technical and financial assistance to solve problems and support healthy resilient ecosystems and to maintain, restore, and improve water quality, which yields environmental, economic, and recreational benefits to their communities.

### ***Safeguarding and Revitalizing Communities***

Preventing and cleaning up environmental pollution that harms communities and poses a risk to public health and safety continue to be a top priority for the Administration. The FY 2023 Budget enables the Agency to clean up hazardous waste sites in communities across the Nation, including those where vulnerable populations, such as children, the elderly, and economically-disadvantaged

individuals, reside. EPA collaborates with Tribal, state, and local partners to improve the livelihood of all residents of the United States by addressing contaminated sites, including Superfund, brownfields, leaking underground storage tanks, and other waste sites and restoring them to productive use. Reuse and restoration of these sites directly support President Biden's Justice40 initiative.

The Budget provides \$1.15 billion for EPA's Superfund programs to continue cleaning up some of the Nation's most contaminated land and to respond to environmental emergencies. In FY 2023, EPA will begin to use the Superfund chemical tax revenue collected in FY 2022, along with the \$3.5 billion provided to EPA under IJA and other appropriated resources, to implement the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Budget also includes \$215 million for EPA's Brownfields programs to provide grants and technical assistance to communities along with 60 additional Brownfields community specialists. Taken together, these investments will ensure EPA is cleaning up sites and fully engaging the communities we serve in the process.

### ***Ensuring the Safety of Chemicals for People and the Environment***

Chemicals and toxic substances are ubiquitous in our everyday lives and are often released into the environment from their manufacture, processing use, or disposal. EPA has significant responsibilities under amendments to the Toxic Substances Control Act (TSCA) to ensure the safety of chemicals in or entering commerce and addressing unreasonable risks to human health or the environment. The Budget provides \$124 million and 449 FTE to implement TSCA and deliver on the promises made to the American people by the bipartisan Lautenberg Act, an increase of more than \$60 million. These resources will support EPA-initiated chemical risk evaluations, issue protective regulations in accordance with statutory timelines, and establish a pipeline of priority chemicals for risk evaluation.

The Agency also has significant responsibility under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to screen new pesticides before they reach the market and ensure pesticides already in commerce are safe. In addition, EPA is responsible for complying with the Endangered Species Act (ESA) and ensuring that federally endangered and threatened species are not harmed when the Agency registers pesticides. The FY 2023 Budget includes an additional \$4.9 million to enable the Pesticide program to integrate ESA requirements in conducting risk assessments and making risk management decisions that protect federally threatened and endangered species from exposure to new active ingredients.

### ***Restoring EPA's Core Capacity and Following the Science***

The Budget strategically increases the capacity of the Agency across both mission and mission support functions to position the EPA to address both current challenges and prepare for the future. EPA has lost nearly 1,000 staff in recent years, hindering the Agency's ability to carry out its mission to protect human health and the environment. The Budget looks to restore EPA's programmatic capabilities that focus on achieving clean air, land, and water and tackling climate change. Restoring capacity across the Agency and building a diverse and equitable workforce will strengthen our ability to tackle multiple priorities, from clean air and water, to cutting edge

research at the Agency. Underpinning all our work is a commitment to follow the science, which is why this budget includes \$864 million for the Science and Technology account, an increase of more than \$100 million above current levels that will ensure programs have the best available data to inform decisions.

The Budget increases the Agency workforce by more than 1,900 new FTE relative to current levels, for a total of more than 16,200 FTE. The Budget will also dedicate resources to continue strengthening the Agency's ability to recruit, hire, develop, promote, and retain top talent and remove barriers to equal opportunity at management and staff levels to strengthen and advance diversity, equity, inclusion, and accessibility.

### **Conclusion**

The FY 2023 President's Budget positions the EPA to advance our important goals of protecting human health and the environment, championing environmental justice, and tackling the climate crisis. With these investments we can advance a better future for all our citizens and ensure the benefits of a cleaner environment for future generations.

Thank you for the opportunity to be here today to submit this testimony for the record. I look forward to our continued partnership to achieve these ambitious yet necessary goals and welcome any questions you may have.