

Opening Statement of the Honorable Ed Whitfield
Subcommittee on Energy and Power
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 11, 2016

(As Prepared for Delivery)

With yet another disappointing jobs report coming out last week, it is timely that we now begin the markup of 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 was one of the first pollutants targeted under the 1970 Clean Air Act, and it has declined by more than 30 percent since then. Stringent standards enacted in 2008 would further drive down those levels. However, the Obama EPA itself delayed implementation of these standards and failed to finalize necessary implementing regulations until last year, so states are just beginning to implement the new standards. Nonetheless, EPA decided to compound matters by also enacting a costly new ozone standard, and states now confront the prospect of being required to simultaneously comply with both.

The Ozone Standards Implementation Act would take the commonsense step of letting the 2008 standard be fully implemented and continue to reduce ozone levels, and then move forward with implementation of the subsequent standard. It also removes the inflexible statutory requirement that the standard 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 this bipartisan bill helps assure that the NRC has 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.

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