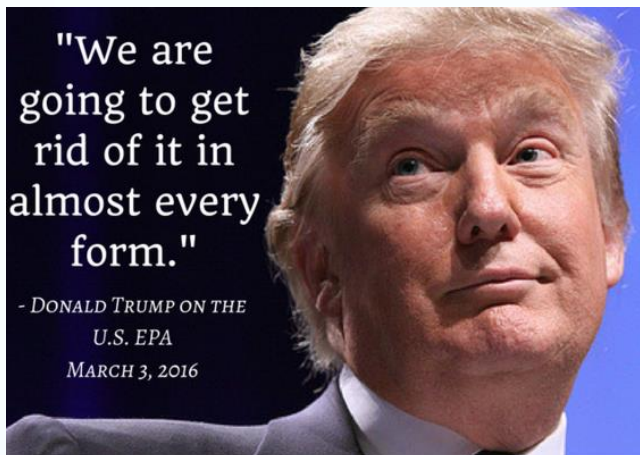


Regulations and Regulatory Reform for Trump ERA EPA



This page is being updated.

Thank you for your interest in this topic. We are currently updating our website to reflect EPA's priorities under the leadership of President Trump and Administrator Pruitt. If you're looking for an archived version of this page, you can find it on the [January 19 snapshot](#).

Trump: January 2017



“From an environmental standpoint, my priorities are very simple: clean air and clean water”

Campaign Statements

Ask all Department heads to submit a list of every wasteful and unnecessary regulation which kills jobs, and which does not improve public safety, and eliminate them.

Issue a temporary moratorium on new agency regulations that are not compelled by Congress or public safety

Cancel immediately all illegal and overreaching executive orders.

Eliminate our most intrusive regulations, like the Waters of The U.S. Rule.

We will also scrap the EPA's so-called Clean Power Plan which the government estimates will cost \$7.2 billion a year.

We're going to cancel the Paris Climate Agreement

Decrease the size of our already bloated government after a thorough agency review

We will also eliminate duplication, provide regulatory certainty, and trust local officials and local residents.

We're going to do all this while taking proper regard for rational environmental concerns

Trump: February 2018



“In our drive to make Washington accountable, we have eliminated more regulations in our first year than any administration in history”

Congressional Review Act

- Allows Congress to overrule new [major] regulations by joint resolution within 60 days; sent to President
- 33 rules challenged; 20 regarding the environment or energy, including two EPA rules
 - Cross State Air Pollution Rule
 - Utah Regional Haze Rule
- Fourteen regulations repealed:
 - no EPA regulations affected
 - 4 environmental/energy regulations repealed, including DOI Stream Protection Rule
- BLM methane rule repealed blocked by Senate

Presidential Memorandums and Executive Orders

The White House

Office of the Press Secretary

For Immediate Release

February 24, 2017

Presidential Executive Order on Enforcing the Regulatory Reform Agenda

EXECUTIVE ORDER

ENFORCING THE REGULATORY REFORM AGENDA

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to lower regulatory burdens on the American people by implementing and enforcing regulatory reform, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States to alleviate unnecessary regulatory burdens placed on the American people.

Sec. 2. Regulatory Reform Officers. (a) Within 60 days of the date of this order, the head of each agency, except the heads of agencies receiving waivers under section 5 of this order, shall designate an agency official as its Regulatory Reform Officer (RRO). Each RRO shall oversee the implementation of regulatory reform initiatives and policies to ensure that agencies effectively carry out regulatory reforms, consistent with applicable law. These initiatives and policies include:



