

Majority Whip Scalise Statement for the Record
Hearing: H.R. 4775, Ozone Standards Implementation Act of 2016

Here in the United States, we have achieved something extraordinary: economic growth and expansion have not led to dirtier air. Quite the opposite, we have seen background levels of pollution steadily decline in recent years, and the quality of the air we breathe continues to improve. However, looking at the onerous regulations coming out of the Environmental Protection Agency (EPA), you might believe that no gains have been achieved. You see, EPA – through its periodic review and implementation of National Ambient Air Quality Standards (NAAQS) – seems to think that even background levels of certain pollutants must be eliminated. Which begs the question: how will this be accomplished? The short answer is: EPA has no idea.

The Ozone Standards Implementation Act of 2016 goes a long way toward bringing some clarity and sanity to the EPA rulemaking process related to ambient air quality standards. To that end, the bill requires that the new standard for ground-level ozone not be implemented until 2025 – which makes sense, since EPA does not estimate that any of the benefits will be realized until that time. Further, the bill changes the review period for criteria pollutants under the Clean Air Act from five years to ten. This is a practical change that will give stakeholders more certainty. Instead of reviewing the criteria pollutants every five years, the EPA has chosen to *change* the standards for those pollutants every five years. This has resulted in a kind of intra-agency competition of which set of bureaucrats can promulgate the most stringent air quality regulations without regard for cost or economic impact. A ten year window in which to review criteria pollutants is simply better than five.

When it comes to transparency, I am glad that language from my Promoting New Manufacturing Act has been included in the Ozone Standards Implementation Act of 2016. As it stated last Congress, the language requires EPA to put out guidance on how to comply with the new standard at the same time the rule is published. If EPA does not do this, the standard does not take effect until the agency gives guidance. This is critically important for manufacturing investment – particularly in the

petrochemical sector, in which investment decisions are made three, five, or even ten years in advance – as companies need to know what the rules will look like in the years ahead. In addition, it took EPA seven years to put forth guidance on the ozone standard that was issued in 2008. This is unacceptable.

These much needed changes will bring our clean air laws into the 21st Century and will send the necessary signal to the investment community that the United States is still open for business. No longer will nameless, faceless Washington bureaucrats be able to stifle American innovation. Therefore, I am proud to give my strong support to the Ozone Standards Implementation Act of 2016 and look forward to its favorable consideration by this Committee and the full House of Representatives.