

Thank you Chair DeGette, Ranking Member Griffith, and distinguished members of the Oversight and Investigations Subcommittee.

After four years of unprecedented, unrelenting attacks on the health and safety of communities across the country, policies that speed the destruction caused by climate change, and efforts to hobble the agency, the Environmental Protection Agency (EPA) will need to be restored and recommit to its mission of protecting human health and the environment. Thank you to all those career civil servants who have done their best in these challenging times, and to the new Biden administration staff starting there now. I too, am excited about Michael Regan, nominated to lead the agency I once did - he is a fantastic pick and I hope that your colleagues on the other side of the Capitol will confirm him soon.

Now is the time for EPA to act swiftly, as our country faces the accelerating and intertwined crises of climate change and environmental injustice, on top of the ongoing, compounding COVID-19 pandemic and the economic recession it caused. EPA should act with concrete and bold steps to pursue environmental justice and address the climate crisis, while also reaffirming the importance of following and advancing science for its decision-making process and strengthening the agency's capacity. To tackle these priorities, EPA must mend the damage done by the Trump administration, but it cannot stop there; these two ongoing crises of climate change and environmental injustice require much more action and attention than a return to the status quo. And EPA's actions should be taken in consultation with environmental justice communities- Black, Brown, Indigenous, and other communities of color living on the front lines of pollution- using new opportunities for engagement and reflecting the diversity of the country. EPA will need to be stronger and better resourced than ever before to deal with these crises and the fall-out of Trump administration actions and do it in a transparent and broadly inclusive approach.

### **Strengthen public health with a strong EPA**

The Trump administration attempted to deal death blows to national environmental programs; slashed protections for our environment and people; and reduced the capacity of the federal, state, Tribal and local governments to implement programs and protections.

EPA and the environmental protection system it supports in state, tribal, and local governments have been "hollowed out" from unwise regulatory rollbacks, inadequate funding, and battered staff morale. The Agency has been running under siege from threatened and actual budget cuts, attempts to restructure it to make it unable to carry out its mission, and a flood of anti-science misinformation.

Sadly, some of Trump's efforts were successful in reducing public health protections during a time when strong public health protections are even more essential than ever. Many of the Trump administration's environmental actions have already been judged illegal and many more are being challenged in court. But in the meantime, communities countrywide are bending under increasingly severe cumulative impacts, climate change effects, and a respiratory pandemic that inordinately impacts communities of color – magnifying suffering in those very same communities already disproportionately hurt by toxic pollution. Here are three broad areas to strengthen the EPA and equip it to tackle the serious challenges our country faces.

(1) Recommit EPA to its Core Mission and Ethical Principles

The new Administrator should re-commit the agency to its core mission of protecting human health and the environment, as well as high standards of ethics. The principles of transparency, fairness and inclusion should drive its efforts throughout. Among other concrete efforts, EPA should:

- Rebuild EPA's scientific integrity program.
- Invest in public engagement for national and regional decision processes, promote open-door policy at EPA and encourage more diverse voices to be heard.
- Re-establish a fair and non-politicized FOIA response program that provides prompt responses.
- Provide fact-based information about environmental quality, risks to the public and the environment and the role of human activity on those impacts.
- Re-launch EPA's website to once again house uncensored and accurate science and information.
- Tackle complex environmental and public health issues with cross-cutting, integrated strategies.
- Leverage social media and other platforms to inform the public about environmental and public health challenges and EPA's work to address them.

## (2) Strengthen Environmental Enforcement

Engaged, efficacious, and timely enforcement of EPA's regulations is essential to public health, environmental justice and environmental and public health protection. Strong enforcement safeguards communities everywhere, and can be targeted to advance environmental justice, and demonstrates our commitment to rule of law. EPA should:

- Commit to and practice robust enforcement and the rule of law – to advance EPA's mission and environmental justice.
- Publicly commit to shielding enforcement from political interference.
- Invest the necessary resources to get the job done.
- And finally, Biden Executive Orders have accomplished some advances here already: reverse policies at EPA and DOJ meant to limit EPA's authorities for compliance and enforcement, including supplemental environmental projects (SEPs).

