

Trends in Environmental Compliance



MIKE DUNNING

Partner, Perkins Coie



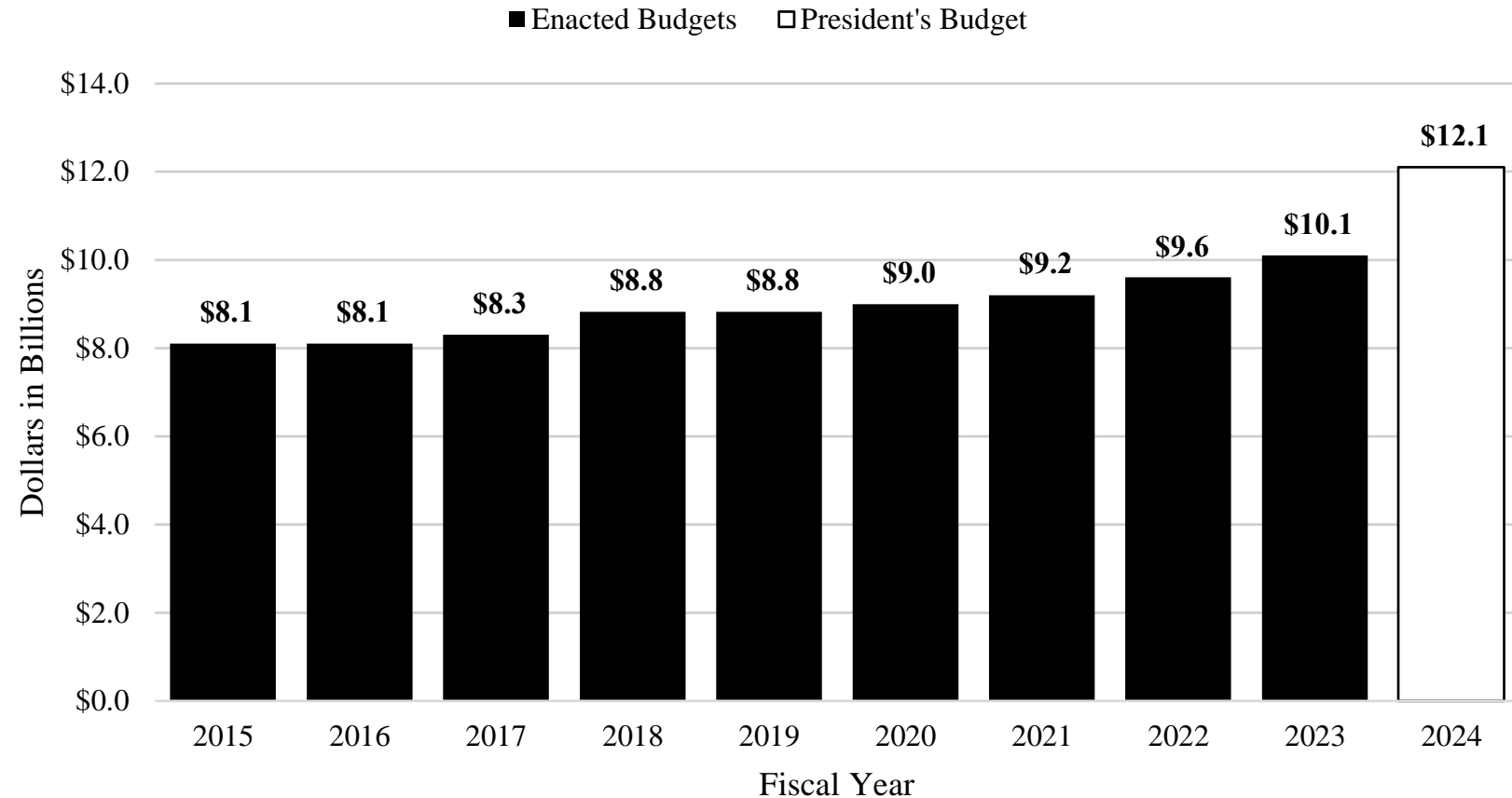
STEVE TAYLOR

President and Principal Engineer,
Maul Foster & Alongi, Inc.