Executive Orders & Memoranda

- January 20, 2017 – White House Memorandum for the Heads of Executive Departments and Agencies instructing federal agencies to freeze all pending regulation
- January 24, 2017 - EO 13766 "Executive Order Expediting Environmental Reviews and Approvals For High Priority Infrastructure Projects" - CEQ
- January 24, 2017 - Presidential Memorandum "Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing"- Commerce Dept.
- January 24, 2017 - EO 13771 "Reducing Regulation and Controlling Regulatory Costs" - directs all agencies to repeal two existing regulations for each new regulation issued in FY 2017 and thereafter.
- February 24, 2017 - EO 13777 "Enforcing the Regulatory Reform Agenda" - directs federal agencies to establish a Regulatory Reform Task Force to evaluate existing regulations and make recommendations to the agency head regarding their repeal, replacement, or modification.
- March 28, 2017 - EO 13783 "Promoting Energy Independence and Economic Growth" - directs the EPA to review the Clean Power Plan, related rules and the NSPS for Oil and Gas, and all agencies to review existing regulations, orders, guidance documents and policies that potentially burden the development or use of domestically produced energy resources

Commerce Department Request for Information March 7, 2017

DEPARTMENT OF COMMERCE

Office of Policy and Strategic Planning

[Docket Number: 170302221-7221-01]

Impact of Federal Regulations on Domestic Manufacturing

AGENCY: Office of Policy and Strategic Planning, Department of Commerce.

ACTION: Notice; request for information (RFI).

SUMMARY: The Department of Commerce is seeking information on the impact of Federal permitting requirements on the construction and expansion of domestic manufacturing facilities and on regulations that adversely impact domestic manufacturers. As directed by President Trump's Memorandum of January 24, 2017, "Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing," the Secretary of Commerce, in coordination with the Secretaries of Agriculture and Energy, the Administrator of the Environmental

ACTION: Request for comment.

SUMMARY: In accordance with Executive Order 13777, "Enforcing the Regulatory Reform Agenda," EPA is seeking input on regulations that may be appropriate for repeal, replacement, or modification.

DATES: Comments must be received on or before May 15, 2017.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OA-2017-0190 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from *Regulations.gov*.

Trade Groups, Business and NGO Responses



March 31, 2017

Mr. Earl Comstock
Director of Policy and Strategic Planning
Office of Policy and Strategic Planning
Department of Commerce
H.C. Hoover Building Rm. 5863
1401 Constitution Avenue NW
Washington, DC 20230

RE: Notice, Request for Information: Impact of Federal Regulations on Domestic
Manufacturing (Docket No. 170302221-7221-01)

Dear Mr. Comstock:

On behalf of the NAM, thank you for the opportunity to identify high priority federal regulations that are impacting manufacturers. The NAM is the nation's largest industrial trade association and voice for more than 12 million men and women who make things in America. The NAM is committed to achieving a policy agenda that helps manufacturers grow and create jobs.

The NAM welcomes the Administration's efforts to reduce regulatory burdens. We are providing information on federal regulations that have significant impacts on manufacturers in the United States.

I. Manufacturing in the United States

Manufacturing in the United States lost 2.3 million jobs in the last recession. Since then, we have gained back 822,000 manufacturing jobs. Yet, manufacturing employment declined by 45,000 in 2016, with essentially stagnant production growth. On the positive side, signs indicate that business leaders and consumers were more upbeat about activity in 2017, especially since the election. To ensure that demand and output improve this year, the United States needs not only improved economic conditions but also government policies more attuned to the realities of global competition.

Manufacturing has the highest multiplier effect of any economic sector. For every \$1.00 spent in manufacturing, another \$1.81 are added to the economy. In addition, for every worker in manufacturing, another four employees are hired elsewhere. In 2015, manufacturers in the United States contributed \$2.17 trillion to the economy (or 12 percent of GDP), and the average manufacturing worker in the United States earned \$81,289 annually, including pay and benefits—27.4 percent more than the average nonfarm business worker.

Manufacturers believe regulation is critical to the protection of worker safety, public health and our environment. We believe some critical objectives of government can only be achieved through regulation, but our regulatory system is in need of considerable improvement and reform. New regulations are too often poorly designed and analyzed and ineffectively achieve their benefits. They are often unnecessarily complex and duplicative of other mandates. Their critical inputs—scientific and other technical data—are sometimes unreliable and fail to account for significant uncertainties. Regulations are allowed to accumulate without incentives

Leading Innovation. Creating Opportunity. Pursuing Progress.

