

**Opening Statement of the Honorable Michael C. Burgess, M.D.**  
**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)*

Today we are again faced with a troubling theme we have seen time and time again from this Administration: an unprecedented and overly burdensome regulatory proposal when there is significant ongoing debate and little science around the public health benefits of such a rule. The EPA’s proposal to further reduce the National Ambient Air Quality Standard for ozone represents one of the most costly regulations the agency has ever attempted to impose on the U.S. economy.

I join Energy and Power Subcommittee Chairman Whitfield in thanking the panel of witnesses for joining us today to talk to both of our subcommittees about the impact of EPA’s proposed ozone rule on manufacturing. The simple fact remains that this type of regulatory overreach is unsustainable for American jobs and families.

As a physician, the health of all of our citizens is of the utmost importance to me, and as we know from all of the other conversations occurring throughout this Committee, the cost of health care is a real concern for Americans. However, I have serious reservations about the science and analysis utilized by the EPA to support this proposed rule and whether it would be effective. The 43,000 comments filed with the EPA about the proposed rule demonstrate that there is no certainty here. There is a lot of important debate that needs to occur to identify actual benefits to justify stifling job creation.

I have written to the EPA on several occasions over the last few years on issues relating to the rule, most recently regarding the Clean Air Scientific Advisory Committee’s evaluation of the risks and risk tradeoffs in the ozone proposal. I remain concerned about the scientific process utilized by EPA to draw causal inferences about the impact of lowering the NAAQS from 75 parts per billion to 70, 65, or even 60 parts per billion.

Given that the implementation regulations for the 2008 standard of 75 ppb were only finalized earlier this year, what will be the proposed rule’s impact on states and localities that are already dealing with nonattainment, including counties in my district around the Dallas-Fort Worth area?

The National Association of Manufacturers estimates that for Texas this rule will result in over 300,000 lost jobs and a \$1,430 drop in annual average household consumption. When there are disincentives to investment in a local economy, either from businesses looking to build and expand or from families trying to make ends meet, we have to pay attention and ask the tough questions. These are the types of scenarios that can decimate entire towns.

It is a well-known fact that there are several states that are in non-attainment status today and are on an extended schedule to come into compliance. However, estimates show hundreds of additional counties that will be forced into non-attainment when this proposed rule is finalized in October. By the EPA’s own estimates, we are talking about a minimum of about 350 to 600 counties that would go from compliant status to non-attainment.

I applaud my colleagues on Energy and Power for their oversight and scrutiny of this proposal. I am very interested to hear from the witnesses for WD-40 and the Henry Company about the

impact of this proposed rule on their businesses. All the Members need to understand the potential for this rule to freeze economic growth in their districts.

While there are lots of questions for the EPA to answer about these issues, today I am focused on learning about known or expected impacts of the EPA's proposed rule on manufacturing.

###