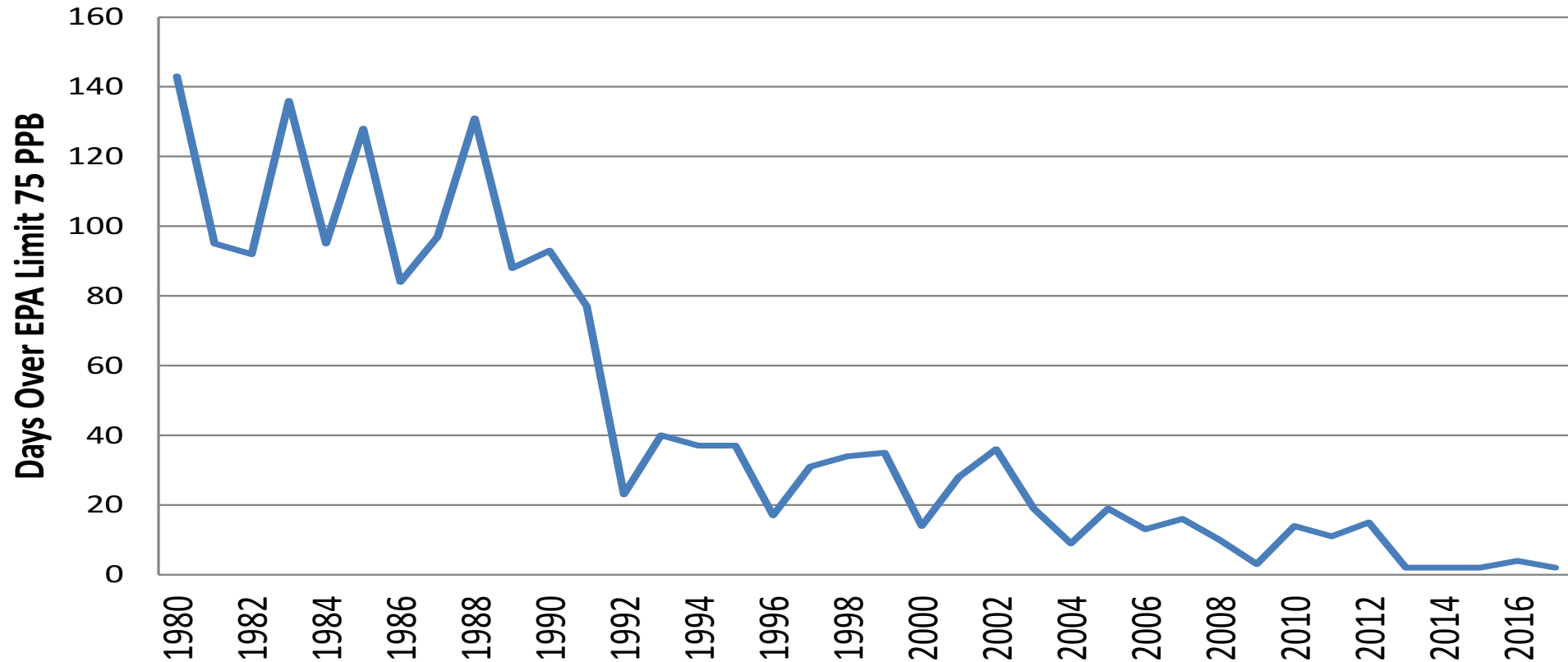


Reforming the EPA

David T. Stevenson
Caesar Rodney Institute
11/9/2017

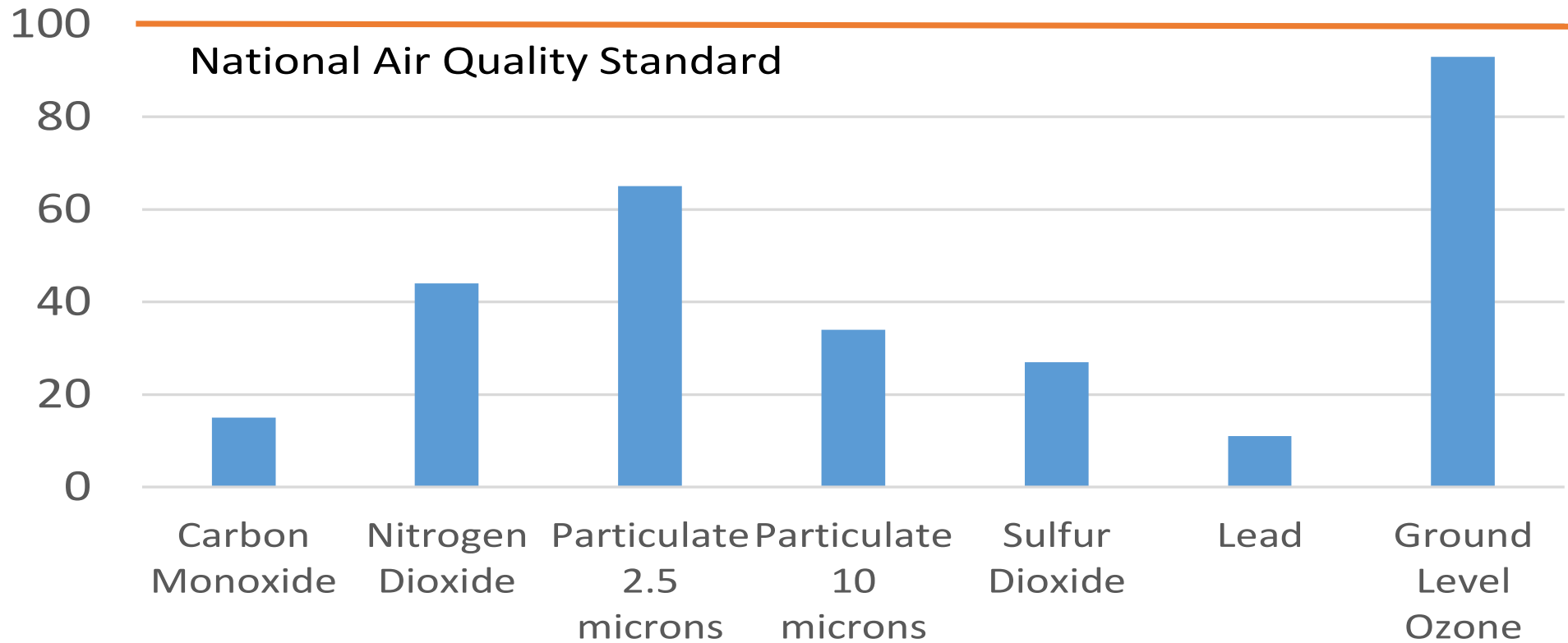
Days/Year Over Air Quality Index Limit New Castle County, DE



National Air Quality average improved 64% since 1980

Source: EPA Air Quality Statistics Reports

% of Air Quality Standard



Source: EPA National Air Quality Trends

Improvements Stalled

- On average, air quality improved 2% a year from 1980 to 2009, but only 1% a year during President Obama's term
- Ozone improved 1% a year from 1980 to 2009, but only ½% total during President Obama's term
- Superfund site construction completion rate under President Bush was 35 a year, under President Obama 16 a year
- Chesapeake Bay water quality improved 49% under state compact from 1985 to 2010, no improvement since EPA took over in 2010
- Diminishing Returns!

EPA Lost Integrity

- Used health benefits for exposure levels below NAAQS
- Used exaggerated Value of Life estimates to calculate health benefits
- Used studies with hidden data and no peer review
- Used un-duplicated studies, studies under review
- Cherry picked studies
- Didn't follow OMB guidelines; discount rates, domestic benefits only
- Skipped required Administrative Procedures
- Science Advisory Board stacked with EPA grant recipients
- All overturned by executive action, clearing the deck for positive action!

EPA Laying the Foundation for Progress

- Reviewing options to improve ozone air quality
- Establishing drinking water program priorities
- Cutting red tape for faster Superfund remediation
- Reinstate measuring employment impacts of regulations
- Reviewing better ways to interact with businesses