## (3) Strengthen Protections for Public Health

EPA should adequately and lawfully implement its authorities under our bedrock environmental laws to protect public health and the environment, using every available tool at its disposal, including but not limited to issuing health protections, regulations, guidance, and other policies with a tempo and strength that values public health and environmental justice and providing foundational technical and financial support to states and local communities.

Reversing rollbacks and roadblocks put in place by the Trump administration will not suffice. EPA should prioritize its actions with the accumulating facts and science on the substantial public health toll from the toxic legacy of environmental racism, the changing climate, and the cumulative effects of air, water, and land pollution and contamination.

## **Advance environmental justice**

President Biden has made it a priority of his administration to end inequitable environmental conditions that affect Tribal communities, people of color, and low-income communities – broadly speaking, environmental justice communities – as these populations continue to face disproportionate levels of exposure and vulnerability to toxic pollution and environmental hazards. That work has to start at the EPA. To address these inequities, EPA should take bold actions that protect the health and safety of environmental justice communities that bear the burden of our nation’s historical and current reliance on dirty fuels and toxic substances.

EPA should leverage its existing authority to acknowledge and address the symptoms of systemic racism in the U.S. and within its operations. EPA should also recognize and address the different histories, needs, and assets of environmental justice communities. Right off the bat, EPA should use various tools to substantially reduce exposures to toxic substances and air, water, and land pollutants in environmental justice communities. This should include major investments in cleaning up the legacy of toxic pollution that has plagued environmental justice communities for decades. Across the government, President Biden has committed to delivering at least 40 percent of investments to environmental justice communities, and targeted cleanups is certainly one way EPA can help make good on that promise. Finally, EPA, in collaboration with other agencies, should invest in environmental justice communities so that they have equitable access to resources and technologies as we address our health, safety, and the climate crisis.

EPA should structure policies to garner measurable reductions in air, water, and land pollution and exposure to toxic substances in environmental justice communities. Further, EPA’s policies should improve the health, safety, and livability of all communities in the face of dire consequences of climate change by building community resilience and reducing the pollution that exacerbates climate change. To do all of this, EPA needs significant investments in scientific research and analysis; decision-making tools; monitoring systems; improved environmental justice screening tools; and enhanced enforcement. To do all of this RIGHT, this effort must be informed by major input from and rolled out in partnership with environmental justice communities and leaders. EPA’s policies across the agency must advance a comprehensive approach to reducing legacy and ongoing pollution exposures, maximizing the benefits of action, and averting potential new harmful environmental impacts on environmental justice communities.

## **Address the climate crisis**

The Intergovernmental Panel on Climate Change’s (IPCC’s) 2018 report, and the climate-fueled disasters piling on year after year, make clear that we must act now to reduce the greenhouse gases (GHGs) or carbon pollution that are causing devastating heat, droughts, wildfires, stronger storms, floods, warmer air and water temperatures, and ocean acidification. These climate consequences will in turn heighten human health threats from extreme heat, diseases, water quality, and air pollution; poison the marine web of life; devastate habitat and wildlife populations; and upset the global food supply. As many of you understand, confronting these challenges head-on will require both ambitious administrative and legislative action.

The scale and pace of EPA actions should align with the global goal of limiting warming to 1.5 degrees Celsius by 2050. This includes the United States delivering deep and absolute domestic emission reductions of at least 90 percent below 2005 levels by 2050 across all sectors of the economy and doubling domestic carbon sequestration by 2050 using natural climate solutions that protect and enhance the health of soils, forests, grasslands, wetlands, waters, and ocean and the associated ecosystem benefits. Total domestic GHG removals must exceed total domestic emissions well before 2050. This must be paired with substantial international financial and, more relevant to EPA, technical support for emission reductions and climate resilience in developing countries. EPA must make a substantial contribution with ambitious, near-term steps to help the US be far along this path by 2030.

In short, the next decade is critically important both in terms of addressing the climate crisis and harvesting the health and economic growth benefits of transitioning to cleaner sources of energy and cutting pollution. We do not have to choose between a health economy and a healthy environment, we can – and should – have both.

