

US EPA ARCHIVE DOCUMENT

H10118

CONGRESSIONAL RECORD — HOUSE

IWTP which would not meet long-term sewage treatment needs. The conferees urge EPA to continue working with the IBWC, State Department, and its counterparts in Mexico to encourage and develop such a viable proposal in a timely manner.

OFFICE OF INSPECTOR GENERAL

Appropriates \$34,094,000 for the Office of Inspector General as proposed by the Senate instead of \$34,000,000 as proposed by the House. In addition to this appropriation, \$11,500,000 is available to the OIG by transfer from the Hazardous Substance Superfund account.

BUILDINGS AND FACILITIES

Appropriates \$23,931,000 for buildings and facilities as proposed by the House instead of \$23,000,000 as proposed by the Senate.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates \$1,270,000,000 for hazardous substance superfund as proposed by the House instead of \$1,400,000,000 as proposed by the Senate. Bill language provides that \$635,000,000 of the appropriated amount is to be derived from the Superfund Trust Fund, while the remaining \$635,000,000 is to be derived from General Revenues of the Treasury. Additional language (1) provides for a transfer of \$11,500,000 to the Office of Inspector General; (2) provides for a transfer of \$36,500,000 to the Science and Technology account; and (3) provides that \$100,000,000 of the appropriated amount shall not become available for obligation until September 1, 2001.

The conferees note that funds for the Agency for Toxic Substances and Disease Registry and for the National Institute of Environmental Health Sciences have been provided in new, separate accounts elsewhere in this Act instead of through the Environmental Protection Agency as has been done in previous years.

The conferees have agreed to the following fiscal year 2001 funding levels:

1. \$914,800,000 for Superfund response/clean-up actions.

2. \$140,000,000 for enforcement activities.

3. \$139,500,000 for management and support. Of this amount, \$11,500,000 is to be provided by transfer to the Office of Inspector General.

4. \$36,500,000 for research and development activities, to be transferred to the Science and Technology account.

5. \$39,200,000 for reimbursable interagency activities, including \$28,500,000 for the Department of Justice, \$650,000 for OSHA, \$1,100,000 for FEMA, \$2,450,000 for NOAA, \$5,500,000 for the Coast Guard, and \$1,000,000 for the Department of the Interior.

6. The Brownfields program has been funded at the budget request level of \$91,600,000, which includes funding from various programs within this account and the Environmental Programs and Management account.

The Agency is directed to notify the Committees on Appropriations of the House and Senate of any non-ATSDR resources to be devoted to the Libby, Montana medical monitoring program and related activities.

The conferees remain concerned regarding the Agency's plans to conduct certain dredging or invasive remediation technology activities while these matters remain under study by the National Academy of Sciences (NAS). The pending NAS study is addressing dredging, capping, source control, natural recovery, and disposal of contaminated sediments, and is comparing the risks of each technology. The NAS expects to submit its draft report of this study during Fall 2000 and the conferees strongly encourage the NAS to issue a final report no later than January 2001. Accordingly, the conferees continue to direct the EPA to take no action

to initiate or order the use of dredging or invasive remedial technologies where a final plan has not been adopted prior to October 1, 2000 or where such activities are not now occurring until the NAS report has been completed and its findings have been properly considered by the Agency. As in previous years, exceptions are provided for voluntary agreements and for urgent cases where contaminated sediment poses a significant threat to public health.

In adopting this direction to the Agency, the conferees do not intend to prevent EPA from publishing, issuing, or taking public comment on specific proposed or draft remediation plans; but do encourage the Agency to take into account the NAS study when available as it goes through the above process. However, any such plans are not to be finalized until June 30, 2001 or until the Agency has properly considered the NAS report, whichever comes first.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

Appropriates \$72,096,000 for the leaking underground storage tank program as provided by the Senate instead of \$79,000,000 as proposed by the House.

OIL SPILL RESPONSE

Appropriates \$15,000,000 for oil spill response as provided by both the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

Appropriates \$3,628,740,000 for state and tribal assistance grants instead of \$3,176,957,000 as proposed by the House and \$3,320,000,000 as proposed by the Senate. Bill language specifically provides \$1,350,000,000 for Clean Water State Revolving Fund (SRF) capitalization grants, \$825,000,000 for Safe Drinking Water SRF capitalization grants, \$75,000,000 for the United States-Mexico Border program, \$35,000,000 for grants to address drinking water and wastewater infrastructure needs in rural and native Alaska, \$1,008,000,000 for categorical grants to the states and tribes, and \$335,740,000 for grants for construction of water and wastewater treatment facilities and for groundwater protection infrastructure.