Some Quick Progress on Existing Rules

- Paris Treaty withdraw – EO
- Stream Protection Rule – overturned by CRA
- Resource Management Planning – overturned by CRA
- Coal mining moratorium on federal lands – DOI EO lifted
- Mercury & Air toxics – Overturned by Court
- SNAP Refrigerants Rule – Overturned by Court
- Mineral Valuation Rule Repealed – DOI

EPA Longer Term Agency Review of Rules

- WOTUS – Proposed Rule to return to old definition of navigable waterways
- Clean Power Plan – Proposed Repeal
- Ozone – Delay of implementation/review
- Effluent Limitations Guidelines – Delay of implementation/review
- Coal Combustion and Residual Rule – Considering review petition
- Cross State Air Pollution Rule – Considering review petition
- Renewable Fuel Standard – Reviewing but looks like no changes

DOI Longer Term Review

- Hydraulic Fracturing on Federal Lands
- Methane Venting & Flaring Rule
- Onshore and offshore leasing
- Working with states to improve application of the Endangered Species Act

EPA Staffing

- The Administrator's key direct staff is in place
- Half the appointments needing Senate confirmation are in place
- 6 of nine areas needing Assistant Administrators either have AAs or Deputy AAs, remaining have acting AAs, and acting Deputy AAs
- 23 of 32 Senior Executive Service positions are filled
- 5 of 10 Regional Administrators are in place
- Staffing has been slower than past administrations, but given a requested 31% budget cut, some positions may be awaiting budget confirmation

EPA Needs

- Complete Senate Confirmation nominations
- Complete political nominations
- Reorganize the Agency
- Clean Air Act Amendment excluding CO₂, legislatively establishing ozone NAAQS