

May 15, 2017

Administrator Scott Pruitt
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

RE: Evaluation of Existing Regulations, Docket EPA–HQ–OA–2017–0190

Dear Administrator Pruitt:

As a coalition of the nation’s largest labor unions and environmental organizations, collectively representing millions of members and supporters, we write to you in strong support of critical EPA safeguards that protect the health and safety of workers, communities, and the environment, many of which also drive innovation and job creation. These regulations include, but are not limited to the following:

- Light-Duty Vehicle Greenhouse Gas Emission Standards for Model Years 2017-2025 (40 CFR Parts 85, 86, and 600);
- Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles – Phase 2 (40 CFR Parts 9, 22, 85, 86, 600, 1033, 1036, 1037, 1039, 1042, 1043, 1065, 1066, and 1068);
- Control of Air Pollution from Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards (40 CFR Parts 79, 80, 85, et al.);
- Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources (81 FR 35823);
- Clean Water Rule: Definition of “Waters of the United States” (80 FR 37054);
- Final Amendments to the Risk Management Program (RMP) Rule (40 CFR Part 68);
- Implementation of the Toxic Substances Control Act.

Regulatory rollbacks are not what American workers and communities need. Common-sense standards—like those issued under laws like the Clean Air Act and Clean Water Act—not only protect our environment, workers, and public health, but drive research, innovation, and manufacturing to create jobs and stimulate economic growth.

Standards like EPA’s Risk Management Program and many others protect communities and workers. Others, like the EPA’s Clean Water Rule, protect our drinking water. They safeguard public health and they save lives. They also drive innovation and economic growth—like the hundreds of thousands of people manufacturing the fuel-efficient technology to meet America’s highly successful fuel economy and greenhouse gas standards for cars and trucks.

Individuals and communities across the country depend on the EPA and the public protections it issues to protect their air and water, keep them safe on the job, and spur the kind of innovation and investments that can create and maintain family-sustaining jobs. Insufficient regulation puts their lives at risk. Cutting environmental, water, air, and chemical hazard safeguards means increased risk of explosions, leaks, and pollution from industry facilities where accidents can be catastrophic, both to workers in the plant and the communities that surround them.

Regulations also generally produce far greater benefits than costs, and their costs often prove significantly less than estimated. In reviews of major regulations from 2000 to 2010, the Office of Management and Budget found that, every year, their benefits substantially exceeded costs—on average about seven times the cost.¹ For example, the Clean Air Act provides \$30 in health benefits for every \$1 invested in compliance.² A 2011 EPA report found that the benefits of the Clean Air Act Amendments of 1990 were \$1.3 trillion—25 times their cost.³ These benefits mean lives saved. In 2010 alone, the Clean Air Act Amendments of 1990 saved an estimated 160,000 lives.⁴

Studies have also found that the actual costs of regulations prove to be less than estimated. For example, a 2000 study found that government cost estimates of 13 out of 21 regulations evaluated were significantly overstated when compared with the actual costs experienced, while only three were significantly understated. A 2006 update of this analysis confirmed this general conclusion that cost predictions used by government agencies tend to be too high.⁵

The following regulations are particularly good examples of the benefits that EPA's regulations have on workers, communities, and our economy and should be upheld and, in some cases, strengthened.

Vehicle Standards

The BlueGreen Alliance strongly supports EPA's sound and smartly structured greenhouse gas (GHG) emissions standards for Light-Duty Vehicles (cars, SUVs, and pickup trucks), and for Medium- and Heavy-Duty engines and vehicles, as well as other measures cutting pollution from vehicles and fuels. In particular, the agency should staunchly retain and fully implement the following rules:

- Light-Duty Vehicle Greenhouse Gas Emission Standards for Model Years 2017-2025 (40 CFR Parts 85, 86, and 600)
- Greenhouse Gas Emissions Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2 (40 CFR Parts 9, 22, 85, 86, 600, 1033, 1036, 1037, 1039, 1042, 1043, 1065, 1066, and 1068)
- Control of Air Pollution from Motor Vehicles: Tier 3 Motor Vehicle Emission and Fuel Standards (40 CFR Parts 79, 80, 85, et al.)

Today's vehicle GHG emission standards are a model for achieving deep energy security and greenhouse gas reduction gains while at the same time spurring the job growth and economic recovery America needs. Six years into implementation of commonsense clean vehicle standards, new vehicles have become significantly more fuel efficient and lower emitting, while over the same period, U.S. automakers have made a dramatic return to profitability and record

¹ Economic Policy Institute, *Regulation, Employment, and the Economy: Fears of Job Loss Are Overblown*, May 15, 2017. Available online:

http://www.epi.org/publication/regulation_employment_and_the_economy_fears_of_job_loss_are_overblown/.

