

TESTIMONY

**Testimony of Governor Christine Todd Whitman,
Administrator of the U.S. Environmental Protection Agency,
Before the
Committee on Governmental Affairs
United States Senate
Washington, D.C.**

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Good morning, Mr. Chairman, Senator Thompson, and members of the Committee.

Mr. Chairman, I want to thank you for calling this hearing to review the environmental record of the first year of the Bush Administration. I am proud of what EPA has accomplished over the past 13 months and welcome any and every opportunity to tell people about it.

I should acknowledge right up front that I know that the chairman does not necessarily share my assessment about the past year. I read your recent speech in California and I understand your concerns. But in reading that speech I also found that we share many of the same fundamental objectives and we agree in many cases on how to achieve them. I think there is a great deal of common ground that we can work productively, and I look forward to doing so.

But to enable us to work together more effectively, I think it would be helpful to change the tone in Washington when discussing environmental issues. I understand that any discussion about environmental policy often generates a great deal of emotion. But I also believe that all of us involved in making that policy share a deep commitment to protecting the environment and safeguarding the public health. Questioning the motives of one another can actually hinder progress and delay policies that will help improve the state of the environment. Let's do better than that for the people we serve.

The bipartisan effort we all made together in enacting brownfields legislation should, in my opinion, be the model for how to advance environmental policy. After being stalled for many years, people from both sides of the aisle came together to advance the goal of cleaning up these blights on America's landscape. There's no reason why we can't do the same with other issues of great importance to the American people.

At my confirmation hearing, and many times since, I said my goal at EPA would be to leave America's air cleaner, its water purer, and its land better protected than it was when I started. I am pleased to report that we have made real progress in meeting that goal and I'd like to take just a few minutes to highlight some of our most important accomplishments to date.

First, cleaner air. Several weeks ago, President Bush proposed what will become, if enacted by the Congress, the most significant improvement to the Clean Air Act in more than a decade. His Clear Skies proposal will achieve mandatory reductions of 70 percent in three of the most noxious air pollutants emitted by power plants – nitrogen oxides, sulfur dioxide, and mercury. These are reductions from today's levels, which represent significant improvements in air quality over the past twenty-plus years.

Clear Skies would also reduce fine particle pollution over the next ten years faster than would occur under the current Clean Air Act. This would also accelerate the implementation of our existing fine particles standard. The new findings published this week by the American Medical Association underscore the importance enacting of Clear

Skies to help address this, as well as other health concerns.

The President's proposal will achieve these various reductions faster, cheaper, and with greater certainty than under current law. One might characterize this approach as "a market friendly way that encourages innovation, maintains flexibility for business, and achieves the real environmental results we need."

In fact, Mr. Chairman, that's exactly how you, in your speech in California, described the program on which we modeled Clear Skies – the Acid Rain Trading Program established as part of the 1990 Clean Air Act amendments. We agree with you that, and I quote, "cap and trade works" and has been "a resounding success." That's why we've used the acid rain program as the model for our Clear Skies proposal.

I believe we can make some real progress on this issue and I look forward to working with Chairman Jeffords and with you and your colleagues on the Environment and Public Works Committee to enact historic clean air legislation.

Before I leave this issue, I'd like to say a word about the EPA's review of the New Source Review Program. NSR is a program that needs to be fixed. The National Governors Association said so quite clearly. So did the Environmental Council of the States. We are still deciding how we can improve NSR to make it more effective in accomplishing its goal – fewer emissions from power plants and cleaner air for all Americans.

But despite what some have said, we are not going to eviscerate NSR. We are not going to undermine the Clean Air Act. We are not going to stop enforcing the environmental laws that protect the health of our fellow citizens. We are going to meet our obligation to the American people.

We are also meeting our obligation to the American people and the world community with respect to climate change. Last month the President announced a sensible, responsible proposal to cut greenhouse gas intensity of the United States by 18 percent over the next ten years. His proposal will ensure that our country is meeting its obligation to help create a cleaner, healthier world community without unfairly penalizing American workers or the citizens of the developing world. At the same time, his proposal will allow us to take future actions – as the science justifies – to stop, and then reverse the growth in greenhouse gas emissions.

This proposal is supported by the President's budget request. In it, he provides \$4.5 billion for global climate change activities – a \$700 million increase – which includes an unprecedented commitment to tax credits for renewable energy. This is a voluntary program that will give businesses the incentive to make long-term investments and develop new technologies to combat climate change.

In addition, the President's proposal includes incentives for industry to act now to cut their greenhouse gas emissions. By taking steps today to achieve such reductions, they can earn credits against any future mandatory reductions. This is a commonsense, market-based idea that I believe will produce real results.

It also complements a program we just launched at EPA called Climate Leaders. The participants in this voluntary program agree to pursue aggressive emission reduction goals. Already, 11 companies have signed on, including Florida Power and Light, Miller Brewing, and Cinergy.

These two proposals build on other action we took over the past year to help improve air quality and protect the health of all Americans. Last year we proposed a rule to control the emissions that have contributed to the haze that has for too long shrouded some of America's most scenic vistas in our national parks. We will restore the views that have captivated and inspired countless Americans for generations.

We will also help restore the health of people suffering from respiratory ailments. Our decision to move forward with stringent new emission standards for diesel trucks and buses and the reduction of the sulfur content in diesel fuel will save as many as 8,300 lives a year, while preventing more than 360,000 asthma attacks in children. I was pleased the Sierra Club called that decision, “a bold step toward making the air cleaner for all Americans.”

