

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-2927
Minority (202) 225-3641

May 5, 2016

Dr. Bryan W. Shaw
Chairman
Texas Commission on Environmental Quality
12100 Park 35 Circle, Building F
Austin, TX 78753

Dear Dr. Shaw:

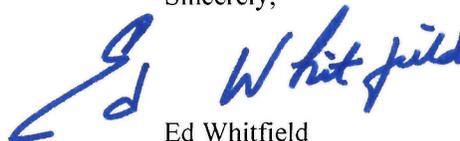
Thank you for appearing before the Subcommittee on Energy and Power on Thursday, April 14, 2016, to testify at the hearing entitled "H.R. 4775, Ozone Standards Implementation Act of 2016."

Pursuant to the Rules of the Committee on Energy and Commerce, the hearing record remains open for ten business days to permit Members to submit additional questions for the record, which are attached. The format of your responses to these questions should be as follows: (1) the name of the Member whose question you are addressing, (2) the complete text of the question you are addressing in bold, and (3) your answer to that question in plain text.

To facilitate the printing of the hearing record, please respond to these questions with a transmittal letter by the close of business on May 19, 2016. Your responses should be mailed to Will Batson, Legislative Clerk, Committee on Energy and Commerce, 2125 Rayburn House Office Building, Washington, DC 20515 and e-mailed in Word format to Will.Batson@mail.house.gov.

Thank you again for your time and effort preparing and delivering testimony before the Subcommittee.

Sincerely,



Ed Whitfield
Chairman
Subcommittee on Energy and Power

cc: The Honorable Bobby Rush, Ranking Member, Subcommittee on Energy and Power

Attachment

Additional Questions for the Record

The Honorable Joe Barton and Pete Olson

1. Currently, the EPA is prohibited from considering costs when setting a NAAQS. Are there other instances where the Agency does consider costs and where this practice results in health protective standards?
2. When calculating costs and benefits for a proposed standard, the EPA only includes costs to regulated entities. What are the consequences of this narrow view of costs? What other costs are not included in these estimates, but should be considered by the EPA?
3. During the hearing, it was suggested that although the EPA cites ozone effects on asthma as a reason to promulgate a new, lower standard, these effects may be uncertain. Please provide additional information on the relationship between ozone exposure and asthma.
4. Although opponents of HR 4775 cite concern that the lengthened NAAQS review cycle would limit the EPA's ability to keep the NAAQS consistent with current literature, the EPA has actually had difficulty maintaining the existing review schedule. Has the EPA's failure to keep this schedule impacted Texas? If so, how?
5. Some have suggested that the litigation filed by Texas and several other states over the 2015 ozone NAAQS indicates that these states are putting technology and policy issues above public health issues. What priority does Texas give to public health concerns? In your experience, are the NAAQS purely public health standards or is there a policy component?