

By Robert Gray

New Leader = New Approaches at EPW Committee

The Bush administration's policy of moving away from increased regulations in pursuit of clean-water goals is receiving a major boost in the change of leadership of the Senate Environment and Public Works.

Republicans will take over majority control of the Senate from Democrats this month, and Sen. James M. Inhofe, R-Okla., will become chairman of the environmental panel, succeeding Sen. James Jeffords, I-Vt.

In a statement outlining his goals as chairman of the committee, Inhofe said that he wanted to "create fiscally responsible policies that are based on sound science and proper cost-benefit analysis. . . . Continuing strong environmental protection means not just passing new laws, but also ensuring strong oversight to examine how existing laws are being implemented."

Inhofe said his specific priorities will include pending legislation to expand federal support for renewal and expansion of the nation's water infrastructure.

Inhofe Opposes Davis-Bacon Provision

One area where Sen. Inhofe disagrees with old EPW leadership is a requirement in the water-infrastructure legislation for application of the Davis-Bacon Act in all water works contracts. This Depression-era measure requires payment of "prevailing wages" in a region on projects involving federal funds. Critics say that in reality it mandates payment of union-scale wages that add substantially to project costs.

Incoming Chairman Inhofe said in opposing the Davis-Bacon provision that it would add nearly 40 percent to construction costs and that states and localities should be free to "find the best labor at the best price."

TMDL Policy to Include Water-Quality Trading

The top water-policy official at the Environmental Protection Agency (EPA) has indicated that water-quality trading procedures will be key elements of revised Total Maximum Daily Load (TMDL) regulations aimed at point and nonpoint pollution.

G. Tracy Mehan, assistant EPA administrator for water, said that trading is among the market-based approaches needed to maintain progress in battling water pollution.

He said his agency was on schedule to revise the TMDL regulations within 18 months. "I believe it is imperative that formal provisions for trading must be developed within this timeframe to establish a clear basis for trading and to facilitate implementation of TMDLs across the nation," he added.

Trading is an arrangement under which anti-pollution goals can be met by allowing parties that exceed requirements to trade their "surpluses" to parties that fall below the designated standards. Mehan noted that "trading is not a right to pollute. . . . It simply allows a source to meet a regulatory obligation by using allocations or pollution reduction credits created by another source. . . ."

EPA Issues New WET Rule

EPA has issued a final rule updating test methods for Whole Effluent Toxicity (WET). The regulation applies to procedures used in gathering data and monitoring compliance under the Clean Water Act.

The basic WET rule deals with methods for measuring acute and short-term chronic toxicity of effluents and receiving waters to freshwater, marine and estuarine organisms.

Additional information on the new rule is available online at www.epa.gov/waterscience/WET or by contacting Marion Kelly at EPA: kelly.marion@epa.gov.



GAO Frowns on Shift of EPA Official


A congressional agency is urging EPA to reconsider its decision to put the agency's ombudsman under its inspector general.

The General Accounting Office, which monitors how federal departments carry out laws enacted by Congress, said that subordinating the ombudsman to the inspector general raises questions about the former's independence. The change also compromises the ability of the inspector general to independently monitor and investigate the ombudsman, the office said.

In response, EPA stood by its decision to relocate the office of the ombudsman, whose mission is to provide an independent investigation of complaints about the agency.

Grants Finance Watershed Classification

EPA now is receiving proposals on a project to classify watersheds. State and local governments, universities and nonprofit organizations can apply for the research grants that can reach a total of \$900,000 over three years for each recipient. The funds will be used to design water monitoring programs, prioritize impaired watersheds for restoration and diagnose declines in the watersheds' variety of marine organisms.

Classification systems developed with the grants will enable watersheds throughout the country to improve their management, undertake risk prevention programs and track specific pollutants. 

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Robert Gray works out of Locust Grove, Virginia; (540) 972-8326