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ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

October 8, 2015

Ms. Bonnie Buthker
Chief
Southwest District Office
Ohio Environmental Protection Agency
401 East Fifth Street
Dayton, OH 45402

Dear Ms. Buthker:

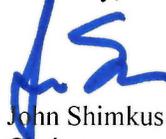
Thank you for appearing before the Subcommittee on Environment and the Economy on Wednesday, September 16, 2015, to testify at the hearing entitled "Oversight of Federal Facility Cleanup under CERCLA."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on Monday, October 22, 2015. Your responses should be mailed to Will Batson, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed to Will.Batson@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



John Shimkus
Chairman
Subcommittee on Environment and the Economy

cc: The Honorable Paul Tonko, Ranking Member, Subcommittee on Environment and the Economy

Attachment

Additional Questions for the Record

The Honorable John Shimkus

1. Please describe the relationship between States and the Department of the Interior and the Department of Agriculture, and in particular the federal land managers such as the Forrest Service and the Bureau of Land Management?
 - A. Do these agencies more frequently assert the waiver of sovereign immunity?
 - B. Do these agencies comply with applicable state statutes and regulations in conducting cleanups?
2. What barriers do States face with respect to cleanups at federal facilities?
 - A. What can Congress do to remove barriers to State oversight and regulation at federal facilities?
3. Your written testimony stated that federal agencies should ensure that state costs for regulation of federal facilities, including costs associated with State agency oversight, should be fully reimbursed to states in the same extent and manner as other regulated entities. Would you please explain what you mean by that?
 - A. Is a change to CERCLA necessary to make sure that States receive full reimbursement of these costs?
4. Your written testimony also noted that DoD and DoE currently provide cost reimbursement to states for oversight costs. What about the federal land managers –do they reimburse states for oversight costs? If not, please explain.
5. What barriers do States face with respect to cleanups at federal facilities?
 - A. What can Congress do to remove barriers to state oversight and regulation at federal facilities?
6. Does ASTSWMO think that changes are necessary to make CERCLA function more efficiently? If so, please specifically identify such changes.