

Opening Statement of the Honorable Ed Whitfield
Committee on Energy and Commerce
Markup of H.R. 4775, the “Ozone Standards Implementation Act of 2016,” and
H.R. 4979, the “Advanced Nuclear Technology Development Act of 2016.”
May 17, 2016

Given the continued disappointing news on jobs and the economy, I am pleased today that we are marking up two bipartisan bills that will help boost employment and economic growth. The Ozone Standards Implementation Act of 2016 provides a sensible path forward for continuing to reduce ozone levels while avoiding the unnecessary economic damage that EPA’s complicated regulations would inflict. The Advanced Nuclear Technology Development Act of 2016 would help open up the marketplace to the innovative nuclear technologies for which America is a world leader. I urge my colleagues to support both of these measures.

Ozone levels have declined by more than 30 percent since 1980, and stringent standards issued in 2008 would continue to reduce those levels for years to come. However, the Obama EPA delayed implementation of these standards by failing to finalize necessary implementing regulations until last year, and states have only recently begun to implement the new standards. Nonetheless, EPA decided to compound matters by also issuing a costly new ozone standard, and states now confront the prospect of being required to simultaneously comply with both.

At our hearing on this issue, we heard directly from state environmental officials who are on the frontlines putting EPA’s rules in place, and they explained the difficulties with the agency’s complicated ozone regulatory scheme as well as the risks to the economies of areas not in compliance.

The Ozone Standards Implementation Act would take the reasonable step of letting the 2008 standards be fully implemented and continue to reduce ozone levels, and then move forward with implementation of the subsequent standards. It also removes the inflexible statutory requirement that the standards for ozone and other criteria pollutants be reviewed every five years, which has proven to be an insufficient amount of time for both the agency and the states. Instead, it sets

the default at ten years while giving the EPA administrator the flexibility to do it sooner if deemed necessary. It also requires the agency to provide states with the necessary implementing regulations at the same time it finalizes new standards, and not afterwards.

The Advanced Nuclear Technology Development Act of 2016 helps assure that the Nuclear Regulatory Commission is prepared to deal with the latest in nuclear technologies. Yesterday's regulatory regimes don't necessarily work for today's cutting-edge nuclear technologies, and the NRC has yet to establish a framework for issuing licenses that utilize new technology.

Innovators in the U.S. are developing advanced reactors that are dramatic improvements over older designs in terms of safety, cost, and waste reduction, but they need some measure of certainty as they seek approval of these concepts. This bipartisan bill helps assure that the NRC has in place what is needed to handle the licensing process for the very latest technologies in advanced reactors.

Both of these bipartisan bills would help reduce regulatory impediments to economic activity and the jobs America so desperately needs. I urge my colleagues to support both the Ozone Standards Implementation Act of 2016 and the Advanced Nuclear Technology Development Act of 2016. Thank you.