

The following 6 pages numbered 54 - 59 were excerpted from Senate Report 110-91 (June 26, 2007).

ity research grants to study the health and environmental effects of air pollution, develop innovative emissions reduction strategies, and develop strategies to mitigate climate change. EPA shall also provide \$4,000,000 in grants on a competitive basis to partners to fund research to meet regional or national water quality, security, availability, or watershed management needs.

Research: Human Health and Ecosystems.—The Committee recommends \$219,531,000, a \$1,957,000 increase above the request to fund fixed cost increases.

Research: Land Protection.—The Committee recommends \$10,853,000, an increase of \$116,000 above the request to fund fixed costs.

Research: Pesticides and Toxics.—The Committee recommends \$25,089,000, including \$294,000 above the request to fund fixed costs.

Research: Sustainability.—The Committee provides \$22,692,000, including \$214,000 above the request to fund fixed costs.

Water: Human Health Protection.—The Committee provides \$3,480,000, including \$64,000 above the request to fund fixed costs.

Other.—The Committee notes that Mississippi State University [MSU] has nationally recognized water resource development and management extension and research efforts. The Committee encourages EPA and the region IV office to consider options for partnering with MSU to establish a watershed center of excellence.

The Committee notes that EPA continues to increase its support for nanotechnology research within its base budget, including a \$1,600,000 increase for nanoscale research in its fiscal year 2008 budget. The Committee is committed to ensuring that all Federal environmental, health and safety research is prioritized and coordinated so that nanotechnology’s potential benefits to the economy and environment are realized at the same time that human health and the environment are protected. To further these goals, the Committee urges EPA to contract or enter into a cooperative agreement with the National Academy of Sciences’ Board on Environmental Studies and Toxicology within 90 days of enactment to develop and monitor implementation of a comprehensive, prioritized research roadmap for all Federal agencies on environmental, health and safety issues for nanotechnology.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

Appropriations, 2007	\$2,358,370,000
Budget estimate, 2008	2,298,188,000
Committee recommendation	2,384,121,000

PROGRAM DESCRIPTION

The Agency’s “Environmental programs and management” account includes the development of environmental standards; monitoring and surveillance of pollution conditions; direct Federal pollution control planning; technical assistance to pollution control agencies and organizations; preparation of environmental impact statements; enforcement and compliance assurance; and assistance to Federal agencies in complying with environmental standards and ensuring that their activities have minimal environmental impact. It provides personnel compensation, benefits, and travel and other

administrative expenses for all agency programs except Hazardous Substance Superfund, LUST, Science and Technology, Oil Spill Response, and OIG.

COMMITTEE RECOMMENDATION

The Committee recommends \$2,384,121,000 for environmental programs and management activities, an \$85,933,000 increase above the request and a \$25,751,000 increase above the fiscal year 2007 enacted level.

Changes to the budget request are detailed below.

Air Toxics and Quality.—The Committee recommends \$192,957,000, a \$4,396,000 increase above the budget request. Of that increase \$2,396,000 shall be used to fully fund fixed costs. An additional \$2,000,000 above the request is provided for the EPA to use its existing authority under the Clean Air Act to develop and publish a rule requiring mandatory reporting of greenhouse gas emissions above appropriate thresholds in all sectors of the economy. The Committee has provided bill language to this effect in the administrative provisions section. The Committee directs EPA to publish a draft rule no later than April 30, 2008, and a final rule no later than December 31, 2008. The Committee further directs EPA to include in its rule reporting of emissions resulting from upstream production and downstream sources. The Administrator shall determine appropriate thresholds of emissions above which reporting is required, and shall have discretion to use existing reporting requirements for utilities under the Clean Air Act.

Brownfields.—The Committee provides \$23,713,000, including \$263,000 above the request to fund fixed costs.

