

January 30, 2022

Virginia General Assembly
Pocahontas State Office Building
900 East Main Street
Richmond, VA

Dear Majority Leader Richard L. Saslaw, Minority Leader Thomas K. Norment, Jr., and Honorable Members of the Virginia Senate:

The undersigned are professionals who know and have worked with Andrew Wheeler and have direct knowledge of his passion for people and the environment and his superb management skills. We can think of no one who is better qualified to be Virginia's Secretary of Natural and Historic Resources.

We are sending this letter to rebut politically charged letters you received from people who do not know Mr. Wheeler. These letters are highly biased and unsupported.

For example, one letter cites merging the Office of the Science Advisor into the Office of Research and Development (ORD) as "sidelining science." Yet, the position of "Science Advisor" has always been held by the person who leads ORD and one year into the Biden administration it remains an office within ORD.

One letter naively criticizes political managers for making policy decisions after considering career staff and outside input. Yet, making decisions is exactly what a senate-confirmed political leader is supposed to do. A senior manager who simply rubberstamps the recommendations of staff or outside interests is not managing and is not doing his or her job.

The letter also suggests that anyone who has a different opinion on how best to protect the environment is somehow unfit for office. For example, the letter criticizes EPA for increasing fuel efficiency by 1.5% a year because it was not as aggressive as some advocates had wanted and criticizes EPA for reducing power plant GHG emissions because it did not take the same approach as an earlier rule that the Supreme Court refused to let go into effect because it was likely illegal. In fact, the letter goes so far as to suggest that regulations should never be revisited and revised despite a congressional mandate to do just that in section 610 of the Regulatory Flexibility Act.

The reality is Mr. Wheeler is a strong supporter of Clean Air Act programs and the evidence is in the outcomes. For example, since 2017, combined air pollution emissions have fallen more than 7 percent, even as the economy continued to grow. During that same time EPA redesignated more than 58 non-attainment areas around the country to attainment. These redesignations help communities economically and represent improved health outcomes for several million citizens living within these areas. Under Mr. Wheeler's leadership EPA also approved over 1200 State Implementation Plans (SIPs), both new and backlogged and converted 30 Federal Implementation

Plans into SIPs, ensuring protection of air quality. Additionally, in 2020, EPA also finalized the first greenhouse gas emissions standards for aircraft.

Mr. Wheeler strongly supports improving water quality. In just three years, EPA closed 41 Water Infrastructure Finance and Innovation Act (WIFIA) loans that are providing \$7.8 billion in credit assistance to help finance \$16.8 billion for water infrastructure while creating more than 38,800 jobs and saving ratepayers \$3.7 billion. EPA also approved more than 7,000 Total Maximum Daily Load (TMDL) plans to restore polluted waters.

Contrary to allegations in some letters, Mr. Wheeler has secured more financial support for cleaning up the Chesapeake Bay than any other EPA administrator. Under his leadership, EPA committed to make [over \\$1 billion in WIFIA loans to Virginia utilities](#) for work that directly improves water quality in the Chesapeake Bay.

Mr. Wheeler strongly supports ensuring safe drinking water, backing aggressive EPA enforcement and finalizing the first major overhaul to the Lead and Copper Rule for the first time in nearly 30 years to ensure the safety of drinking water for children and young adults.

Mr. Wheeler has a strong record of accomplishment in addressing waste issues. He established the Office of Mountains, Deserts and Plains to ensure oversight of federal hardrock mining cleanup sites west of the Mississippi River. He established a new National Recycling Goal to increase the national recycling rate to 50 percent—up from roughly 32 percent—by 2030.

He led the effort to develop the U.S. Federal Strategy for Addressing the Global Issue of Marine Litter, which outlines the comprehensive approach the administration is leading domestically and internationally to preventing trash, litter, and garbage—including plastics—from entering marine and freshwater environments. He also reinvigorated the federal government's role in promoting recycling. EPA established the annual America Recycles Day Summit in November of 2018 and organizing the America Recycles Pledge, which more than 250 organizations have signed promising to work together to improve the American recycling system.

He also worked hard to ensure that contaminated property is returned to productive use, delivering approximately \$295 million in Brownfields grants directly to communities and non-profits in need and fully or partially delisting 82 sites from the National Priorities List.

Mr. Wheeler also has a strong management record focused on innovation, process improvement and effective use of government resources. One of his most noteworthy efforts was putting the Agency on a path to eliminate all animal testing by 2035. As reflected on its website, the Agency is well on its way to saving millions of animals, using fewer resources and producing information more quickly and at an equal or higher quality. All without jeopardizing the Agency's core mission of protecting human health and the environment. Other improvements include implementation of LEAN management systems, embracing multi-media, multi-program approaches like the PFAS Action Plan, and hiring the first EPA Risk Communications Advisor.