733 10th Street NW, Suite 700, Washington, DC 20001 • # 202-637-3000 • # 202-637-3182 • www.nam.org

Trade Groups, Business and NGO Responses



March 31, 2017

Mr. Earl Co
Director of I
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H.C. Hoove
1401 Const
Washington

**CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA**

RE: Noti
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NEIL L. BRADLEY
SENIOR VICE PRESIDENT &
CHIEF POLICY OFFICER

1615 H STREET, NW
WASHINGTON, DC 20062
(202) 463-5310

Dear Mr. Cr

March 31, 2017

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The Office of Policy and Strategic Planning
Department of Commerce
H.C. Hoover Building Rm. 5863
1401 Constitution Ave., N.W.
Washington, D.C. 20230

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RE: Impact of Federal Regulations on Domestic Manufacturing (Docket No. 170302221-7221-01); DOC-2017-0001-0001

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The U.S. Chamber of Commerce (Chamber), the world's largest business federation representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, offers these comments in response to the Department of Commerce's request for information about the effects of federal permitting and other regulations on domestic manufacturing, and other agency policies. These recommendations are grouped as follows:

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Division I: Permit Streamlining	Page 3
Division II: Reducing Permitting Burdens for Technology Infrastructure	Page 8
Division III: Immigration Regulations Affecting Manufacturing	Page 9
Division IV: Health Regulations Affecting Manufacturing	Page 11
Division V: Pension Regulations Affecting Manufacturing	Page 13
Division VI: OSHA Issues Affecting Manufacturing	Page 14
Division VII: Wage and Hour Issues Affecting Manufacturing	Page 18
Division VIII: EEOC Regulation Affecting Manufacturing	Page 20
Division IX: Dodd-Frank and Federal Reserve Requirements	Page 21
Division X: EPA	Page 21
Division XI: Rationalizing Agency Enforcement Guidelines and Decisions	Page 22

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Recommendations By Agency

The regulations identified in the chart on the following page are intended to be representative of the types of regulations that burden domestic manufacturing.

Trade Groups, Business and NGO Responses



March 31, 2017

Mr. Earl Comstock
Director of
Office of Policy and Strategic Planning
Department of Commerce
H.C. Hoov
1401 Constitution Avenue N.W.
Washington, DC 20230

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Dear Mr. C

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Earl Comstock
Director of Policy and Strategic Planning
U.S. Department of Commerce
1401 Constitution Avenue N.W.
Washington, DC 20230

Submitted electronically via www.regulations.gov

Attn: Docket: DOC-2017-0001

RE: Impact of Federal Regulations on Domestic Manufacturing

Dear Mr. Comstock:

The American Chemistry Council (ACC)¹ welcomes the opportunity to comment on the impact of federal regulations on domestic manufacturing, in response to the Federal Register notice published on March 7, 2017. ACC has publicly called for and supported efforts to better address the burden of regulation and implement regulatory reform. The chemical industry needs a sound regulatory landscape in order to maximize the historic competitive advantage provided by shale gas. This shale gas advantage represents a game-changer for U.S. manufacturing, and the Administration can and should leverage this competitive advantage through improved public policy.

Reducing overly complex regulatory burdens is a key step for enhancing the chemical industry's ability to help drive economic growth and job creation throughout the broader economy. Specific regulatory reform priorities for ACC include improving the federal government's use of risk assessment practices, and ensuring that regulations are based on sound cost-benefit analysis, including cumulative economic impact and retrospective review. ACC calls on agencies to

¹ The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®, common sense advocacy designed to address major public policy issues, and health and environmental research and product testing. The business of chemistry is a \$797 billion enterprise and a key element of the nation's economy. It is one of the nation's largest exporters, accounting for ten cents out of every dollar in U.S. exports. Chemistry companies are among the largest investors in research and development. Safety and security have always been primary concerns of ACC members, and they have intensified their efforts, working closely with government agencies to improve security and to defend against any threat to the nation's critical infrastructure.