Climate Protection Program.—The Committee provides \$85,881,000, including a \$2,046,000 net decrease from the request for climate protection activities. Within funds, the Committee has included the administration's request of \$4,436,000 for the Methane-to-Markets initiative and has decreased the President's request for the Asia-Pacific Partnership by \$2,500,000. The Committee notes that EPA should use approximately \$454,000 from this reduction to fund fixed costs in other climate protection program areas.

Compliance.—The Committee has provided \$124,607,000, which includes a general program reduction of \$8,154,000 from the request for compliance activities. The Committee notes that EPA's role in providing compliance assistance to regulated entities is important but should not supersede its enforcement role.

Enforcement.—The Committee provides \$196,628,000, including an \$8,962,000 increase for enforcement activities above the request. Within that increase, \$2,178,000 is provided to restore base environmental justice programs, for a total of \$6,000,000.

Environmental Protection: Demonstration Project Competitive Grants.—The Committee has provided \$31,500,000 above the request to fund high priority regional or national demonstration project grants on a competitive basis that showcase innovative efforts to control or remediate pollution. Priority should be given to grantees that can provide matching funds from partners. Of this amount, \$11,500,000 shall be provided for air quality grants, \$10,000,000 shall be provided for water quality and availability

grants, and \$10,000,000 shall be provided for drinking water program grants.

Environmental Protection: Other Congressional Priorities.—The Committee has included \$19,500,000 above the request to fund high priority national research programs run by EPA partners. The increase above the request shall be allocated as follows:

—\$11,000,000 for the National Rural Water Association for rural and small water system technical assistance programs (Leahy, Murray, Dorgan, Durbin, Stevens, Specter, Domenici, Bond, Shelby, Biden, Bingaman, Brown, Bunning, Cantwell, Cardin, Casey, Clinton, Coleman, Collins, Conrad, Cornyn, Dodd, Dole, Enzi, Feingold, Grassley, Hagel, Inhofe, Kennedy, Kerry, Klobouchar, Lieberman, Levin, Lincoln, Lugar, McCaskill, Menendez, Murkowski, Obama, Pryor, Roberts, Salazar, Sanders, Schumer, Smith, Snowe, Stabenow, Thomas, Thune, Vitter, Voinovich, Warner, Webb, and Wyden);

—\$4,000,000 for the Small Public Water System Technology Assistance Centers Program (Durbin, Stevens, Bond, Specter, McConnell). This program funds centers at Montana State University, Western Kentucky University, the University of Missouri—Columbia, the University of Alaska—Sitka, Mississippi State University, the University of New Hampshire, Pennsylvania State University and the University of Illinois that assist communities on water quality issues;

—\$3,500,000 for the Rural Community Assistance Partnership to fund rural and small water system technical assistance (Leahy, Harkin, Mikulski, Landrieu, Bingaman, Brown, Coleman, Conrad, Crapo, Feingold, Grassley, Klobouchar, Kerry, Levin, Lincoln, Pryor, Salazar, Sanders, Smith, Tester, Voinovich, and Wyden);

—\$1,000,000 for the Water Systems Council WellCare water well owner technical assistance program (Harkin, Reed, Baucus, Bayh, Cardin, Casey, Clinton, Crapo, Dole, Grassley, Kohl, Lincoln, Pryor, Lugar, Schumer, Smith, Tester, Whitehouse and Wyden).

Geographic Programs.—The Committee recommends a total of \$82,800,000, including an increase of \$8,289,000 above the request, for Geographic Programs. Within this increase, \$212,000 is provided to fund fixed costs, including \$114,000 for the Great Lakes program and \$33,000 for the Gulf of Mexico program. Other changes to the request are detailed below:

—a \$4,000,000 increase above the request, for a total of \$32,812,000, to fund the Chesapeake Bay Program. The Committee notes that \$8,000,000 has been provided in the budget request to retain Chesapeake Bay targeted watershed grants. The Committee provides an additional \$2,000,000 to increase targeted watershed grant funding, and \$2,000,000 to restore partnership grants for the Chesapeake Bay small watersheds (Mikulski, Cardin).