Under his leadership, EPA stepped up to address the COVID 19 pandemic through work by the Office of Chemical Safety and Pollution Prevention to approve products that actually work to

destroy the virus and work by the Office of Enforcement and Compliance Assurance to keep products that did not work out of the marketplace and the hands of unknowing consumers.

In fact, Mr. Wheeler was a strong supporter of EPA's enforcement and compliance program across the board. It is very telling that the just released fiscal year 2021 EPA annual enforcement accomplishments report highlights many actions taken during his tenure, including the \$2 billion Clean Water Act settlement with [the City of Houston](#), the \$1.5 billion Clean Air Act settlement with [Mercedes and Daimler](#), the \$180 million Clean Air Act settlement with [Toyota](#), the RCRA settlement with [U.S. Magnesium](#) to ensure the proper management of about 5.9 million pounds of waste, the \$245 million Superfund settlement [with Allied Paper](#) in Kalamazoo, Michigan, and the \$20 million lead paint settlement with [Home Depot](#).

Furthermore, during Mr. Wheeler's tenure the agency reversed the downward trend in new criminal cases opened that began in 2011.

All told, over the course of Mr. Wheeler's career, he has improved the lives of millions of Americans through his steadfast commitments to a better, healthier environment. He has worked collaboratively across the aisle and with the diverse range of environmental stakeholders to create these positive outcomes. We urge the Members of the Virginia Senate to assess his qualifications based on a review of the many measured improvements to American's air, water and soil that were a direct result of his leadership and not be distracted by politically charged, baseless rhetoric.

Sincerely,

The Honorable Doug Benevento
The Honorable Susan Bodine
The Honorable W. Charles McIntosh
The Honorable Peter C. Wright
The Honorable Douglas Domenech
The Honorable Bill Wehrum
COL (Ret) John W. Busterud
James B. Gulliford
Cosmo Servidio
Greg Sopkin
Henry Darwin
Ken McQueen
Peter D. Lopez
Rick Otis
Alex Herrgott
Francis Brooke
Carrie Vicenta Meadows
Anna B. Karakitsos
Elizabeth Beacham White
Patrick Davis

The Honorable Ken Wagner
The Honorable Frank Fannon
Fmr. Governor Phil Bryant
The Honorable Robert J. Kabel
The Honorable John Paul Woodley, Jr.
The Honorable Aaron Ringel
Ryan Jackson
Mandy Gunasekara
Joby Young
Lee Forsgren
Mike Catanzaro
James O. Hewitt
Justin Schwab
Molly Block
J. Fletcher Mutz
Blake Ashbee
Warren Coats
Samantha Dravis
Dimitri Karakitsos

Jagadeesan Sethuraman
Aaron Szabo
David Harlow
Charles Cogar
Tony Frye
Albert Kelly
Michael Abboud
Christian Rodrick
Amanda Kasper
Joe Kasper
Tyler C. Teresa
Lynn Ann Dekleva
Nate Zimmer
Rebeckah Adcock
Jessica McFaul
Charlie Dankert
Kirby Struhar
Travis Voyles
Brett Doyle
Ben Walters
Scott Mason
Patrick D. Traylor
Melissa Mejias
Alejandra "Allie" Rodriguez
Garrett S. Kral
John S. Irving
Brent Fewell
Katie Bryant Snell
Jahan Wilcox
Jenifer Fields
William A. Murray
Katharine English
George Etheridge V
Russel Rasmussen
Veronica Darwin
Mandy (McNally) Smith
Julie Axelrod
Brittany Carter
Madeline Mills
Owen McDonough
Byron Brown
Todd Johnston
Thomas Mills
Jordan Pic
Megan Striegel

Brian Mannix
Robert Dillon
Jacob Allen
Kendal Barker
Clint Woods
Todd Washam
Matthew Hite
Adam Gustafson
Alexander Girard
Cathy Stepp
Chad Bradley
David D. Dunlap
Taylor Meredith
John Konkus
Wayne Heard
Joe Liebau
Micah Meadowcroft
Joey Songy
Barry Shapiro
Elizabeth Bennet
Chris Hage
Surya Gunasekara
Luke Tominelli
Ben Cassidy
Steven Cook
Sean M. Donahue
Kelly Kundiger
Amanda Fitzmorris
Nick Falvo
Chris Beach
Alex Dominguez
Victoria Tran
Brock Terwilleger
Kyle Garber
J. Holt Edwards
Michele Nellenbach
Kamila Lis-Coghlan
Sarah Landeene
Sophia Vella
John V. Coghlan
Abbey Linsk
Diana Leo
Chris Leahy
Daniel Alfaro

Cc: The Honorable Susan Clarke Schaar, Clerk of the Senate