² Ibid.

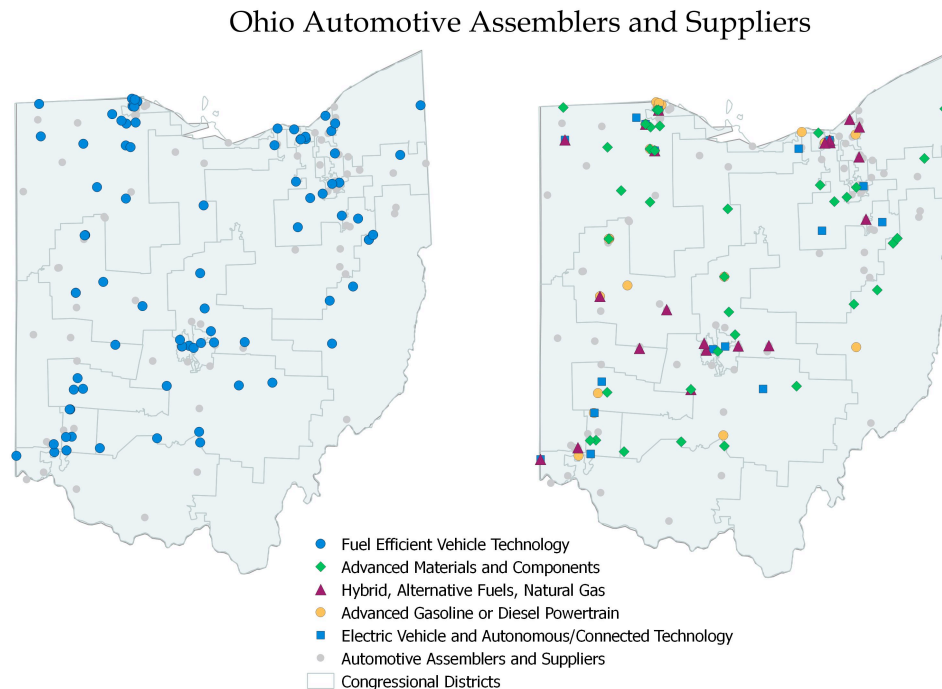
³ Ibid.

⁴ Ibid.

⁵ Ibid.

sales.⁶ Since the recession, the industry has brought back 700,000 dealership and manufacturing jobs,⁷ and today hundreds of thousands of American workers are employed manufacturing the advanced components and materials that go into cutting GHG emissions and improving efficiency in today's innovative vehicles.⁸ Turning away from these standards would not only threaten the environment, consumer savings, and energy security, it would put domestic manufacturing and jobs at risk.

As the figure below illustrates, in Ohio alone, our research found 80 factories and over 27,000 workers building clean and fuel-efficient vehicle technology.⁹



Methane Standards

The BlueGreen Alliance strongly supports the EPA's May 2016 standards entitled "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources."

⁶ U.S. Environmental Protection Agency, *Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends: 1975 through 2016*, November 2016.

⁷ BlueGreen Alliance, *Background: Sound Vehicle Standards & Policies Drive Strong Job Growth*, August 2016. Available online: <https://www.bluegreenalliance.org/resources/sound-vehicle-standards-policies-drive-strong-job-growth/>; Underlying data from U.S. Bureau of Labor Statistics (BLS), available online: <https://www.bls.gov/iag/tgs/iagauto.htm>. Analysis by BlueGreen Alliance.

⁸ BlueGreen Alliance, *Preview: Supplying Ingenuity. U.S. Suppliers of Clean, Fuel-Efficient Vehicle Technologies*, December 2016. Available online: <https://www.bluegreenalliance.org/wp-content/uploads/2016/12/Preview-of-Supplying-Ingenuity-II-vFINAL.pdf>.

⁹ BlueGreen Alliance, *Preview: Ohio Suppliers of Key Clean, Fuel-Efficient Vehicle Technologies*, March 2017. Available online: <https://www.bluegreenalliance.org/wp-content/uploads/2017/02/Preview-of-OH-Supplying-Ingenuity-II-vFINAL.pdf>.

Reducing methane emissions in the United States is a strong example of how America's environmental challenges can also be economic opportunities.