The Administration has also taken a number of other steps to make life better for children. These include a targeted public awareness campaign on the dangers of second-hand smoke and the establishment of four new Centers for Children’s Environmental Health and Disease Prevention research.

And while I am talking about children’s health, I should also mention the \$67 million grants the Administration awarded last year to fund lead removal activities, as well as the action we took to ensure that families will know about lead in their communities. We are also tripling the number of inspections to verify compliance with lead paint disclosure laws. Both through vigorous enforcement and proactive outreach, this Administration has made fighting childhood lead poisoning a top priority.

Every one of these actions is making America a better place to live.

Next, purer water. I believe that water quality and supply issues will likely pose the major environmental challenges of the 21st century. Despite significant progress over the past 30 years, we still have much to do. Because nonpoint source pollution is now the major contributor to water pollution nationwide, we are redirecting our attention away from simply looking at water quality at the end of a particular discharge pipe to looking at practices in entire watersheds and how they affect the quality of all the water in that watershed.

The President’s proposed budget includes funding for a watershed initiative that will build partnerships for cleaner water in 20 of America’s most threatened watersheds. Our proposal, modeled on the “Clean Charles 2005 Initiative” up in the Boston area, will help us craft solutions for each watershed based on its unique needs and challenges.

Our focus on watersheds will also help transform the way Americans think about how they can make a difference for cleaner water. As people learn more about the ways even small, individual actions can add up to big environmental consequences, they will become an active partner in our effort to leave America’s waters purer than they were when we arrived.

In addition to our innovative targeted watershed proposal, this Administration also recognizes the importance of helping state and local governments improve both their drinking and wastewater infrastructure. The President’s budget proposal for the state drinking water and clean water revolving funds is the largest combined request in history – \$2.1 billion. And that’s on top of the \$1 billion requested for other EPA water quality programs.

We have also moved quickly to help secure America’s drinking and waste water systems against disruptions from terrorist attacks. Working with Sandia Labs, we greatly accelerated work underway to develop vulnerability assessment tools for water utilities, finishing the work months ahead of schedule. In addition, we are beginning to distribute to the states the nearly \$90 million already appropriated we will be spending to help water utilities perform their vulnerability assessments.

I would also like to mention briefly action we took last year regarding the acceptable levels of arsenic in America's drinking water. As some will remember – and as some others will never let me forget – last spring I decided to take some additional time to evaluate both the science and the cost benefit analysis behind a final-hour proposal by the previous Administration to lower the arsenic limit.

After additional study, we found that the new limit was scientifically justified. That is why it is going forward, on the schedule outlined in the initial proposal. But the study also showed us that approving the new standard meant that many small water systems would have trouble meeting it – unless they had some help. So I've committed to providing \$20 million over 2 years to help those systems meet the 10 parts per billion standard.

The review strengthened the consensus that a new protective standard was needed and helped build support for the resources needed to allow smaller water companies to meet the new standard.

I should also point out that we had some other important victories for clean water over the past year. We issued a rule to protect consumers from microbial pathogens like cryptosporidium. We affirmed the Tulloch Wetland Rule which will ensure that these important ecosystems will be better protected from inadvertent damage from nearby construction activity. And we are moving forward with a final cleanup plan that will rid the Hudson River of more than 150,000 pounds of PCBs, greatly reducing a health threat to both aquatic and human life.

These initiatives will help us meet our goal of purer water for all Americans in the years ahead.

Finally, let me touch on the land – how we have worked to better protect it.

The most significant accomplishment in this area of the last year – indeed in several years – is the passage of historic brownfields legislation I mentioned earlier. This new law, which will help cleanup thousands of the most difficult brownfields that remain in America, is a fine example of how much we can accomplish when we work together in a bipartisan fashion. The Senate passed the brownfields bill 99 to 0. The House acted with similar enthusiasm.

This new law will truly be seen as one of the landmark pieces of legislation of the 107th Congress. It's an accomplishment of which every member of this committee – and of the Senate – can take genuine pride. And I'm pleased that in our budget request for FY 2003, the President asked for \$200 million to help state and local governments tackle brownfields projects. That's more than double from last year.

We have also continued to ask for steady funding for the Superfund program. In fact, our request for \$1.3 billion in next year's budget represents an increase over the current year's appropriation. That's because our request for brownfields funding is in addition to the Superfund funding, not part of it, as it has been in years past.

So, Mr. Chairman and members of the Committee, as I look at the record over the past year, I'm proud of what we have accomplished at the EPA. Because of what we have done, America's air will be cleaner, its water purer, and its land better protected. And that's important, not just because it means a cleaner environment, but because it also

means a healthier America.

I said at the outset, Mr. Chairman, that I believe we share the same goals for protecting the environment in America, and I do. I thought your quote from Genesis was appropriate, “God took the man, Adam, and placed him in the Garden of Eden to work it and to guard it.” I hope you would agree, though, that we women are given the same responsibility – and as for me, I intend to meet it. Each of us has the obligation to be a good steward of the Earth.

Mr. Chairman, I’m an optimist. I do not believe the opportunity for bipartisan cooperation on environmental issues has been lost. But it will be unless we spend more time trying to win environmental victories and less time trying to score political points. So let’s move forward from here, determined to find the common ground that will advance our common goals

Now I would be happy to take your questions.

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