—a \$5,000,000 increase above the request is provided to fund new partnership grants for protection and restoration of San Francisco Bay watersheds (Feinstein). These competitive grants shall be used to support efforts by partner organizations and State and local governments to improve water quality and

restore Bay watersheds. Matching funds of no less than 25 percent shall be required, and priority shall be given to organizations that emphasize the ability to leverage additional public and private funds;

- a \$2,566,000 increase above the request, for a total of \$3,500,000, to fund the Lake Champlain water quality program (President, Leahy);
- a \$1,533,000 increase above the request, for a total of \$2,000,000, to fund Long Island Sound cleanup and water quality activities (President, Schumer, Clinton);
- a \$448,000 general program reduction for the Community Action for a Renewed Environment [CARE] program; and
- a \$4,953,000 reduction for Regional Administrators' Geographic Initiatives, for a total of \$5,000,000. The Committee notes that the justification contains very little detail on how the administration proposes to spend these funds and has reduced the budget accordingly.

Homeland Security.—The Committee recommends \$24,563,000, including a \$144,000 increase above the request to fund fixed costs.

Indoor Air.—The Committee recommends \$27,105,000, including a \$236,000 increase above the request to fund fixed costs.

Information Exchange/Outreach.—The Committee recommends \$127,542,000, including a \$10,336,000 increase above the budget request. Of this increase, \$1,336,000 shall be used to fund fixed costs. The Committee does not agree to the budget request to consolidate children's health and environmental education programs and has provided \$9,000,000 to restore environmental education programs and \$6,241,000 to fund programs for children's health and other sensitive populations.

International Programs.—The Committee has provided \$19,283,000 for international programs, which is an increase of \$1,528,000 above the request. Of the increase provided, \$1,329,000 shall be used to restore Mexico Border programs to the fiscal year 2007 enacted level and \$199,000 shall be used to fund fixed costs.

IT/Data Management/Security.—The Committee recommends \$99,426,000, including a \$2,824,000 increase above the request, for IT/Data Management/Security activities. Of that increase, \$824,000 shall be used to fund fixed costs and \$2,000,000 shall be used to restore the network of EPA libraries recently closed or consolidated by the administration. While the Committee approves of efforts to make environmental data collections available electronically, the Committee does not agree to further library closures or consolidations without evidence of how the public would be served by these changes. Therefore, the Committee expects the EPA to restore publicly available library facilities in each region. EPA is directed to submit a plan on how it will use this funding increase to reopen facilities and maintain a robust collection of environmental data and resources in each region by December 31, 2007.

Legal/Science/Regulatory/Economic Review.—The Committee recommends \$117,246,000, including a \$6,115,000 decrease from the request. This includes a \$2,355,000 decrease for regulatory innovation programs and a \$3,593,000 decrease for regulatory economic management and analysis. The Committee notes that these two program-projects were increased significantly by the adminis-

tration under the continuing resolution. The Committee has appropriated funding consistent with the fiscal year 2006 enacted levels. The Committee also directs EPA to continue its Smart Growth technical assistance program at no less than 2006 levels and determine the appropriate funding mix from within accounts.

Operations and Administration.—The Committee recommends \$474,210,000, a \$1,916,000 net increase above the request.

The Committee has not agreed to the request to fund \$1,260,000 for extramural audit support without additional information supporting why this transfer of functions from the Office of the Inspector General is necessary. The Committee expects EPA to use these savings along with the increase provided to fund fixed costs.

Pesticide Licensing.—The Committee recommends \$119,882,000, including a \$1,724,000 increase above the request to fund fixed costs.

Resource Conservation and Recovery Act [RCRA].—The Committee recommends \$119,999,000, a \$2,398,000 net decrease in RCRA programs. The Committee has not included the \$4,000,000 requested by the President for the e-manifest system because Congress has not authorized EPA to collect fees for this program. The Committee directs the administration to direct \$1,602,000 in savings to fund fixed costs.

