



60 Conservative Organizations to Congress: Reform the EPA's Ozone Standard to Save American Jobs

May 9, 2016

Dear House Energy and Commerce Committee Chairman Upton and Senate Environment and Public Works Committee Chairman Inhofe:

On behalf of the 60 organizations listed below and the millions of Americans represented, we urge you to take action on the Environmental Protection Agency's National Ambient Air Quality Standard (NAAQS) for Ozone and to reform the rulemaking process for ozone and other pollutants regulated under NAAQS. Without changes to the ozone regulation and reform of the rulemaking process, economic activity could be brought to a standstill in many areas across the country.

The ozone regulation has questionable benefits, but certain economic costs. Last year, when the EPA lowered the compliant level of ozone from 75 to 70 parts per billion (ppb), it estimated the regulation would cost \$1.4 billion annually and admitted the cost of the regulation greatly outweighed the benefits of further ozone reductions. Previous cost estimates by the EPA ranged between \$3.4 and \$25 billion annually. The only way EPA could justify the regulation was to use questionable co-benefits. In reducing ozone, there may also be benefits from reductions of other pollutants, in this case particulate matter (PM). However, the EPA already has another set of regulations dealing exclusively with PM. Either the EPA has woefully inadequate standards for PM or it is effectively "double counting" the health benefits of PM reductions to justify the ozone regulation.

The EPA had to use questionable co-benefits to justify the regulation because of the tremendous reductions in ozone already achieved. Since 1980, ozone concentrations have fallen by 33%. In many areas across the country, ozone concentrations are nearing background levels – concentrations resulting from natural and nonlocal manmade sources. Before finalizing the current regulation, EPA was considering an ozone standard so strict Yellowstone National Park would have been noncompliant.

Many states are still working to implement the 2008 standard of 75 ppb. 177 counties, which contain just under one-third of the U.S. population, are designed as nonattainment areas under the 2008 standard. By making the ozone standard stricter, the EPA has made it significantly harder for these counties to be in compliance and ignores their hard work at meeting the prior standard.

The ozone regulation places a tremendous burden on communities



across America. The result of a nonattainment designation can be disastrous and bring economic activity to a halt. Local governments risk losing federal highway funds. Oil and gas operations, with the royalty and tax revenue they bring, may cease. Manufacturers may be forced to relocate or shut down, destroying jobs in the process.

Given the harmful economic effects, we ask that you consider measures to change the ozone standard and reform the rulemaking process. Currently, the Ozone Standards Implementation Act of 2016 (H.R. 4775, S. 2882) is one such measure that achieves these objectives. The legislation would push back the attainment deadline for states and require economic feasibility to be considered. Additionally, it would bring much needed reform to the rulemaking process by changing the review period for pollutants under NAAQS from every 5 years to every 10.

Thank you for your consideration and work on this important issue.

Sincerely,

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60 Plus Association

Alex St. James, Chairman Emeritus
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American Business Defense Council

Phil Kerpen, President
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George David Banks, Executive Vice President
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COUNCIL FOR



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