The conferees have included bill language which, for fiscal year 2001 only, authorizes the Administrator of the EPA to use funds appropriated under section 319 of the Federal Water Pollution Control Act (FWPCA) to make grants to Indian tribes pursuant to section 319 (h) and 518 (e) of FWPCA. In addition, bill language has been adopted by the conferees to permit states to include as principal amounts considered to be the cost of administering SRF loans to eligible borrowers, with certain limitations.

The conferees have further agreed to include bill language which resolves in favor of the grantee two disputed grants, docket numbers C-180840-01, C-180840-04, C-470319-03, and C-470319-04; as well as language carried in previous years' Acts which stipulates that none of the funds in this or any previous Act may be used by the Administrator for health effects studies on drinking water contaminants. As in past years, funds for such studies have been provided in other EPA accounts. In addition, language requested in the budget submission has been included which permits the Administrator to reserve up to 1 1/2 percent of the funds appropriated for the SRF under Title VI of the Federal Water Pollution Control Act for grants under section 518 (c) of the Act.

Finally, the conferees have included language which stipulates that no funds provided in this Act to address water infrastructure needs of colonias within the United States along the U.S.-Mexico border shall be made available after June 1, 2001 unless the

receiving governmental entity has established an enforceable ordinance or rule which prevents the development or construction of any additional colonia areas, or the development within an existing colonia of any new home, business, or other structure which lacks water, wastewater or other necessary infrastructure.

Of the funds provided for the United States-Mexico Border Program, \$3,500,000 is for the El Paso-Las Cruces sustainable water project, \$2,000,000 is for the Brownsville, Texas water supply project, \$1,000,000 is for the Del Rio/San Felipe Springs Water Treatment Plant, and \$3,000,000 is for upgrades and expansion of the Nogales International Waste Treatment Plant, replacement of the International Outfall Interceptor, and replacement of sewer infrastructure facilities of the City of Nogales. Of the funds provided for rural and Alaska Native villages, \$2,000,000 is for training and technical assistance. The State of Alaska must also provide a 25 percent match for all expenditures through this program.

The conferees agree that the \$335,740,000 provided to communities or other entities for construction of water and wastewater treatment facilities and for groundwater protection infrastructure shall be accompanied by a cost-share requirement whereby 45 percent of a project's cost is to be the responsibility of the community or entity consistent with long-standing guidelines of the Agency. These guidelines also offer flexibility in the application of the cost-share requirement for those few circumstances when meeting the 45 percent requirement is not possible. The Agency is commended for its past efforts in working with communities and other entities to resolve problems in this regard, and the conferees expect this level of effort and flexibility to continue throughout fiscal year 2001. The distribution of funds under this program is as follows:

1. \$2,100,000 for the Jasper, Alabama sewer extension project.

2. \$900,000 for the Scottsboro, Alabama drinking water project.

3. \$3,000,000 for the Thomasville, Alabama water facility project.

4. \$350,000 to Winfield, Alabama for sewer infrastructure improvements near the Corridor X highway.

5. \$350,000 to Hamilton, Alabama for water and sewer infrastructure improvements.

6. \$1,000,000 to Cullman County, Alabama for a water infrastructure improvements.

7. \$150,000 to the Fayette County Water Board in Alabama for drinking water system enhancements.

8. \$60,000 to Winston County, Alabama to complete Phase I of the Houston-Moreland water project.

9. \$1,000,000 to Shelby County, Alabama for water infrastructure improvements.

10. \$1,000,000 to the City of Huntsville, Alabama for water and wastewater infrastructure improvements.

11. \$1,000,000 to the City of Hartselle, Alabama for wastewater infrastructure improvements.

12. \$1,000,000 to Morgan County, Alabama for wastewater infrastructure improvements at the Sherbrooke Sanitary Sewer System.

13. \$500,000 to the Limestone County Water and Sewer Authority in Alabama for wastewater infrastructure improvements.

14. \$250,000 to the City of Rogersville, Alabama for wastewater infrastructure improvements.

15. \$250,000 the City of Triana, Alabama for wastewater infrastructure improvements.

16. \$3,000,000 for the State of Alaska Department of Environmental Conservation groundwater remediation project near the Kenai River. The match requirement can be met with non-Federally funded pre-award expenditures by the State of Alaska for this project.