Trade Groups, Business and NGO Responses



Mr. Earl Comstock
Director of Policy
Office of Policy
Department
H.C. Hoover
1401 Constitution
Washington, DC

RE: No
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Dear Mr. C

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Earl Comstock
Director of Policy
U.S. Department
1401 Constitution
Washington, DC

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Attn: Docket: D

RE: Impact of I

Dear Mr. Comst

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March 31, 2017

Mr. Earl Comstock
Director of Policy and Strategic Planning
U.S. Department of Commerce
H.C. Hoover Building, Rm. 5863
1401 Constitution Ave. NW
Washington, DC 20230

Re: Docket Number: 170302221-7221-01 - Impact of Federal Regulations on Domestic Manufacturing

Dear Mr. Comstock,

The American Coatings Association, Inc. (ACA) is a voluntary, nonprofit trade association working to advance the needs of the paint, coatings and adhesives industry and the professionals who work in it. Our membership includes paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA membership companies collectively produce some 95% of the total dollar volume of architectural paints and industrial coatings in the United States.


By this letter, ACA is responding to the Secretary's request for information from stakeholders about how the construction, operation, and expansion of domestic manufacturing facilities are affected by the process of acquiring required federal permits and the burdens of complying with federal regulations in general.

General Information

- a. NAICS codes: 325510 Paint and Coating Manufacturing
- b. Manufacturing Category: as indicated above, ACA's members manufacture paint, coatings, adhesives and allied products
- c. Facility locations: ACA member companies' operate manufacturing facilities throughout the United States. In addition to manufacturing facilities, ACA member companies have warehouse and distribution centers in all 50 states.
- d. Number of Employees: According to BLS, there are more than 275,000 employees in the United States that are employed in the paint and coatings industry, including those employees who distribute, sell and apply our products.
- e. Sales revenue for the paint and coatings industry: Product shipments by U.S. paint and coatings producers totaled an estimated \$28 billion in 2015.

- ✧ 170 respondents
- ✧ 100 directed comments toward EPA
- ✧ 370 comments out of 554
- ✧ 10 topics out of 45
- ✧ Trade organizations, NGOs, universities, small and large businesses, manufacturers

Department Commerce Report



STREAMLINING PERMITTING AND
 REDUCING REGULATORY BURDENS FOR
DOMESTIC MANUFACTURING

U.S. Department of Commerce
 October 6, 2017




Table 2. Most Frequently Cited Regulatory & Permitting Issues that Impact Manufacturing

	Federal agency	Issue area	# Commenters
1	EPA	Clean Water Act (CWA): Wetlands Permits and Waters of The United States (WOTUS)	42
2	EPA	Clean Air Act (CAA): National Emissions Standards for Hazardous Air Pollutants (NESHAP) and New Source Performance Standards (NSPS)	41
3	EPA	CAA: New Source Review and Prevention of Significant Deterioration Permits (NSR/PSD)	40
4	EPA	CWA: National Pollutant Discharge Elimination System (NPDES) Permits	31
5	EPA	CAA: Greenhouse Gas Requirements	29
6	EPA	CAA: National Ambient Air Quality Standards (NAAQS) (general)	28
7	EPA	Resource Conservation and Recovery Act (RCRA)	18
8	EPA	Risk Management Programs and Reduced Risk and Tech Review	19
9	EPA	Toxic Substances Control Act (TSCA)	18
10	Department of Labor (DOL)	Improve Tracking of Workforce Injuries and Illnesses	

Regulatory Reform/Rollback

- whitehouse.gov
 - Agencies have issued 22 deregulatory actions for every one new regulatory action (22:1 ratio far exceeds two rules for one new rule promise)
 - 67 deregulatory actions; only three new regulatory actions
 - Agencies have withdrawn or delayed 1,579 planned regulatory actions: 635 regulations withdrawn; 244 regulations made inactive; 700 regulations delayed
- OMB Regulatory Reform: Two-for-One Status Report and Regulatory Cost Cap
 - Agencies issued 67 deregulatory actions and only 3 regulatory actions; Saved \$8.1 billion: Agencies saved \$8.1 billion in regulatory costs, or \$570 million per year
 - EPA - Final Regulatory Actions: 1; Final Deregulatory Actions: 16; Annualized Costs/Cost Savings \$21.5M

