

FY08

Title II - ENVIRONMENTAL PROTECTION AGENCY

The amended bill includes \$7,579,819,000 for the Environmental Protection Agency, instead of \$8,090,915,000 as proposed by the House and \$7,772,928,000 as proposed by the Senate. In addition, the General Provisions section includes a total of \$11,000,000 as transfers for two remediation projects. The allocation of the total for the Agency, by account, program area, and where applicable by program-project and/or activity, is detailed on the table at the end of this Division.

Reprogrammings: The Environmental Protection Agency is held to the bill-wide reprogramming limitation of \$1,000,000, as recommended by the House. The limitation will apply to the program areas specified in the detailed table at the end of Division F, as proposed by the House. However, where a specific level for program-project or activity within a program area is cited, either in the detailed table or the explanatory statement below, the reprogramming limitation will apply at that level.

The Agency must provide better information in its Congressional Budget Justification and is directed to include those improvements cited in House Report 110-187. In addition, the Justification should contain a comprehensive list of programs which have been eliminated in the request.

Fixed Costs: An additional \$7,878,000 has been provided in five of the Agency's accounts to cover the fixed personnel costs and to ensure staffing levels consistent with the prior year. This increase is not spread by program area, as proposed by the Senate. Rather, a total increase for each account is provided, as indicated on the detailed table at the end of this Division. The Agency is directed to spread the funds as needed and submit a report to the Committees on Appropriations by March 1, 2008 on the allocation of these funds by program area and program-project.

SCIENCE AND TECHNOLOGY

The amended bill provides \$772,129,000 for Science and Technology, instead of \$783,269,000 as proposed by the House and \$772,530,000 as proposed by the Senate. The table at the end of this Division allocates the total for this account by program area. The Agency is further directed to allocate the funds as follows:

Air Toxics and Quality:

\$3,950,000 for the CASTNET program, an increase of \$1,000,000 over the request;
\$1,400,000 to the San Joaquin Valley Air Pollution Control District to complete the Central California Ozone Study;
An additional \$2,000,000 for ongoing work on Greenhouse Gas Regulations dealing with renewable or alternative fuels and vehicle efficiency.

Climate Protection Program:

\$18,604,000 for the Clean Automotive Technology Program, as proposed by the House.

Homeland Security:

\$11,884,000 for the Water Security Initiative, as proposed by the Senate and \$10,000,000 less than proposed by the House. The Agency has carried forward into fiscal year 2008 a

\$6,575,000 for Superfund: Support to Other Federal Agencies.

Bill Language: Language is included to provide up to \$1,273,871,000 as the maximum payment from general revenues for Superfund, instead of \$1,272,008,000 as proposed by the House and \$1,274,643,000 as proposed by the Senate. Language is also included to pay from this account, \$11,668,000 to the Office of Inspector General account and \$26,126,000 to the Science and Technology account.

The following reports should be submitted to the Committees on Appropriations no later than March 1, 2008 :

1. The report on Army Corps of Engineers oversight of Superfund Cleanups, as outlined in House Report 110-187.
2. The report on Superfund Alternative Sites, as outlined in House Report 110-187.
3. The report on Human Health Risks, as outlined in Senate Report 110-91.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

The amended bill provides \$107,493,000 for the Leaking Underground Storage Tank Account, instead of \$117,961,000 as proposed by the House and \$72,493,000 as proposed by the Senate. The amended bill includes the House proposal to fund Underground Storage Tank grants through this account instead of through the State and Tribal Assistance Grants account, as proposed by the Senate. This is consistent with the Energy Policy Act of 2005 and the Agency is expected to request future funding through the Leaking Underground Storage Tank Program account. The table at the end of this Division allocates the total for this account by program area. The Agency is further directed to allocate the funds as follows:

Underground Storage Tanks (LUST / UST):

\$10,558,000 for the LUST/UST program;

\$62,207,000 for the LUST Cooperative Agreements, instead of \$68,207,000 proposed by the House and \$58,207,000 proposed by the Senate;

\$31,000,000 for the Underground Storage Tank Grants, authorized by the Energy Policy Act of 2005, instead of \$35,500,000 proposed by the House and \$22,500,000 proposed by the Senate in the State and Tribal Assistance Grants account.

