

Energy and Environment Council Hosts EPA “Listening Session”

March 11--In January, President Barack Obama directed Federal agencies to conduct a comprehensive review of regulations in order to make them more streamlined and business-friendly. In order to achieve these goals, regional Federal agencies are required to do “listening sessions” with key constituencies for the purpose of gathering information, which will be sent to the Office of Management and Budget.

CACI very much appreciates Jim Martin, the Environmental Protection Agency’s (EPA) Region Eight Director, selecting CACI’s Energy & Environment Council as the venue to conduct the EPA listening session required by the President’s “Executive Order 13563 - Improving Regulation and Regulatory Review.”

At its meeting yesterday, the Council’s members expressed a number of concerns about existing and anticipated regulations to Martin.

Several members raised questions about the new ozone standard, which is anticipated to be announced in late June or early July. Martin indicated that, unlike similar issuances in the past, the EPA is committed to issuing clear guidance to states about with the new standard.

Suncor Energy Vice President John Gallagher made clear that the ozone issue and accompanying fuel specifications could affect the viability of the only refinery in Colorado, which would have far-reaching impacts to the entire state.

A key message from the Council members to the EPA was that uncertainty and inconsistencies in regulations increase costs and negatively impact business operations.

One major source of uncertainty to CACI members is the Clean Air State Implementation Plan (SIP). Martin indicated that there is a huge effort under way at the EPA to address the backlog of SIP filings, some of which go back as far as 13 years, and hope that after those are caught up they will be able to work through SIPs as they come through the door.

Additionally, Martin will report back to Washington on CACI members’ concerns regarding the potential high costs and un-attainability of water nutrient standards, inflexible jurisdictional water policy, and unwise revisions to the definition of solid waste. Members have asked for more information and guidance on greenhouse gasses (GHG) and the “tailoring rule,” the EPA “fracking” study and water-transfer rules.

Moreover, CACI members are encouraged to submit ideas online from now until March 20th:

- Share your ideas by issue or impact (e.g., innovation, environmental justice and science).

<http://www.epa.gov/improvingregulations/issue.html>

- Share your ideas by program area (e.g., air, water and pesticides)

<http://www.epa.gov/improvingregulations/program.html>

- Share general ideas (Use this category if you're not sure what other category to choose or if your comment spans multiple categories. Also, you may use this category if you wish to provide other general comments on the factors the EPA should consider in conducting their review, the process they will use in setting priorities, or the identification of candidate rules for review.)

<http://www.epa.gov/improvingregulations/general.html>

When submitting ideas online, please include an explanation as to:

- Why you believe a regulation should be modified, streamlined, expanded or repealed;
- Provide data or other information that supports your explanation; and
- Provide suggestions on how we can better achieve the regulatory program's objective.