



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

July 10, 2013

H.R. 2226
Federal and State Partnership for
Environmental Protection Act of 2013

*As ordered reported by the House Committee on Energy and Commerce
on June 19, 2013*

H.R. 2226 would amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to clarify that the Environmental Protection Agency (EPA) should consult with affected states when undertaking actions to remove or remediate hazardous waste from the environment. H.R. 2226 also would expand credits given toward a state's share of cleanup costs at remedial sites to include in-kind contributions made during removal actions under certain conditions. (Under CERCLA, a *removal* action is defined as a short-term or emergency action that may be necessary to address a release or threat of a release of a hazardous substance. In contrast, a *remedial* action is less time-critical and instead addresses long-term threats to human health and the environment at a site.) Under current law, states are responsible for 10 percent of the cost of remedial actions at a site. Finally, the bill would prohibit EPA from listing a site on the National Priorities List (NPL) over the objections of the state (with a few exceptions) and would give greater deference to state priorities in the listing process. (The NPL is the list of hazardous waste sites eligible for cleanup under CERCLA.)

CBO estimates that, in some cases, implementing this legislation could affect the pace of discretionary spending if priorities for cleanup activities change. However, CBO expects that total costs to fulfill federal responsibilities under CERCLA would be little changed under this legislation. Giving states credit for removal activities that they would have performed in any event could increase EPA's remedial costs. However, if states perform additional or more extensive removal actions because of the availability of the credit, the cost to the federal government of subsequent remedial actions could decrease. On balance, CBO estimates that expanding the credit available to states to include certain removal expenses would not have a significant impact on the federal budget.

Pay-as-you-go procedures do not apply because enacting this bill would not affect direct spending or revenues.

H.R. 2226 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no cost on state, local, or tribal governments.

The CBO staff contacts for this estimate are Maggie Morrissey and Susanne S. Mehlman. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.