



U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE

February 14, 2017

TO: Members, Subcommittee on Environment

FROM: Committee Majority Staff

RE: Hearing entitled “Modernizing Environmental Laws: Challenges and Opportunities for Expanding Infrastructure and Promoting Development and Manufacturing”

I. INTRODUCTION

On Thursday, February 16, 2017, at 10:00 a.m. in 2123 Rayburn House Office Building, the Subcommittee on Environment will hold a hearing entitled “Modernizing Environmental Laws: Challenges and Opportunities for Expanding Infrastructure and Promoting Development and Manufacturing.” The hearing will examine challenges and opportunities for expanding infrastructure, economic redevelopment, and manufacturing by modernizing certain environmental statutes in the Subcommittee’s jurisdiction, including the Clean Air Act (CAA), and the Brownfields provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

II. WITNESSES

- **Ross E. Eisenberg**, Vice President, Energy and Resources Policy, National Association of Manufacturers;
- **Jonathan F. Mitchell**, Mayor, New Bedford, Massachusetts;
- **Thomas M. Sullivan**, Vice President, Small Business Policy, U.S. Chamber of Commerce;
- **Kevin Sunday**, Director, Government Affairs, Pennsylvania Chamber of Business and Industry;
- **Melissa Mays**, Founder, Water You Fighting For?; and
- **Emily Hammond**, George Washington University Law School on behalf of Center for Progressive Reform.

III. BACKGROUND

The Committee on Energy and Commerce's Subcommittee on Environment has jurisdiction over a range of environmental statutes, including, but not limited to, the Clean Air Act (CAA), the Safe Drinking Water Act, the Comprehensive Environmental Response, Compensation, and Liability Act, the Solid Waste Disposal Act, the Emergency Planning and Community Right to Know Act, and the Toxic Substances Control Act. In prior Congresses, the Committee has considered whether there are statutory reforms that could be enacted to modernize or update certain of these statutes and that could result in more efficient or cost-effective implementation of these laws, and promote innovation and affordable goods and services, while avoiding undue regulatory burdens.

The Committee has specifically considered practical issues under the CAA that states and localities, as well as private sector stakeholders, may confront when seeking to develop new infrastructure or manufacturing projects.¹ For example, the Committee has examined challenges relating to obtaining air permits required for new construction and expansions of existing facilities under the Environmental Protection Agency's "New Source Review" program, and the Committee has advanced legislation to ensure the more timely processing and tracking of such permits.² The Committee has also examined potential challenges to new infrastructure development and manufacturing associated with the EPA's recent ozone and other National Ambient Air Quality Standards (NAAQS), and advanced legislation to provide for more efficient implementation of those standards, as well as other reforms to the NAAQS program generally.³

In addition, the Committee has previously examined challenges that state and local governments, as well as private sector stakeholders, may confront when seeking to remediate and redevelop Brownfields sites. In particular, the Committee has examined barriers to cleaning up sites and returning them to beneficial use.⁴

¹For a summary and links to the Committee's CAA-related hearings, legislation and oversight since 2011, see [E&C Primer: EPA: Clean Air Act Hearings, Legislation and Oversight \(112th-114th Congresses\)](#).

² See May 21, 2014 Hearing entitled "[Promoting New Manufacturing Act](#)," [Serial No. 113-147](#) and [Background Memorandum](#); See, also e.g., House Committee Report: 113-488 for [HR 4795](#), "Promoting New Manufacturing Act."

³ See, e.g., April 14, 2016 Hearing entitled "[H.R. 4775, Ozone Standards Implementation Act of 2016](#)," [Serial No. 114-134](#) and [Background Memorandum](#); June 16, 2015 Hearing entitled "[EPA's Proposed Ozone Rule: Potential Impacts on Manufacturing](#)," [Serial No. 114-56](#) and [Background Memorandum](#); June 12, 2015 Hearing entitled "[EPA's Proposed Ozone Rule](#)," [Serial No. 114-53](#) and [Background Memorandum](#); See, also e.g., House Committee Report: [114-598](#) (Part 1 of 2) and [114-598](#) (Part 2 of 2) for HR 4775, "Ozone Standards Implementation Act."

⁴ See April 21, 2016 Hearing entitled "[The EPA Brownfields Program: Empowering Cleanups and Encouraging Economic Redevelopment](#)" and [Background Memorandum](#).

In this Congress, the Subcommittee on Environment will seek to advance meaningful reforms to modernize our environmental laws in order to promote infrastructure, development, domestic manufacturing, and job growth in the United States.

IV. ISSUES

The following issues relating to implementation of the CAA, the Brownfields Program, and other environmental laws in the jurisdiction of the Environment Subcommittee may be examined at the hearing:

- Potential for new infrastructure projects and manufacturing facilities in the United States;
- Regulatory challenges to the expansion of infrastructure and domestic manufacturing;
- Potential reforms to encourage investment in infrastructure and domestic manufacturing;
- Potential reforms to encourage the redevelopment of Brownfields sites; and
- Potential additional reforms to ensure more efficient, cost-effective implementation of the CAA and other environmental statutes within the jurisdiction of the Subcommittee.

V. STAFF CONTACTS

If you have any questions regarding this hearing, please contact Mary Neumayr, Jerry Couri, or Tina Richards of the Committee staff at (202) 225-2927.