Federal Transition



EPA's Budget FY 2015 to 2024

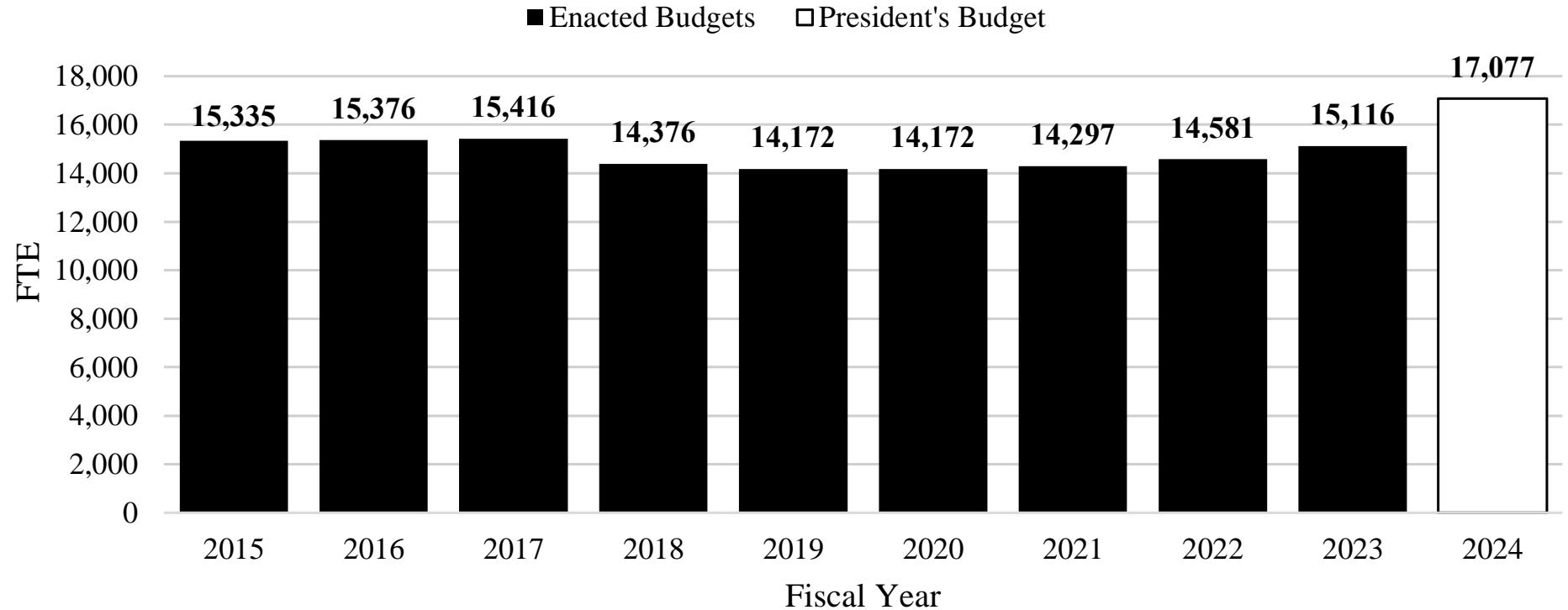


Notes:

1. All agency totals include applicable rescissions.
2. FY 2020 Enacted excludes the Coronavirus Aid, Relief, and Economic Security Act.
3. FY 2021 Enacted excludes the American Rescue Plan Act.
4. FY 2022 and FY 2023 Enacted exclude the Infrastructure Investment and Jobs Act.

Resources correspond to the resource levels included in each year's Enacted Operating Plan, except for FY 2024, which is the requested level.