Activities in the oil and gas industry are the largest source of methane emissions in the United States.¹⁰ While this can be due to accidental leaks, more often these emissions are due to outmoded practices and obsolete technology utilized by the industry in the gathering, transmission, production, and processing of natural gas. Lost and leaking natural gas costs billions of dollars every year—nationwide, these activities waste the amount of gas it takes to heat nearly 7 million homes.¹¹

Methane is a greenhouse gas that is many times more potent than carbon dioxide and the second largest contributor to climate change. It is also released in the oil and gas sector alongside dangerous pollutants like the carcinogen benzene.¹² Workers are on the frontlines of this exposure.

EPA's methane standard will achieve cost-effective methane emissions reductions and reap economic and public health benefits for workers and communities across the country. Low-cost solutions already exist to plug industrial gas leaks, which are being developed and deployed by at least 60 companies in 45 states.¹³

With full and continuing adoption of leak reducing technologies and practices at new and modified oil and gas facilities, nearly 5,400 direct and indirect jobs will be created annually in a variety of sectors, including manufacturing. This would suggest creation of over 50,000 jobs over the first decade of full implementation of methane standards.¹⁴

Clean Water Rule

The BlueGreen Alliance supports the EPA's Clean Water Rule, which will protect drinking water for 117 million Americans.¹⁵ Water is essential to life and critical for a healthy community, prosperous economy, and clean environment. Following Supreme Court rulings in 2001 (SWANCC) and 2006 (Rapanos), Clean Water Act protections were called into question for an estimated 20 million acres of wetlands and about 2 million miles of streams. These wetlands and waterways feed a larger system of waters, which communities depend upon for health and economic productivity.¹⁶

¹⁰ U.S. Environmental Protection Agency, *Inventory of U.S. Greenhouse Gas Emissions and Sinks*, Accessed May 15, 2017. Available online: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks>.

¹¹ BlueGreen Alliance, *Plugging The Leaks: Protecting Workers, Reducing Pollution, and Creating Quality Jobs by Reducing Methane Waste in the U.S. Oil and Gas Industry*, September 2016. Available online: <https://www.bluegreenalliance.org/wp-content/uploads/2016/09/PluggingtheLeaks-vFINAL.pdf>.

¹² Ibid.

¹³ Datu Research, *Find And Fix: Job Creation In The Emerging Methane Leak Detection And Repair Industry*, March 2017. Available online: <https://www.edf.org/sites/default/files/find-and-fix-datu-research.pdf>.

¹⁴ BlueGreen Alliance, *Plugging the Leaks*.

¹⁵ U.S. Environmental Protection Agency, *Fact Sheet: Clean Water Rule*. Available online: https://www.epa.gov/sites/production/files/2015-05/documents/fact_sheet_summary_final_1.pdf.

¹⁶ BlueGreen Alliance, *Clean Water, Good Jobs: BlueGreen Alliance Joint Policy on Water Issues*, October 2012. Available online: <https://www.bluegreenalliance.org/wp-content/uploads/2016/08/101712-Clean-Water-Good-Jobs-vFINAL.pdf>.

Protected watersheds that provide clean drinking water and support abundant fish and wildlife are critical to the health of communities and local economies. Clean, healthy waters that are fully protected by the Clean Water Act are valuable to the U.S. economy. Farms rely heavily on clean water for irrigation, manufacturing companies use 9 trillion gallons of fresh water yearly, the beverage industry uses more than 12 billion gallons of water annually to produce products valued at \$58 billion, and around 40 million anglers spend \$45 billion annually to fish the nation's waters.¹⁷

Additionally, the impact of pollution on streams can impose real costs to the economy, slowing growth and harming human health. Clean water ensures safety and good health, resulting in fewer missed days from work and lower expenses for health care. Jobs that stem from environmental regulations concerning clean water are diverse, and include engineers, factory workers, truck drivers, and construction workers. These jobs require various skill sets, encompass a range of occupations, and are vital to supporting a strong middle class.¹⁸

Clean waters are a powerful economic engine supporting millions of jobs across recreational, manufacturing, and transportation sectors. Restoring the full scope of the CWA through this rulemaking will ensure that CWA pollution protections apply throughout the watershed, and ensure the health of our citizens, the economic competitiveness of our nation, and the environmental integrity of watersheds that are vital to supporting life.

Risk Management Program Amendments

The BlueGreen Alliance strongly supports EPA's recently finalized amendments to the Risk Management Program (RMP) that protect industrial workers, first responders, and fence-line communities.