Toxics Risk Review and Prevention.—The Committee has included \$91,826,000 for these activities, which is a \$1,755,000 increase above the request. Changes to the request include: a \$1,197,000 increase to cover fixed costs; a \$1,225,000 increase to restore funding for the High Production Volume [HPV] and Voluntary Children's Chemical Evaluation Program [VCCEP]; a \$2,876,000 increase for the endocrine disruptor program, for a total of \$8,800,000; and a \$3,543,000 decrease to the pollution prevention program, for a total of \$16,621,000. The Committee notes that this brings funding levels for the endocrine disruptor and pollution prevention programs in line with their fiscal year 2006 levels. Of the \$1,225,000 increase provided for the HPV and VCCEP programs, the Committee directs that \$700,000 shall be allocated to the review and assessment of information submitted under HPV and \$525,000 of the increase be used to support the VCCEP pilot through to completion. The Committee urges EPA to use the increase provided for endocrine disruptor programs to focus on validation of specific screening assays and tests focused on human health.

Underground Storage Tanks.—The Committee recommends \$11,864,000, a \$145,000 increase over the budget request, to fund fixed costs.

Water: Ecosystems.—The Committee includes \$81,309,000, a \$7,588,000 increase over the budget request. Within the increase provided, \$7,297,000 shall be used to restore base operations of the National Estuary Program, including restoring base estuary grants offered by the program under section 320 of the Clean Water Act.

Water: Human Health Protection.—The Committee recommends \$100,975,000, a \$1,178,000 increase over the request to fund fixed costs.

The Committee was informed that EPA included \$7,600,000 in its fiscal year 2007 operating plan to fund competitive grants for

rural water technical assistance activities. The Committee is perplexed why the agency has not moved forward with competing these grants when there is a clearly demonstrated need by small and rural water systems for third-party technical assistance. The Committee directs the agency to expedite efforts to process and award these grants by no later than December 1, 2007.

Water Quality Protection.—The Committee recommends \$211,305,000, an increase of \$2,362,000, to fund fixed costs.

Chesapeake Bay Program.—The Committee directs EPA to implement immediately all of the recommendations contained in the October 2005 Government Accountability Office [GAO] report. Of the funds provided to the Bay Program, \$5,000,000 shall not become available until GAO certifies that EPA has implemented all recommendations. The Committee further directs EPA to develop a Chesapeake Bay action plan for the remaining years of the Chesapeake 2000 agreement. This plan must: (1) Clearly articulate realistic targets the Chesapeake Bay Program expects to achieve in each of the remaining years; (2) describe the actual activities the Chesapeake Bay Program will implement in each year to achieve these annual targets; (3) identify the amount and source of funding that will be used to accomplish each of these activities; and (4) describe the process the Chesapeake Bay Program will use to track and measure the progress of these actions. Finally, the Committee directs GAO to conduct an annual performance assessment of progress made on this action plan.

Other.—The Committee provides the budget request of \$2,000,000 for the Water Information Sharing and Analysis Center [WaterISAC], and directs that WaterISAC shall be implemented through a grant to the Association of Metropolitan Water Agencies (Bennett).

The Committee notes that EPA has discontinued its collection by helicopter of water samples analyzed for dissolved oxygen and nutrients in the New York Bight, including the coastal shorelines of New Jersey and New York, which EPA has conducted since 1977. The Committee notes that Congress was not consulted prior to this program change and directs EPA to immediately resume the helicopter sampling program.

The recycling of agricultural and specialty pesticide containers is a significant component of the human health and environmental protection goals of the Federal Insecticide, Fungicide and Rodenticide Act. The Committee continues to support EPA’s efforts on recycling but is concerned with the delay in establishing regulations to make recycling a part of the comprehensive effort to ensure the safe use and disposal of pesticide containers. The Committee strongly encourages EPA to adopt pesticide container recycling regulations within 180 days of enactment.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2007	\$37,172,000
Budget estimate, 2008	38,008,000
Committee recommendation	40,000,000

The following page numbered 63 was excerpted from Senate appropriations bill S. 1696 (June 26, 2007).

