

**Opening Statement of the Honorable Ed Whitfield**  
**Subcommittees on Energy and Power and Commerce, Manufacturing, and Trade**  
**Hearing on “EPA’s Proposed Ozone Rule: Potential Impacts on Manufacturing”**  
**June 16, 2015**

*(As Prepared for Delivery)*

This morning, I am pleased to be partnering with the Subcommittee on Commerce, Manufacturing, and Trade in our review of EPA’s proposed new ozone standard. The focus of today’s hearing is the impact of the proposed rule on America’s manufacturing sector.

We have watched the Obama EPA propose and finalize rules for more than six years now, and a familiar pattern has emerged. The agency is inclined to overstate both the extent and the certainty of the benefits, while downplaying the costs. At the same time, the concerns of state and local governments tend to be ignored, as do the issues raised by affected manufacturers.

The proposed ozone rule has all of these flaws, plus one more – the agency already has a stringent rule on the books that it has barely begun to enforce. The ozone rule was strengthened in 2008, but the Obama EPA delayed taking action to implement this rule until quite recently. In fact, EPA did not publish its implementing regulations until last March. As a result, states are only in the initial stages of formulating their implementation plans for this standard.

Now, with the ink barely dry on implementing regulations for the existing standard, EPA is proposing an entirely new one. Back in 2011, the President explained his decision not to move ahead with a new ozone standard by explaining that “I have continued to underscore the importance of reducing regulatory burdens and uncertainty, particularly as our economy continues to recover.” Well, our economy still continues to recover, and this proposed rule certainly won’t help.

Most of the compliance burden would fall on manufacturers and energy producers. Indeed, much of America’s manufacturing capacity will be in counties likely to be designated as nonattainment under the proposed rule. A nonattainment designation makes it very difficult to permit a new or expanded facility, and may impose significant costs on existing manufacturers. A study from the National Association of Manufacturers estimates costs of \$140 billion dollars annually and 1.4 million job losses as a result of this rule.

As we will learn today, many manufacturers have already reduced their emissions of ozone-forming compounds, and continue to do so. But by pushing too far and too fast, the new rule could jeopardize jobs and affect the quality and price of several everyday items that consumers need. I look forward to learning more about this proposed rule from the manufacturers who would be on the front lines of compliance.

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