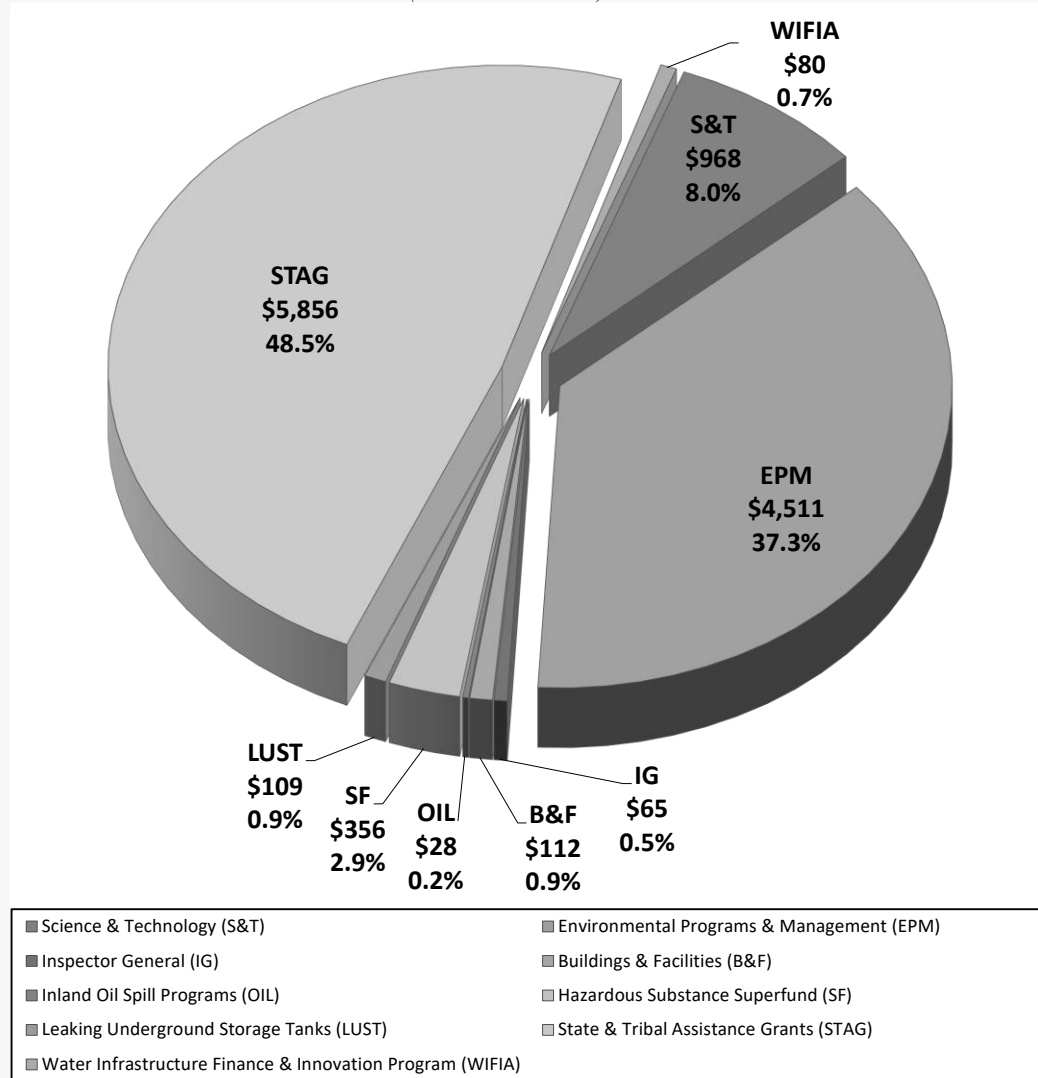
EPA's FTE Ceiling History FY 2015 to 2024



Notes:

1. FTE (Full Time Equivalent) = one employee working full time for a full year (52 weeks x 40 hours = 2,080 hours), or the equivalent number of hours worked by several part-time or temporary employees.
2. Reimbursable FTE are included.
3. FY 2022 and FY 2023 Enacted exclude the Infrastructure Investment and Jobs Act.
Resources correspond to the resource levels included in each year's Enacted Operating Plan, except for FY 2024, which is the requested level.

**U.S. Environmental Protection Agency's
FY 2024 Budget by Appropriation**
Total Agency: \$12,083 M
(Dollars in Millions)



1. Excludes supplemental funding.
2. In addition to annual appropriated resources, the agency expects to receive an estimated \$2.5 billion in Superfund tax receipts in FY 2024 not reflected here. These additional government revenues will support continued Superfund cleanup and enforcement.

WA State Transition





2025-2027 State Proposed Budget Cuts

- 6% cut for most state agencies
- 3% cut for higher education
- No cuts for basic education and technical/community colleges
- No cuts for public safety
- No cuts for entitlements