EPA, along with the other federal agencies, must act boldly to tackle climate change in a manner that protects public health; addresses environmental injustice; creates good-paying, family-sustaining jobs; promotes clean energy innovation; and diversifies and invests in communities that have been reliant on the fossil fuel industry. EPA policies should be crafted to:

- Limit global warming to no more than 1.5 degrees Celsius over pre-industrial levels by 2050, and be firmly on this path by 2030, acting effectively, responsibly, equitably, and justly to achieve these goals.
- Eliminate disproportionate exposures in environmental justice communities and pair GHG emissions reductions with mandatory reductions of co-pollutants in those communities.
- Focus on zero emission technologies, demonstration projects, grants, emissions standards, and permit limits with prioritization of those communities disproportionately affected by fossil fuel pollution.
- Achieve absolute U.S. GHG emissions reductions of at least 90 percent below 2005 levels economy-wide by 2050.
- Double U.S. carbon sequestration by 2050 using natural climate solutions that protect and enhance the health of soils, forests, grasslands, wetlands, waters, and ocean and the associated ecosystem benefits.
- Total U.S. GHG sequestration must overtake total US GHG emissions well before 2050.

Climate policies should be enforceable and effective – reducing emissions and advancing racial equity and environmental justice. Sources for which EPA has existing statutory authority should see speedy rulemaking, by the end of 2022, so facilities have time to shift to clean processes and technologies. Guidance, standards, and implementation schedules should facilitate enforceability of all pollutant reductions, not just GHGs.

To achieve the dramatic emissions reductions required to avert the worst climate change impacts and advance equity and environmental justice, EPA should ambitiously and rapidly leverage its existing authority. Meanwhile, Congress must move forward to enact strong new complementary legislation and massive investments, with enforceable economy-wide limits on emissions and pollution.

## **Follow and strengthen the science**

Well-conducted science is critical for EPA to fulfill its mission to protect public health and the environment, and is the foundation for EPA, regions, states, tribes, and other partners to address pressing environmental and related health challenges. As we have witnessed, the Trump Administration attempted to limit the development of, and access to, important areas of the agency's science. It completely altered the character and credibility of external science review groups and the process for reviewing science assessments. It attempted to gut risk assessments and weaken guidelines without full involvement of agency and external experts or the public. Step one, the Trump Administration's actions need to be reversed.

Even before 2017, EPA needed more funding and research capacity to better incorporate current scientific findings into its policy development. No clearer was the need than in the agency's work to establish public health protections, especially from cumulative impacts and cross-media (air, water, land) threats that might not fit neatly into a single statutory program. Urgent priorities for the Biden-Harris administration to address include analyzing strategies for achieving the greenhouse gas (GHG) emission reduction targets identified in the Intergovernmental Panel on Climate Change's (IPCC) 2018 report, cleaning up and limiting forever contaminants such as PFAS, and protecting environmental justice communities from the cumulative risks and impacts associated with exposure to multiple pollutants.

Also, EPA should build effective public engagement and communication related to its scientific efforts that reflect both the diversity of the American population and the importance of the agency's science in protecting health and the environment for the entire country. Increasing the public's understanding of EPA's role and how science is used to establish environmental protections would enable more meaningful public participation in, and appreciation for, the agency's mission.

EPA should build on its scientific strength in assessing and modeling ecological systems, and deepen that work, by continuing to develop systems-based approaches for understanding and addressing complex human health challenges. Systems-based scientific approaches can help identify interventions that may positively impact multiple outcomes, or lessen cumulative impacts, while avoiding unintended consequences. Research to evaluate the effectiveness of select EPA regulations and other interventions is also an important need. Results of effectiveness research could inform communicators' work to educate the public on EPA's critical role in human health and environmental protection.

The new administration should take immediate steps to reject the Trump Administration's ill-advised policies and agency actions that limited or ignored science, strengthen science in decision-making, re-commit to scientific integrity and community engagement, revamp scientific advisory committees to avoid conflicts of interest and restore their credibility, and address long-needed initiatives on pollution that poses threats in multiple media (i.e. air, water, land) equity analysis, and cumulative impacts.

**In summary**, EPA must mend the damage done by the Trump administration, but it cannot stop there; these two ongoing crises of climate change and environmental injustice require much more action and attention than a return to the status quo. EPA will need to be stronger and better resourced than ever before to deal with these crises and the fall-out of Trump administration actions and do it in a transparent and broadly inclusive approach.