EPA Completed Actions 2017

- Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act; **Further Delay of Effective Date until Fe. 2019**
- Amendment to Standards and Practices for All Appropriate Inquiries under CERCLA; **Final rule**
- Certification of Pesticide Applicators; **Delay of Effective Date from June 2017 to May 2018**
- Clean Water Act Methods Update Rule for the Analysis of Effluent; **2015 proposed rule finalized effective September 2017**
- **Compliance Date Extension**; Formaldehyde Emission Standards for Composite Wood Products; **Effective date delayed from March 21, 2017 to May 22, 2017**
- Effluent Limitations Guidelines and Standards for the Dental Category; **Final rule**
- Chemical Substances When Manufactured or Processed as Nanoscale Materials; TSCA Reporting and Recordkeeping Requirements; **Effective date extended from May 12, 2017 to August 14, 2017**
- **Labeling Relief**; Formaldehyde Emission Standards for Composite Wood Products; **Effective date extended from March 21, 2017 to May 22, 2017**
- Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements; **Final rule allowed delayed electronic reporting until June 2018**

EPA Completed Actions 2017

- Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources; **Grant of Reconsideration and Partial Stay**
- Phosphoric Acid Manufacturing and Phosphate Fertilizer Production Risk and Technology Review Reconsideration; **Delaying compliance date from August 19, 2016 to August 19, 2018 while rule reconsideration**
- Postponement of Certain Compliance Dates for Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category; **Postponed** earliest compliance dates for the BAT effluent limitations and other requirements, from November 1, 2018 to November 1, 2020 while EPA reconsiders rule.
- Revisions to Procedure 2—Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources
- **Approval** of Tennessee's **Request To Relax** the Federal Reid Vapor Pressure Gasoline Volatility Standard for Davidson, Rutherford, Sumner, Williamson, and Wilson Counties; and Minor Technical Corrections for Federal Reid Vapor Pressure Gasoline Volatility Standards in Other Areas
- **Stay** of Standards of Performance for Municipal Solid Waste Landfills and Emission Guidelines and Compliance Times for MSW Landfills; **90 day stay has expired and rule in effect while EPA reconsiders rule**
- **Withdrawal** of the 2016 Information Collection Effort for Oil and Gas Facilities
- Confidentiality Determinations for Hazardous Waste Export and Import Documents; **final rule**

Regulatory Rollback – WOTUS Rule

- February 28, 2017 - EO 13778 Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the “Waters of the United States” Rule - “publish for notice and comment a proposed rule rescinding or revising the rule....”
- March 6, 2017 – Notice of Intention To Review and Rescind or Revise the Clean Water Rule
- June 27, 2017 - Proposed a rule to rescind the 2015 Rule and re-codify the regulatory text that existed prior to 2015
- The agencies accepted comment on the proposed rule "Definition of 'Waters of the United States' - Addition of Applicability Date to 2015 Rule" through December 13, 2017.
- Plan to propose a new definition that would replace the approach in the 2015 Rule, taking into consideration the principles that Justice Scalia outlined in the *Rapanos* plurality opinion.
- January 22, 2018 - Supreme Court ruling complicates next steps on WOTUS
- January 31, 2018, finalized a rule that the 2015 Rule is not applicable until February 6, 2020.