Governor's Stated Priorities

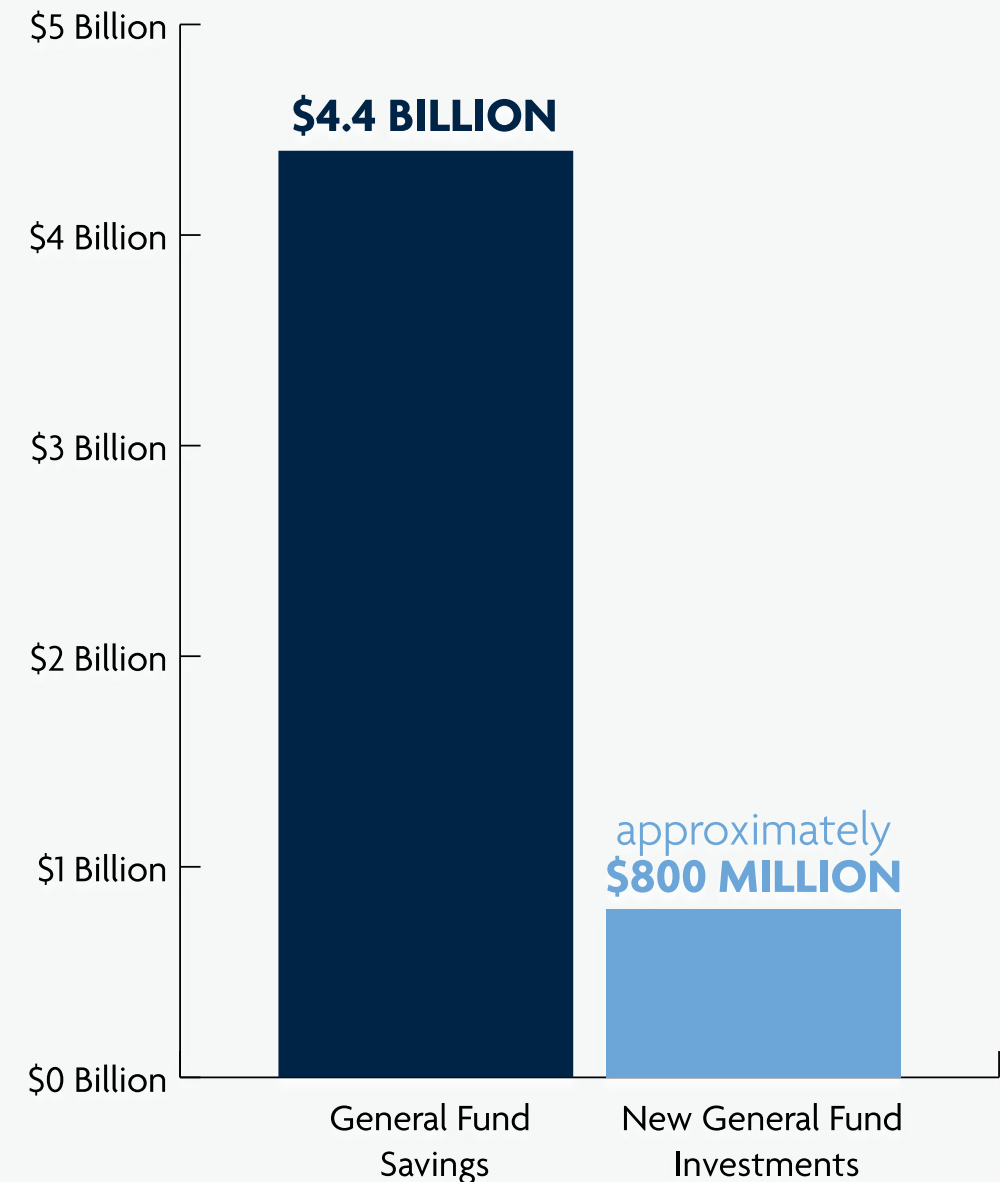
Public Safety

Housing

Ferries

Affordability

GENERAL FUND SAVINGS AND INVESTMENTS





Department of Ecology 2025-27 Capital Budget Comparison

Capital

12/17/2024 \$ in thousands

		2025-27 Biennium Budget Request 9/10/2024				Governor Inslee's Budget Proposal 12/17/2024				Difference			
		SBCA	MTCA ¹	Other	Total	SBCA	MTCA ¹	Other	Total	SBCA	MTCA ¹	Other	Total
Prevent and Reduce Waste, Toxic Threats, and Pollution													
1	Protect Investments in Cleanup Remedies		4,450		4,450		4,450		4,450				-
2	Remedial Action Grant Program	64,028	44,203		108,231	52,126	28,571		80,697	(11,902)	(15,632)		(27,534)
3	Reducing Diesel Greenhouse Gases (GHG) and Toxic Emissions	21,319			21,319		15,632		15,632	(21,319)	15,632		(5,687)
4	PFAS Response	5,000			5,000	5,000			5,000				-
5	Eastern Washington Clean Sites Initiative		16,250		16,250		4,250		4,250		(12,000)		(12,000)
6	Affordable Housing Cleanup Grant Program		9,654		9,654		9,654		9,654				-
7	Swift Creek Natural Asbestos Flood Control and Cleanup	11,540			11,540	5,000			5,000	(6,540)			(6,540)
8	Product Replacement Program		9,000		9,000		9,000		9,000				-
9	ASARCO Everett Smelter Plume Cleanup		7,239		7,239		7,239		7,239				-
10	Reducing Toxic Wood Stove Emissions		4,164		4,164		4,164		4,164				-
11	Clean Up Toxic Sites-Puget Sound Initiative		3,150		3,150		3,150		3,150				-
12	Waste Tire Pile Cleanup and Prevention			1,000	1,000			1,000	1,000				-
13	Cleanup Settlement Account Projects			650	650			650	650				-
Protect and Manage Our State's Waters													
14	Water Pollution Control Revolving Program			614,000	614,000			614,000	614,000				-
15	Centennial Clean Water Program	80,000			80,000	17,500	22,500		40,000	(62,500)	22,500		(40,000)
16	Floodplains by Design	84,000			84,000	59,629			59,629	(24,371)			(24,371)
17	Stormwater Financial Assistance Program	13,219	66,781		80,000	2,000	66,781		68,781	(11,219)			(11,219)
18	Columbia River Water Supply Development Program	56,469		1,415	57,884	53,519		1,415	54,934	(2,950)			(2,950)
19	Yakima River Basin Water Supply	59,000			59,000	49,020			49,020	(9,980)			(9,980)
20	Chehalis Basin Strategy	80,000			80,000	70,029			70,029	(9,971)			(9,971)
21	Puget Sound Nutrient Reduction Grant Program	30,000			30,000	15,000			15,000	(15,000)			(15,000)
22	Streamflow Restoration Program			40,000	40,000			40,000	40,000				-
23	State Match – Water Pollution Control Revolving Program			41,000	41,000			41,000	41,000				-
24	Sunnyside Valley Irrigation District Water Conservation	3,320			3,320	3,320			3,320				-
