

**Opening Statement of the Honorable John Shimkus**  
**Subcommittee on Environment**  
**Hearing on “Big Relief For Small Business: Legislation Reducing**  
**Regulatory Burdens On Small Manufacturers And Other Job**  
**Creators”**  
**September 13, 2017**

*(As prepared for delivery)*

This morning we will continue our subcommittee’s oversight of the Clean Air Act, and while we usually focus our attention on major rules with multi-billion dollar impacts, today we will look at four EPA rules and policies that are far from major but are of great concern to the small business-dominated sectors affected by them. And we will consider bills that make targeted changes to these policies so as to preserve jobs and investment in affected businesses and communities. We welcome our business-owner witnesses who have come from considerable distances to be here today as well as our other witnesses in what I hope will be a productive hearing.

Two of the bills deal with small business manufacturers. Both the brick industry and the wood heaters industry are comprised of companies that are downright tiny compared to a GM or an Apple, but the well-paying jobs they provide often make them an important contributor to the local economies where they are located. Unfortunately, both of these sectors are struggling under the weight of costly EPA rules with tight deadlines. HR 1917, The BRICK Act, would provide much-needed additional time for brick makers to comply with EPA’s new requirements, while also assuring that they won’t be forced to comply with standards that are later thrown out by a federal court - as happened to this industry in the past. I thank my good friend Bill Johnson for taking the lead on this bipartisan effort. HR 453 is another bipartisan bill that would provide similar relief from an EPA rule impacting wood heaters, giving manufacturers three more years to meet the second phase of EPA’s latest requirements.

HR 1119, the SENSE Act, addresses facilities that take environmentally-damaging coal refuse and turn it into electricity and harmless ash. That ash can then be used to remediate the sites formerly contaminated by coal refuse piles. As with many of the businesses we will discuss today, these coal refuse-to-energy plants not only

provide direct jobs but also are an indirect source of employment in struggling communities. Unfortunately, EPA lumps in these waste treatment facilities with traditional coal-fired power plants and has imposed requirements that are not achievable for many of them. The SENSE Act would make targeted changes to two regulations to establish emissions reductions targets that are appropriate and achievable for this specialized technology.

Finally, HR 350, the RPM Act, seeks to clarify longstanding policy on vehicles modified exclusively for competition on racetracks. Thousands of amateur racing enthusiasts support a wide range of large and small businesses - from components manufacturers and retailers, to racetrack operators, to garages that service these specialized racing vehicles. Never in the 47 year history of the Clean Air Act has the agency enforced the anti-tampering provisions against vehicles that are taken off public roads and driven exclusively on raceways, but in 2015 the agency inserted language into an unrelated proposed rule suggesting a change in policy. While the EPA later retracted that language, it did so in a manner that left unclear the legal status of the owners of these cars and motorcycles as well as the businesses that serve them. The RPM Act would remove that cloud and make clear that the agency's hands-off policy is indeed the law.

We welcome constructive input on these bills, but time is of the essence. The next wood heater deadline takes place in 2020, the coal refuse-to-energy deadline is 2019, and the brick deadline is 2018. This is a very short window for small businesses to line up the financing and undertake the required work, assuming they can afford to do it at all. That is why I support action to enact these bills as soon as possible. Thank you.