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FRIDAY, SEPTEMBER 16, 2005

THE WEEKLY CLOSER

FROM THE SENATE ENVIRONMENT AND PUBLIC WORKS COMMITTEE
MAJORITY PRESS OFFICE

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QUOTE OF THE WEEK...

“Global-warming opportunists and their media allies could not even wait for authorities to clear the bloated corpses from the water. They are no better than the loudmouths who seized upon the Asian tsunami in December.”

(Editorial, [“Exploiting Katrina,”](#) *The Washington Times*, September 11, 2005)

SENATE REJECTS MERCURY REGULATION ROLLBACK, AFFIRMS SUPPORT FOR MARKET- BASED APPROACH

EPW Chairman Inhofe Encouraged by Senate’s Support for Cap-and-Trade Solution to Reducing Mercury Emissions, Welcomes Democrats Back to the Table to Move Forward With Clear Skies Legislation

Sen. James Inhofe (R-Okla.), Chairman of the Environment & Public Works Committee, applauded the Senate’s defeat of S. J. Res. 20, which would have disapproved the Bush Administration’s mercury regulation under the guidelines of the Congressional Review Act.

“I am extremely encouraged by the Senate’s resolve to support a market-based approach to reducing mercury pollution and not to impede clean air progress by rolling back the existing regulation,” Senator Inhofe said. “While today’s vote was purely political and essentially meaningless given the President’s veto threat and the poor prospects for House consideration, a bipartisan majority does feel that a cap-and-trade approach is the best solution to significantly reducing emissions from power plants. This is a victory for public health and a victory for American families and businesses.

“I have said consistently that our Clear Skies legislation is stronger and more effective than a piecemeal regulatory approach. With today’s vote in mind, and considering the sound rejection of carbon dioxide caps by the Senate earlier this summer and the continuing failure of costly clean air litigation, we welcome Democrats back to the table to begin honest discussions on how to proceed with moving the Clear Skies Act forward. Senator Voinovich and I presented a good compromise earlier in the year. Delays and continued obstruction are hardly solutions to providing our constituents with healthier air.”

BI-PARTISAN LEGISLATION INTRODUCED TO FACILITATE KATRINA RELIEF

Sen. James Inhofe (R-Okla.), Chairman of the Environment & Public Works (EPW) Committee, Ranking Member Sen. James Jeffords (I-Vt.) and Sen. David Vitter (R-La.), have introduced three bills to facilitate hurricane relief efforts with regard to highway reconstruction, additional flexibility for federal building leases, and wastewater projects and testing.

Sens. Inhofe, Jeffords and Vitter released the following statements:

Sen. Inhofe (R-Okla.), Chairman of the EPW Committee

“These three bi-partisan bills will go a long way in helping to facilitate recovery in the aftermath of what is likely the largest natural disaster in American history. There are serious concerns with regard to highway rehabilitation, federal buildings and water infrastructure. The provisions in our legislation will help ensure that the Federal Highway Administration has the support and resources it needs for its relief efforts, that the General Services Administration has the flexibility it needs to relocate federal personnel in a timely fashion, that drinking water systems affected by the hurricane are immediately eligible for funding and that well water testing is available to homeowners.”

Sen. Jeffords (I-Vt.), Ranking Member

“These three bills are small steps that we can take to help the Gulf Coast region recover. They are the first in a series of bills in this committee's jurisdiction that we hope to introduce in the coming weeks.”

Sen. Vitter (R-La.), Committee member

“As a member of the Senate Environment and Public Works committee, I am particularly focused on how this legislative package addresses two major challenges Louisiana faces after Hurricane Katrina: reconstructing our roads and highways, and providing a clean water supply to our residents as they return to their homes. I look forward to working with my colleagues on this committee as we move into medium- and long-term recovery efforts.”

The three bills are:

➤ Federal Highway Administration's Emergency Relief Program (S. 1714)

This legislation, also co-sponsored by Sens. Kit Bond (R-Mo.), John Warner (R-Va.), Lincoln Chafee (R-R.I.), Lisa Murkowski (R-Alaska), John Thune (R-S.D.), Joseph Lieberman (D-Conn.), Tom Carper (D-Del.), Hillary Rodham Clinton (D-N.Y.), Thad Cochran (R-Miss.), Trent Lott (R-Miss.), and Mary Landrieu (D-La.) waives the current

\$100 million limit on the amount any state may be reimbursed by the Federal Highway Administration's Emergency Relief program for damages resulting from any single disaster and extends the period of time the federal share is 100%. The bill provides \$2.9 billion dollars to the emergency relief program.

➤ **The Emergency Lease Requirements Act of 2005 (S. 1708)**

Current law provides authority to the Administrator of General Services to enter into leases of up to 180 days following a major disaster or other emergency. The General Services Administration (GSA) has found it difficult to secure such short term leases following previous disasters. The Emergency Lease Requirements Act of 2005, also co-sponsored by Sens. Lieberman, Bond, Carper, Warner, Clinton, Chafee, Landrieu, and Murkowski, extends the maximum emergency lease term to five years.