25	Stormwater Community-Based Public-Private Partnerships	25,000			25,000	10,000			10,000	(15,000)			(15,000)
26	Riparian Buffer Incentive Program	30,000			30,000				-	(30,000)			(30,000)
27	Freshwater Algae Grant Program			800	800			468	468			(332)	(332)
28	Freshwater Aquatic Invasive Plants Grant Program			1,700	1,700			1,300	1,300			(400)	(400)
29	Coastal Wetlands Federal Funds			10,000	10,000			10,000	10,000				-
Facility Related													
30	Product Testing Laboratory Construction	16,969			16,969				-	(16,969)			(16,969)
31	Lacey Building Fire Alarm System Replacement	1,138			1,138				-	(1,138)			(1,138)
32	Eastern Regional Office HVAC Boiler and Condenser Replacement	800			800				-	(800)			(800)
Total Capital Budget		581,802	164,891	710,565	1,457,258	342,143	175,391	709,833	1,227,367	(239,659)	10,500	(732)	(229,891)

Notes:

¹ Model Toxics Control Capital (23N-1) and Stormwater (23R-1) Accounts.

To request an ADA accommodation, contact Ecology by phone at 564-200-3541 or email at witc461@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. For Relay Service or TTY call 711 or 877-833-6341.

What does all this mean for Environmental Compliance?

Likely fewer resources at EPA, both at EPA HQ and Region 10

We should expect some decrease in enforcement from Region 10

But for businesses, projects, facilities that need federal permits or EPA approvals, we should expect some delay in permit/approvals from EPA and other federal agencies (e.g., Corps of Engineers)

Most importantly, Washington is a deep blue state. Washington and its environmental agencies have primary authority for most of the permits and regulatory inspections and oversight in Washington.

What does all this mean for Environmental Compliance?

For day to day permit requirements, inspections and enforcement, WACA members should not expect any significant changes because of Washington state's role

However, because Governor Ferguson seems to be signaling budget cuts, key agencies like Ecology may have fewer staff/resources and so that may mean fewer inspections, somewhat reduced enforcement and potentially a reduction in new policy initiatives

That also means businesses and projects may see delays in obtaining permits and approvals from Ecology and other state agencies (e.g., DNR)

What does all this mean for Environmental Compliance?

Because of the change in federal administration, we may also see policy changes at the federal level that may affect Washington

Some examples of this may be state water quality standards; cleanup and drinking water standards for PFAS and the reach of the clean water act

We expect the regulatory environment to be fluid and unsettled for much of 2025