Message

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Sent: 11/2/2020 10:07:33 PM
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Subject: Susan Bodine's Op Ed: Trump EPA's Focus on Enforcement and Compliance Is Paying Off

Deb –

Following is Susan Bodine's Op Ed.

Suzanne

From: Mutter, Andrew <mutter.andrew@epa.gov>
Sent: Tuesday, October 20, 2020 8:33 AM
To: R8 SLT <R8_SLT@epa.gov>
Subject: FW: ICYMI: Trump EPA's Focus on Enforcement and Compliance Is Paying Off

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Trump EPA's Focus on Enforcement and Compliance Is Paying Off

Susan Bodine
Real Clear Energy
October 19, 2020

Americans expect their air, water, and land to be clean. In the Trump Administration, the U.S. Environmental Protection Agency is intently focused on meeting these expectations.

This focus has paid off. Since 2017, criteria air pollutant emissions have fallen 7 percent, making air quality the best it's been since modern recordkeeping began.

EPA has provided communities more than $40 billion to build new clean water infrastructure. And, for a record number of communities, EPA has cleaned up Superfund sites, removing the stigma of being listed on the National Priorities List and clearing the way for economic growth and development.

Under President Trump's leadership, we have had similar success in our enforcement and compliance assurance program. EPA has assessed more in civil penalties, criminal fines, and restitution since President Trump was inaugurated than the agency collected in the first four years of the prior administration. We are on track to collect more than

twice as much during our first term - all without counting the Volkswagen emissions control cheating case.

While compliance is the ultimate purpose of any enforcement program, noncompliance and enforcement responses exist on a spectrum. At one end are persons who are trying to comply but need help understanding their obligations. For those we may offer compliance assistance and forego penalties. At the other end are persons who violate the law despite knowing what it requires. For bad actors, formal enforcement and penalties are important to deter noncompliance and ensure that no one profits from their violations.

We have addressed sources that contribute to violations of air quality standards. For example, where emissions controls have been disabled, vehicles can emit tons of air pollution. In this administration, we have made aftermarket devices that defeat vehicle emissions controls a priority, halting the sale of over 1 million of such devices in the past few years. We are ensuring that new vehicles do not have built in defeat devices, reaching major settlements with Fiat Chrysler in January 2019 and Daimler Mercedes in September 2020.

We have made it a priority to ensure safe drinking water and to reduce children's exposure to lead. Our drinking water efforts include compliance assistance to help rural and tribal facilities that lack trained operators.

We put New York City under a judicial consent decree to ensure New York's 8 million citizens are kept safe from harmful bacteria and viruses in their drinking water after the city disregarded previous orders to do so. At the same time, our lead paint enforcement efforts include working with communities to educate homeowners about lead paint regulations and the importance of hiring trained contractors.

We are working with the Department of Housing and Urban Development to protect thousands of children who are at risk for lead poisoning due to violations of lead paint regulations by the New York City Housing Authority.

We are also very busy addressing sewer overflows. EPA is helping communities by revising outdated settlements and by proposing new guidance that considers impacts on low income households when determining the timing of sewer improvements. Our sewer overflow work also includes matters left unaddressed by the last administration. We issued a Notice of Violation to the City of San Francisco in part because it has not yet addressed the over 1.5 billion gallons of sewage that it discharges into the Pacific Ocean and San Francisco Bay each year—with no chemical or biological treatment or even disinfection.

We also have revived both our self-audit program and our criminal program. We more than doubled the annual number of facilities that returned to compliance under our self-audit program—from 931 in 2016 to 1,901 in 2019—and we have reversed a downward trend in the number of criminal enforcement cases that began in 2011.

Similarly, we have reinstated efforts to help redevelopers who want to revitalize communities by cleaning up properties and Good Samaritans who want to restore watersheds, while also setting timelines to secure commitments from responsible parties to clean up messes that they made.

Finally, working with U.S. Customs and Border Protection, this year alone EPA has prevented imports of over 6.9 million products that falsely claim to be effective against viruses, including the coronavirus that causes COVID-19. This work has protected both the American consumer as well as law abiding companies that have approved products.

Through all these actions and more, EPA staff is working hard to protect the health of communities, ensure a level playing field for American businesses in the global marketplace, and protect the environment where our citizens live, work and play. Not only do Americans expect it, they unquestionably deserve it. Under President Trump's leadership, EPA will continue to deliver.

Susan Bodine is Assistant Administrator for Enforcement and Compliance Assurance at the U.S. Environmental Protection Agency.

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