Bill Language: The amended bill includes language proposed by the House which clarifies that \$76,493,000 is for activities authorized by section 9003(h) of the Solid Waste Disposal Act, and thus subject to the 80 percent set-aside requirement for state cooperative agreements. The language also clarifies that the remaining funds, \$31,000,000, is available for the activities authorized by the 2005 Energy Policy Act. In addition, bill language is included to authorize Tribal grants for those same functions. The amended bill does not accept the President's proposed language to amend the Energy Policy Act to change the types and frequency of state inspections.

OIL SPILL RESPONSE

The amended bill provides \$17,326,000 for oil spill response, instead of \$17,280,000 as proposed by the House and \$17,487,000 as proposed by the Senate. The table at the end of this Division allocates the total for this account by program area.

STATE AND TRIBAL ASSISTANCE GRANTS

The amended bill provides \$2,972,595,000 for state and tribal assistance grants, instead of \$3,406,514,000 as proposed by the House and \$3,181,853,000 as proposed by the Senate. The table at the end of this Division allocates the total for this account by program area. In addition, the Agency is further directed to:

Infrastructure Assistance:

1. Mexico Border: Of the funds provided for this program, \$5,000,000 is directed to the El Paso and Brownsville projects funded in prior years. The Agency is directed to report to the Committees on Appropriation on a proposed distribution of these funds between the two projects. The Agency further is directed to report to the Committees on Appropriations by May 1, 2008, on actions taken to reform the program and report quarterly on unobligated and unliquidated balances.

2. Diesel Emission Reduction Grants: The amended bill reflects the House recommendation to make Diesel Emission Reduction Act (DERA) grants available to all areas, not just those that are currently not in attainment with the national ambient air quality standards. Noted, however, is the importance of continuing to target limited Federal diesel emission reduction funds to areas that face the worst air quality and the greatest risk to public health. The Agency is urged to develop an allocation methodology for DERA funds consistent with the underlying authorizing statute which gives priority to non-attainment areas as well as other important priorities to address the overall emission reduction needs of the Nation.

3. California Diesel Emission Reduction Projects: The amended bill includes \$10,000,000 for this program, instead of \$15,000,000 proposed by the Senate. The funds should be divided equally between the San Joaquin Valley Air Pollution Control District and the South Coast Air Management District, with each district receiving \$5,000,000. Further, the Agency is directed to follow the language in Senate Report 110-91 governing this program.

STAG Infrastructure Grants / Congressional Priorities: The amended bill provides \$135,000,000 for the following projects:

	State	Project	Amount
1.	AK	The City of Kenai for water treatment project	\$300,000
2.	AK	The City of Kodiak for water and sewer improvements project	\$500,000
3.	AK	The City of Wrangell for water and sewer upgrade project	\$550,000
4.	AK	The City of Ketchikan for water and sewer upgrade project	\$550,000
5.	AL	The Town of Eva for wastewater treatment facility upgrade project	\$300,000
6.	AL	The Town of Somerville for wastewater construction project	\$384,000
7.	AL	The City of Clanton for the Water Treatment Plant Upgrade Project	\$1,084,000
8.	AL	Jackson County for wastewater and drinking water infrastructure project	\$132,000
9.	AL	The City of Glencoe for Storm Drainage and Sewer Repairs	\$500,000
10.	AL	The City of Muscle Shoals for Wastewater Infrastructure	\$500,000
11.	AR	The Ozark Mountain Regional Public Water Authority for water system improvement project	\$300,000
12.	AR	The City of Fayetteville for Wastewater Improvements	\$300,000
13.	AR	The City of Pine Bluff for Sewer Improvements	\$500,000
14.	AR	The City of Rogers, Northwest Arkansas Conservation Authority for Water and Wastewater Infrastructure and Watershed Management	\$500,000
15.	AZ	Bullhead City for wastewater treatment plant expansion project	\$300,000
16.	CA	Ventura County Public Works Agency for sewer system upgrades in El Rio Forebay	\$1,000,000