



## National Environmental Protection: The Role of States

What role do states play in protecting human health and the environment?

Through the Clean Air Act, Clean Water Act, Safe Drinking Water Act, and Resource Conservation & Recovery Act subtitle C, Congress established its intent for states to exercise primary authority to **prevent and reduce air, water, and hazardous waste pollution**. U.S. EPA establishes rules and standards, and states, territories, and the District of Columbia, subsequently referred to as “states,” are delegated authority to implement them through their own permit and enforcement programs.

States devote considerable effort to helping communities and regulated entities navigate the permitting process. Sufficient funding is critical to preserving the core ability of state staff to **issue and renew permits**; **gather data** for determinations regarding the health of local and regional air, water, and land resources; and **meet existing and new obligations**.

How do state environmental agencies fund their activities?	<p><b>61%</b></p> <p><b>Permit fees</b> and other fees comprised an average of <u>61%</u> of state budgets in 2019. Revenue decreases as pollution tonnages go down, and some key work is not linked to specific permits.</p>	<p><b>\$0</b></p> <p>Some <b>state legislatures</b> do not provide or do not increase general funds to these agencies.</p>	<p><b>20 years</b></p> <p><b>Federal funding</b> comprises an average of just 27% of state environmental budgets and may require a state match. State and Tribal Categorical Grant funding has remained nearly unchanged in 20 years, despite inflationary pressures.</p>
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**Increase Categorical Grant funding to build and sustain state capacity.**



**Increase State Revolving Fund (SRF) levels for state-run programs in FY26 and beyond.**



**Provide support for PFAS responsibilities through funding, scientific and technical support, and regulatory flexibility.**

### How can Congress help?

Through an [ECOS resolution](#), states urge Congress and EPA to financially support state environmental agency implementation of federal requirements that benefit all of our communities. More information is available in the [ECOS testimony](#) to Congress on EPA’s FY25 budget request.



*ECOS Resolution*



*ECOS Testimony*

## State Environmental Actions

States are working hard to address many priorities, including:

- Responding to increased state workload due in part to new program interpretations, implementing federal rules, and updating and streamlining permitting processes,
- Increasing community resiliency through improved infrastructure planning, adaptation strategies, and other technical assistance,
- Promoting economic health through redevelopment of Brownfield and Superfund properties,
- Updating permitting and information management systems to support data-driven decision-making,
- Identifying, reducing, and remediating per- and polyfluoroalkyl substances (PFAS) pollution,
- Increasing assessment and monitoring for other emerging contaminants and harmful algal blooms,
- Advancing efforts that improve public participation and transparency and increase access to environmental protection for every American,
- Strengthening pollution detection efforts to minimize pollutants and restore impaired waterbodies and airsheds,
- Working with communities to identify and replace lead service lines, and
- Ensuring wetland stewardship in light of the recent reduction in the scope of federal jurisdiction.

## What challenges do states face?

Federal government support has eroded in the past two decades, where inflation has soared. Resulting challenges include:

- Capacity building of key staff,
- Needed investments in improved data systems, electronic permitting, and monitoring, and
- State support for capitalization grants, public water systems, and other base capacity efforts.

In addition, states continue to address existing and emerging environmental challenges. On the issue of per- and polyfluoroalkyl substances or PFAS, in order to responsibly and sustainably reduce the risk from these pervasive chemicals, ECOS requests that Congress and EPA provide states with:

- Increased funding,
- Scientific and technical support, and
- Regulatory flexibility.

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States have received EPA delegation to serve as primary implementers and enforcers of most Clean Air Act standards.

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States have primacy to implement and enforce Safe Drinking Water Act programs for public water systems.

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States have primary authorization to implement and enforce the Resource Conservation & Recovery Act hazardous waste program.

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States are authorized to implement Clean Water Act National Pollutant Discharge Elimination System permitting and enforcement programs.

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