



Senate Environment and Public Works Committee  
Full Committee Hearing

*“Hearing on the Nomination of the Honorable Lee M. Zeldin to be Administrator of the Environmental Protection Agency”*  
January 16, 2025

**Witnesses**

- Lee Zeldin, nominee for Administrator of EPA

**Key Takeaways ([watch the hearing here](#))**

- **PFAS CERCLA Liability:** During the hearing, Chair Capito (R-W.Va.) and Senator Lummis (R-Wy.) both highlighted the concerns of water utilities over EPA’s designation of PFAS as hazardous substances under CERCLA. Zeldin indicated that he’d spoken with Senators from both sides of the aisle about this issue and understands how this liability would negatively impact ratepayers.
- **Water Affordability:** Senator Padilla (D-Calif.), who introduced AMWA-backed legislation, highlighted the [Low-Income Household Water Assistance Program Establishment Act](#) to establish a permanent federal water assistance program and confirmed Zeldin’s commitment to providing
- **Lead Service Line Replacement:** Senator Angela Alsobrooks (D-Md.) highlighted the need for continued funding for lead service line replacement.
- **Accountability and Transparency:** Senators asked for commitments from Lee Zeldin regarding transparency, ethical independence, and non-political management of EPA policies and disbursements.
- **EPA Mission and Priorities:** Senators questioned Zeldin on the statutory role of the EPA and sought his commitment to review a number of policies, including spending funds allocated in the Inflation Reduction Act (IRA) and reviewing EPA rulemakings.
- **Addressing Pollution and Contamination:** Senators and Zeldin discussed steps to address environmental issues such as PFAS pollution, lead pipe replacements, and uranium mine cleanups, while emphasizing collaboration with Congress.
- **Climate Change Remediation and Emissions Reduction:** Senators questioned Zeldin on his position on the existence of man-made climate change and the importance of reducing carbon emissions.

**Witness Testimony**

***Lee Zeldin ([testimony here](#))***

- Highlighted the need to prioritize clean air and clean water and to protect the environment while also protecting the economy;
- Summarized his environmental work while serving as a U.S. Representative from New York’s 1<sup>st</sup> Congressional District, including preserving the Long Island Sound, supporting legislation to address conservation needs and ocean plastic pollution, and combatting PFAS in drinking water;
- Committed to working with Members of Congress on their priorities and to implementing the law according to congressional intent.



### Member Statements and Questions

#### ***Chair Shelley Moore Capito (R-W.Va.) ([read opening statement here](#))***

- Emphasized that the EPA should return to its core mission of prioritizing clean air and clean water and be more responsible with taxpayer dollars;
- She mentioned carbon capture, utilization and sequestration, advancing nuclear energy development, and cleaning up brown fields and superfund sites to facilitate economic development on these lands;
- She wants to build on the work already done to address legacy PFAS contamination; one of her questions to Zeldin was how he plans to address the challenges of PFAS pollution through the EPA's existing authorities—he responded that he was a member of the PFAS Task Force in the House of Representatives, that PFAS will be a top priority for him, and that the EPA has a responsibility to ensure actions are implemented correctly;
- She said that the EPA needs to focus on electric grid resiliency and reliability risks, including affordability issues and increasing demands for electricity, which cannot be met without additional forms of energy resources.

#### ***Ranking Member Sheldon Whitehouse (D-R.I.) ([read opening statement here](#))***

- Highlighted the Water Resources Development Act and Surface Transportation reauthorization bills as opportunities for bipartisanship;
- Focused on flood risk maps showing that coastlines will be underwater in the coming decades; He bridged the connected between this and a housing crisis and coastal insurance crisis looming, as many areas will be uninsurable due to increasing risk;
- He illuminated that this would mean an economic crisis, largely caused by Big Oil, and that we must have a Secretary who would heed against their influence over the Trump Administration.

#### ***Senator Cynthia Lummis (R-Wy.)***

- “Do you plan to ensure that EPA’s policies are effective while protecting passive receivers from lawsuits and consumers from usually high utility bills? Let me explain here. The Biden Administration’s plan to designate legacy PFAS as hazardous substances under CERCLA can impose liabilities on entities like municipal water systems which did not produce or knowingly handle these chemicals, so these entities are called passive receivers. I know that it is true at airports, they have PFAS issues as well. These passive receivers are now vulnerable to lawsuits that literally could bankrupt small local governments across the nation. My concern is that we should of course address PFAS issues, but not in a way that submits small, local water systems and airports to litigation.”
  - **Zeldin:** Senator, thank you for raising this issue and I have heard it from Senators on both sides of the aisle during my meetings. It is something that is a big issue to you and will therefore be a big issue for me. I also saw it in my home country of Suffolk County, New York, where we had PFAS issues. The passive receiver issue is one where the costs could be pushed down to the consumer in a way that they would end up paying for the cleanup cost.

#### ***Senator Alex Padilla (D-Calif.)***

- “Millions of Americans are struggling to keep up with their growing water bills, which have increased nearly three times the rate of inflation. According to the EPA, it will cost water utilities



more than \$1.2 trillion over the next 20 years to modernize and maintain their drinking and wastewater infrastructure. Water utilities, unique to other utilities, rely heavily on ratepayers to cover their cost. The federal government's share of maintaining this infrastructure has come down significantly over the years, so ratepayers are acutely feeling this pressure. As a result, one in five households have outstanding and growing water debt. The national water affordability crisis affects both rural and urban communities...I shared with you the idea of replicating the LIHEAP program—we have a low-income home energy assistance program because you shouldn't have to freeze in the winter just because you're low-income. The same applies to water. We know how fundamental water is for life and the economy. We've had a temporary water assistance program for low-income customers. Do you agree and can we work together to make that permanent to tackle some of these challenges?"

- **Zeldin:** Senator, having access to clean drinking water is something that if confirmed I want to do my part working with you and your colleagues across the entire country to deliver. Every American in my opinion should be able to access clean drinking water. I will follow all my obligations under the law, and to the fullest extent of the law I would like to assist in those efforts for you to fight for your constituents in this respect.

***Senator Angela Alsobrooks (D-Md.)***

- “The EPA has said that no amount of lead in drinking water is safe. Lead in drinking water is particularly dangerous for children. The BIL, which you opposed as a Member of Congress, made historic downpayments on lead pipe replacements to ensure that communities across America have access to safe drinking water from lead contamination. If confirmed, will you build on the success of BIL and support additional funding for lead pipe replacement?”
  - **Zeldin:** Yes. The same answer as my last question, ultimately it will be up to Congress to decide the funding level, the law, and it will be my commitment to make sure that the funding is spent to Congress' intent as laid out in those appropriations.

***Senator Adam Schiff (D-Calif.)***

- “Fueled by severe drought conditions and strong Santa Ana winds, unimaginable events like these fires devastate communities and worsen California's water scarcity. When you were a State Senator in New York, you were a member of the state Senate bipartisan task force on Hurricane Sandy recovery. You applauded a comprehensive legislative package that included tax assessment relief for properties catastrophically damaged by the storm, revisions to regulatory obstacles for rebuilding, insurance obstacles, etc. Will you support similar efforts for California as EPA Administrator? Do you commit to prioritizing similar systems for California to ensure that local water supplies are tested, treated, and restored to safe drinking water standards just as EPA stepped in to do after the horrific Maui fires?”
  - **Zeldin:** I would want to know everything in my power to assist you and constituents. I would want to make sure recovery is as speedy as possible. I will do everything in my power to assist with that.