**Transitioning into the Biden Administration**

A Look Into the New Administration’s Environmental Priorities

New year, new president, and a new push on policies. Trying to guess what will happen for the next four years into any new Administration is like trying to figure out when it will actually rain here in the Midwest. But, just like the assistance of a meteorologist, we can start to predict what we will see with the help of folks who understand and specialize in public policy.

At the head of the Biden EPA is Michael Regan. A 20-year experienced environmental regulator, he was the head of the North Carolina Department of Environmental Quality and returns to the White House from formerly being an air quality specialist in the Clinton EPA.

Here are a few things to look for from the Biden/Regan team:

**Environmental Justice (EJ)**

While there are still questions bouncing around about how the Administration will carry out EJ, facilities can get ahead of the game and be prepared for what is to come. One of the biggest items that will be coming out of EJ is communities having their voices heard in environmental regulation. Something companies can start doing to prepare for this is reaching out to the communities where their facilities are located at. We understand the data we collect and how we collect it, but does the public understand it? Now is the time to educate the community you share a fence line with.

There are two major legislative proposals to keep an eye on. The Environmental Justice Mapping and Data Collection Act of 2021 will create a tool built upon the EPA’s EJScreen to identify demographic factors, environmental problems, socioeconomic circumstances and public health concerns. This data collected will help build maps of communities that are affected the most. This will help the Administration to direct appropriate funds to those communities.

Companies should be looking at the EPA’s EJScreen tool. It interprets and shows environmental indicators and demographic indicators. It is used for informing outreach and engagement practices, as well as permitting and compliance implementation, just to name a few.

The Environmental Justice for All Act will establish EJ requirements, advisory bodies and programs to address the environmental effects on human health for low-income communities. It will also provide the establishment of the Interagency Working Group on Environmental Justice Compliance.

**More Inspectors on the Ground**

With COVID-19, we saw fewer boots on the ground and the number of virtual inspections and audits go up throughout facilities. With vaccines rolling out and the country starting to open back up, there is going to be a drive to get inspectors back on the ground. Now is the time to go over your facility’s reporting to make sure it is accurate and to re-evaluate your risk assessment plans and make sure your facility complies with all regulations.

**Waters of the United States (WOTUS)**

WOTUS is already under review for this Administration. We can expect to see extreme discussion on this since having to define WOTUS is difficult, as it is controversial. Multiple states, tribes and environmental groups pushed back on the Trump Administration’s Navigable Waters Protection Rule, so we can speculate that the Biden Administration will want to expand the definition and scope and go for a broader rule to replace it.

**Per- and polyfluoroalkyl substances (PFAS)**

Expect to see the enforcement of PFAS being talked about, as well. Some questions are if the Biden Administration will use the All-of-Government approach like we are seeing in climate change, if they will revisit the 70 ppt LHA for drinking water and if the remediation of PFAS will be listed as a hazardous waste under RCRA or CERCLA. States are also getting involved with PFAS. There will be multiple legislation pieces floating around on both the federal and state level. Regan is committed to making PFAS a “top priority” for this team and he mentioned in his Senate confirmation that part of this approach will include pursuing discharge limits and water quality values.

**Need Any Help?**

If you need help with getting your facility in compliance, iSi has multiple project managers that specialize in doing third-party compliance audits and reporting. [Contact us](https://isienvironmental.com/contact-us) today!