

Statement of Representative Anna G. Eshoo
House Committee on Energy and Commerce
Full Committee Markup
2123 Rayburn House Office Building
June 28, 2017

Mr. Chairman,

There are two bills before the Committee today that would “streamline” the process for permitting oil and gas pipelines, both domestically and those that cross our borders with Canada and Mexico. In reality, these bills would create a rubber-stamp permitting procedure that would all but eliminate public participation in these projects which cross private land and can threaten watersheds. For example, the Rover natural gas pipeline project in Ohio caused seven industrial spills in a single month earlier this year and has been cited 16 times for improperly dumping wastewater in streams. In its rush to complete the lucrative pipeline before the winter, the company building Rover cut corners and destroyed thousands of acres of wetlands. Streamlining the current pipeline permitting process could put more of our wetlands at risk and would tilt the scales in favor of approving every project, regardless of its merits or the precautions taken to avoid environmental disasters.

Similarly, streamlining the hydropower relicensing process is a laudable and necessary goal, considering that some licenses can take up to 10 years to issue. However, I’m concerned about the proposed hydro relicensing reform bill’s impact on the rights of states to protect their water quality.

The last bill on our docket today is an attack on the Clean Air Act that I strongly oppose. H.R. 806, the *Ozone Standards Implementation Act* eliminates the bedrock Clean Air Act principle that air pollution should be capped at a level that is protective of human health, regardless of the costs that doing so may impose. The bill undercuts this science-based standard by requiring EPA to consider both the costs and technological feasibility of air pollution limits before they can be finalized. The determination of whether our air is safe to breathe should be a scientific determination, not an economic or technological one. The existing Clean Air Act structure permits economic and technological factors to be considered by states in the implementation phase, but not in the determination of what levels of pollution are protective of public health.

Since President Nixon signed the Clean Air Act into law in 1970, Congress has recognized that Americans have a right to breathe clean air. Under this irresponsible legislation, Americans will only have the right to breathe clean air if it isn’t too expensive for industry to limit their emissions. This is the wrong approach and I strongly urge my colleagues to oppose H.R. 806.