

Congress of the United States

Washington, DC 20510

July 18, 2019

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Wheeler:

We write to express our concern with the lack of in-person public hearings for the Environmental Protection Agency's (EPA) *Withdrawal of Certain Federal Human Health Criteria in Washington* proposed rule. In light of the undeniable importance of public participation in this process, we ask that in-person public hearings in Region 10 be scheduled on this matter immediately.

Finalized in 2016, the water quality standards presently in place represent the extensive work between state agencies, tribes, local municipalities, and industry stakeholders to come to a consensus on a path forward regarding this issue. This deliberative process included robust public input, rigorous scientific data collection, and extended engagement between EPA and all parties with a vested interest. Affected entities have already begun the painstaking work of implementing these new standards across Washington state. Resources have already been expended to bring communities into compliance with these finalized standards. To deny those same communities a voice in the proposed withdrawal of these standards would be a direct abdication of EPA's responsibilities.

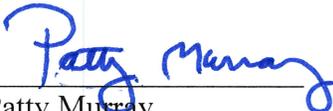
Additionally, the lack of any in-person public hearings on this matter of great public interest has the potential to undermine several bedrock laws imperative to the protection of our environment. It is our shared concern that EPA's proposed "online public hearings" undercut the spirit of public comment, limiting potential engagement to those with reliable broadband internet access, and could potentially violate regulations pertaining to the proper administration of the Clean Water Act, the National Environmental Policy Act, and the Administrative Procedure Act. This course of action also leads us to question EPA's broader commitment to upholding the federal government's responsibility to engage in government-to-government consultation on an issue of critical importance to Washington state's 29 federally-recognized tribes.

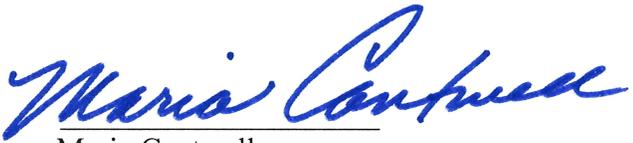
Accordingly, we ask that you schedule in-person public hearings on this matter immediately, at times and locations conducive to the participation of our constituents. We also ask that you detail your efforts toward engaging in tribal government-to-government consultation on this matter. Given the sensitive nature of this issue and EPA's ongoing efforts to schedule inadequate

formats for public input, we respectfully ask that you schedule and publicly notice these in-person sessions by July 31, 2019.

We look forward to your swift attention to this matter.

Sincerely,

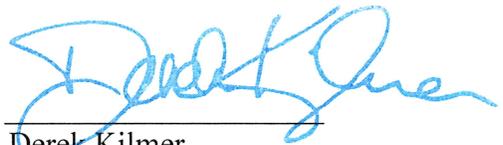

Patty Murray
United States Senator


Maria Cantwell
United States Senator

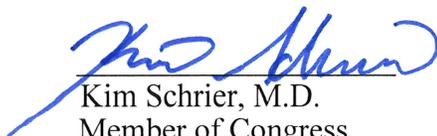

Pramila Jayapal
Member of Congress


Suzan K. DelBene
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Denny Heck
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