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 county, 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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Americans for Prosperity

Amy Noone Frederick, President
60 Plus Association

Alex St. James, Chairman Emeritus
African-American Republican Leadership Council (AARLC)

Dick Patten, President
American Business Defense Council

Phil Kerpen, President
American Commitment

George David Banks, Executive Vice President
American Council for Capital Formation

Sean Noble, President
American Encore

Tom Pyle, President
American Energy Alliance

Coley Jackson, President
Americans for Competitive Enterprise

Peter J. Thomas, Chairman
Americans for Constitutional Liberty

Richard Manning, President
Americans for Limited Government

Grover Norquist, President
Americans for Tax Reform

Dan Weber, CEO
Association of Mature American Citizens

Alex St. James, Executive Director
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Jeffrey Mazzella, President
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Peter Nelson, Vice President and Senior Policy Fellow
Center of the American Experiment (Minnesota)

Marita Noon, Executive Director
Citizens' Alliance for Responsible Energy (CARE)

Col. Francis X. De Luca USMCR(Ret), President
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Matt Anderson, Policy Analyst
Coalition for Self-Government in the West

Tom Brinkman Jr., Chairman
Coalition Opposed to Additional Spending and Taxes (COAST)

Craig Rucker, Executive Director, Co-Founder
Committee for a Constructive Tomorrow (CFACT)

Myron Ebell, Director, Center for Energy and Environment
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Craig Richardson, Executive Director
Energy & Environment Legal Institute (E&E Legal)

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Energy Makes America Great

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Less Government

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Let Freedom Ring

Connor Boyack, President
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Dee Hodges, President
Maryland Taxpayers Association

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