Clean Power Plan and GHG Regulation

March 28, 2017 - EO 13783 Promoting Energy Independence and Economic Growth

- requires EPA Administrator to immediately review the Clean Power Plan (“CPP”) and, “if appropriate,” to initiate a new notice-and-comment rulemaking to suspend, revise, or rescind the plan.
- directs EPA to review the rule setting greenhouse gas emission standards for new power plants.
- requires the heads of all Federal agencies to immediately review all agency actions that “potentially burden the development or use of domestically produced energy resources, with particular attention to oil, natural gas, coal, and nuclear energy resources,” and to develop reports containing recommendations to alleviate or eliminate those actions that impose a burden.
- unilaterally revokes one Executive Order (“Preparing the United States for the Impacts of Climate Change”), three Presidential Memorandums (“Power Sector Carbon Pollution Standards,” “Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment,” “Climate Change and National Security”), and two Reports (“The President’s Climate Action Plan” and “Climate Action Plan Strategy to Reduce Methane Emissions”)
- instructs CEQ to rescind its 2016 guidance for considering climate change in environmental impact reviews under NEPA
- rescinds six documents relating to the social cost of carbon, the dollar value of the long-term damage done by a ton of carbon dioxide emissions in a given year as “as no longer representative of governmental policy,”
- disbands the Interagency Working Group on Social Cost of Greenhouse Gases (“IWG”) that had been formed to study this issue.
- Directs agencies seeking to monetize the value of greenhouse gas emissions to refer to the general cost-benefit guidelines issued by the Bush administration in 2003

Clean Power Plan and GHG Regulation

March 28, 2017 - EO 13783 Promoting Energy Independence and Economic Growth

- Directs the Secretary of Interior to amend or withdraw the January 16, 2016 Order, “Discretionary Programmatic Environmental Impact Statement to Modernize the Federal Coal Program” and to lift all moratoria on federal land coal leasing activities.
- Directs EPA and the Interior to review and consider suspending, revising, or rescinding 2015 and 2016 regulations that are designed to reduce methane emissions from oil and gas production.

Other Actions

- March 30, 2017 – letter informing governors that EPA does not expect the states to dedicate resources to complying with a rule stayed by the Supreme Court
- April 3, 2017 – announced withdrawal of October 23, 2015 “Federal Plan Requirements for Greenhouse Gas Emissions From Electric Utility Generating Units Constructed on or Before January 8, 2014”
- April 4, 2017 – EPA announces review and possible suspension, revision or rescinding of the Clean Power Plan, Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Generating Units and Oil and Gas New Source Performance Standards
- October 16, 2017 – Proposal to Repeal the Clean Power Plan
- October 27, 2017 – EPA Report on Review of Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources Under Executive Order 13783)

Other EPA Regulatory Actions

- June 22, 2017 - EPA issued the final “framework” rules for implementation of TSCA amendments, as well as the “scopes” for the first 10 risk evaluations to be conducted, and guidance for third parties who wish to submit their own draft risk evaluations.
- October 16, 2017 - Agency-wide directive designed to end “sue and settle” practices within the Agency
- December 1, 2017 - signed a federal register notice that EPA has decided not to issue final CERCLA financial responsibility requirements hardrock mining facilities that were published on January 11, 2017 because the Agency has determined that final regulations are not appropriate.
- January, 18, 2018 - finalized amendments to the 2015, Off-Site Waste and Recovery Operations (OSWRO) NESHAP to remove the continuous monitoring requirements for pressure relief devices
- January 25, 2018 – Reversed longstanding “once in, always in” MACT policy governing sources subject to major source regulations for air toxics under Section 112 of the Clean Air Act

Regulatory Reform: Multiple Stakeholders with Inputs



Office of
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US Congress



US Courts

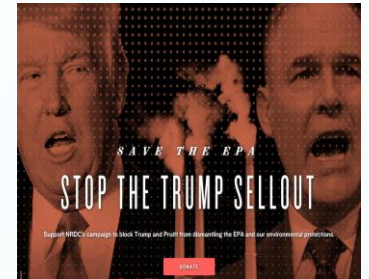


Citizens



White House

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Environmental
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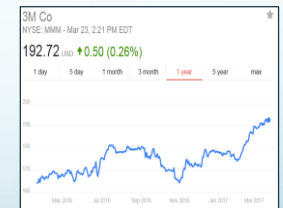
State Agencies



US EPA



Industry & Trade
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Companies, their
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