➤ **The Gulf Coast Water Infrastructure Emergency Assistance Act of 2005 (S. 1709)**

States currently are unable to forgive the principal on clean water loans. That is, however, possible with regard to drinking water loans. This legislation, also co-sponsored by Sens. Clinton, Chafee, Lieberman, Warner, Carper, Murkowski, Landrieu, and Barbara Boxer (D-Calif.), will provide the three states affected by Katrina with that authority. Currently states are only able to fund drinking water projects that appear on their annual intended use plan. The legislation will waive that requirement to ensure drinking water systems affected by Katrina are immediately eligible for state funds. Finally, many homeowners may have difficulty testing their wells given the number of potential contaminants in the flood waters. With the provisions in this bill, EPA can conduct testing at their request.

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INHOFE INTRODUCES LEGISLATION ENSURING REGULATORY CERTAINTY TO FACILITATE KATRINA CLEAN-UP

Bill Will Provide EPA Clarity Necessary to Guarantee Remaining Uncertainties Will Not Delay Actions That Affect Public Health

Sen. James Inhofe (R-Okla.), Chairman of the Environment & Public Works Committee, and Sen. David Vitter (R-La.), last evening introduced legislation, S. 1711, which will provide the Environmental Protection Agency (EPA) with legal certainty for the purpose of avoiding delays in mitigation actions related to Hurricane Katrina. On Friday afternoon, EPA offered several examples of where additional authority would help address issues ranging from the disposal of debris, discharge permits for contaminants in flood waters, and the sharing of information related to chemical products with state and local authorities.

Sens. Inhofe and Vitter released the following statements:

Sen. Inhofe, Chairman of the EPW Committee

“This legislation will ensure that EPA has absolute certainty in its authorities with regard to Katrina recovery efforts and protecting public health in the Gulf region. Those who seek to criticize this legislation under the guise of environmental concerns have it backwards as the use of the authority is specifically to protect public health and can only be used when it is ‘in the public interest.’ Lack of action in an emergency situation is what puts people’s health and the environment at risk.”

Sen. Vitter, Committee member

“As Louisianians begin to return to their homes and work on rebuilding their lives, this legislation will ensure that public health concerns are addressed promptly to protect Louisiana families and our environment.”

S. 1711 requires EPA to make a determination of the need for a waiver, including consequences to public health and the environment. It gives the Administrator the authority to make a decision that is in the best interest of public health. Absent that authority, the impediments would exacerbate an already disastrous situation.

The legislation provides EPA with the authority to waive or modify regulatory or statutory requirements the Administrator believes is necessary to carry out recovery efforts in the Gulf states in the most effective and timely fashion. The waiver expires after 120 days and requires EPA to consult with the State. The Administrator has the ability to extend the waiver an additional 18 months if deemed necessary.

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***STATEMENT REGARDING U.S. DISTRICT COURT
DECISION ON GREENHOUSE GAS NUISANCE
CASE***

Bill Holbrook, communications director for the Senate Environment & Public Works Committee, issued the following statement with regard to today’s decision by Judge Loretta Preska of the U.S. District Court for the Southern District of New York to dismiss a lawsuit brought by several states and special interest groups, led by New York Attorney General Eliot Spitzer (D), that sought to force several utilities to curb greenhouse emissions:

“It’s refreshing to know that the U.S. District Court for Southern New York believes that Eliot Spitzer’s climate change nuisance case was just that, a nuisance to the court. Judge Preska says the issue is in the domain of Congress and the Administration, and we certainly agree with that precedent.”

IN THE NEWS...

Tulsa World

Local firm on track to fill New Orleans order

By Randy Krehbiel World Staff Writer

9/16/2005

The race to build 20 pumps has not been without its bumps.

A small Tulsa manufacturing firm got a lot of attention last week when U.S. Sen. Jim Inhofe revealed that it had gone to the Federal Emergency Management Agency with a proposal for a system capable of pumping floodwaters out of New Orleans up to 50 times faster than existing systems could.

Horizontal Oilfield Systems and Supply, or HOSS, had offered to build and donate four of the systems in the wake of Hurricane Katrina. FEMA said it would pay for 20, and it wanted them in 21/2 weeks.

HOSS is well ahead of schedule. Vice President Bob Layton said Thursday that eight of the pump systems are in operation at the now-famous 17th Street Levee and the remaining 12 should be shipped by the middle of next week to St. Bernard Parish. ...

After reading about the company in the Tulsa World, Rhonda Barnett volunteered to do what she could. That turned out to be everything from finding suppliers on the weekend to coming up with three meals a day for the shop crew.

"She knows a lot of people," said Layton, "and every one of them has come through."

From banks to plumbers to airlines, Tulsa companies have chipped in with food, shop fans, crating materials and office furniture and fixtures.

"This story is inspirational," Barnett said.

It's also complicated. HOSS is a subcontractor to a subcontractor of The Shaw Group of Baton Rouge. Layton gives Shaw high marks for efficiency. Shaw may just have an affinity for start-up firms such as HOSS: Shaw started in 1987 as a small fabrication shop and is today one of the federal government's largest private contractors.

This endeavor has not been without risk for HOSS. If everything works out, it will be fairly compensated; in the meantime, Layton and his partner, James Gardner, are on the hook for more than \$750,000 in up-front expenses, plus the \$250,000 Small Business Administration loan they took out to start the

company.

"If it doesn't work out, I'm going to be out more than \$1 million," Layton said. While HOSS' pumps are drawing down New Orleans' floodwaters, a crew from the Army Corps of Engineers' office in Tulsa is clearing canals and waterways in the New Orleans area. . . .

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Bill Holbrook, Communications Director
Matt Dempsey, Deputy Press Secretary