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Statement of Chairman Lamar Smith (R-Texas)
EPA Regulatory Overreach: Impacts on American Competitiveness

Chairman Smith: Over the last year, the Environmental Protection Agency (EPA) has released some of the most expensive and expansive regulations in its history. These rules will cost billions of dollars, place a heavy burden on American families and diminish the competitiveness of American industry around the world.

Today's hearing will examine this administration's unprecedented regulatory agenda and the manner in which EPA has used secret science, questionable legal interpretations, and flawed analysis to promote these rules. Specifically, we will hear from our witnesses about how the Clean Power Plan, the Ozone National Ambient Air Quality Standards and the definition of the "Waters of the United States" adversely impact the American economy with little benefit to our environment.

The so-called Clean Power Plan is a power grab that will force states to reach arbitrary and often impossible targets for carbon emissions. These measures will impose tremendous costs on everyday Americans. It will shut down large numbers of affordable power plants, which increases the cost of electricity and puts the reliability of the electric grid into question.

The Clean Power Plan will have an even greater impact on those who live on fixed incomes, such as the elderly and the poor, who are the most vulnerable to increases in the price for some of our most basic necessities like electricity.

EPA asserts that the Clean Power Plan will help combat climate change. However, EPA's own data demonstrates that is not the case. The EPA data shows that this regulation would eliminate much less than one percent of global carbon emissions and would reduce sea level rise by only 1/100th of an inch, the thickness of three sheets of paper. This rule represents massive costs without significant benefits. In other words, it's all pain and no gain.

EPA also seeks to impose stricter ozone standards by lowering the standard from the current 75 parts per billion (ppb) to between 65-70 ppb. Analysis conducted by EPA shows that this rule would cost at least \$15 billion annually, and industry groups believe the costs will be even greater. Once again, these costs come with few benefits.

In fact, EPA's own figures show that since 1980, ozone levels have decreased by 33 percent. Today's air quality will continue to improve with the expected development of practical new technologies.

Last week, the EPA submitted its final rule to define the "Waters of the United States." This is the EPA's latest attempt to expand its jurisdiction and increase its power to regulate American waterways—

even if that means invading Americans' backyards. The rule will make it difficult for farmers and others to improve their land and expand their businesses.

While the draft rule left many questions as to which bodies of water the EPA will claim under its jurisdiction, the final rule is more specific. As many had predicted, EPA has claimed unprecedented jurisdiction over many different kinds of water, including those that temporarily result from a "drizzle." The EPA actually used that word, "drizzle."

EPA will now have the authority to oversee features such as "prairie potholes" and even areas that are not always filled with water.

Under this regulatory regime, Americans will be subject to required permits and the constant threat of government intervention. The onslaught of EPA regulations continues.

I look forward to hearing from today's witnesses about the impact of these burdensome EPA regulations.

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