Each year, 150 major industrial chemical incidents occur in the United States. From 2004 to 2013 alone, there were over 1,500 reported incidents nationally, including chemical releases, fires, and explosions at RMP-covered facilities that caused harm to workers and communities. These incidents caused over \$2 billion in property damage, resulted in orders to evacuate or shelter in place for half a million people, and caused 17,099 injuries and 58 deaths.¹⁹

Today, at least one in three schoolchildren in America attend a school in the vulnerability zone of a hazardous facility. At least 50 percent of students in the states of Utah, Rhode Island, Texas, Louisiana, Nevada, Delaware, and Florida are in these danger zones.²⁰ Too many Americans have had to evacuate, shelter in place, or race to pick up their child from school as an industrial fire burns or a chemical release heads their way.

¹⁷ BlueGreen Alliance, *Clean Water, Good Jobs: BlueGreen Alliance Joint Policy on Water Issues*, October 2012. Available online: <https://www.bluegreenalliance.org/wp-content/uploads/2016/08/101712-Clean-Water-Good-Jobs-vFINAL.pdf>.

¹⁸ Ibid.

¹⁹ U.S. EPA, *EPA Activities Under E.O. 13650*, Dec 2016. Available online: https://www.epa.gov/sites/production/files/2016-12/documents/rmp_final_rule_qs_and_as_12-21-16_final_formatted_342.pdf.

²⁰ Center for Effective Government, *Kids in Danger Zones*, Sept. 2014. Available online: <http://www.foreffectivegov.org/sites/default/files/kids-in-danger-zones-report.pdf>.

The modest revisions to the RMP rules were developed with extensive input from many experts, and they reflect the industry's own interests in broadly improving process safety. While the revisions are intended to protect the safety of workers, first responders, and communities, there is no question that they will also help ensure the integrity and operation of the nation's critical industrial infrastructure.

EPA's Risk Management Program amendments should be defended in order to protect first responders, industrial workers, communities, and our nation's infrastructure.

Toxic Substances Control Act

The BlueGreen Alliance strongly supports the revisions to the Toxic Substances Control Act (TSCA).²¹ By implementing these revisions, EPA will better protect the public and will open new opportunities in safer alternatives. EPA is taking these actions with both *new* chemicals entering the market, as well as with chemicals that have been on the market for decades, known as *existing* chemicals.

For new chemicals, the Governmental Accountability Office (GAO) and others have documented that under the original TSCA framework of 1976, EPA was largely prevented from doing two important things with regard to protecting public health:

- (1) EPA was unable to effectively *assess* the health and environmental hazards of these chemicals, and;
- (2) EPA was unable to effectively *control* those chemicals of greatest concern.

As a consequence, about 700 new chemicals each year have entered the market with very little information about how they might affect human health or the environment. Each year, these 700 different chemicals have been purchased by companies, which have placed them into the hands of workers for use in manufacturing and other processes. And for decades, these chemicals and products have also been placed into the hands of consumers, who use them with the expectation—as we know from survey data—that they have been tested in some way for safety and health.

One of the consequences of this is work-related illness. The Center for Disease Control (CDC) reports every year that ten times more workers in our country die prematurely from work-related illnesses than from fatal on-the-job injuries. These illnesses consist mostly of cancers and chronic obstructive pulmonary diseases. Last year, the CDC reported that in 2007, according to the latest estimate available, over 53,000 deaths could be attributed to work-related illness.²²

Under the revisions to TSCA and EPA's New Chemicals program, EPA is finally able—and required—to take action to address this structural problem in the U.S. chemicals market. EPA is

²¹ 15 U.S.C. § 2605, *Regulation of Hazardous Chemical Substances and Mixtures*. Available online: <https://www.gpo.gov/fdsys/granule/USCODE-2011-title15/USCODE-2011-title15-chap53-subchapI-sec2605/content-detail.html>.

²² U.S. Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health (NIOSH), "Workers Memorial Day." Accessed May 15, 2017. Available online: <https://www.cdc.gov/niosh/topics/workmemorial/>.

assessing chemicals more carefully—including what their effects might be on workers, and is taking action where there is insufficient information to make informed decisions or where there is cause for concern. EPA is helping to ensure that products entering the market do not expose workers and members of the public to unreasonable risks. The BlueGreen Alliance supports EPA's actions under the New Chemicals Program and strongly encourages the agency to continue this work.

The BlueGreen Alliance also supports EPA's efforts under TSCA to better characterize the risks associated with tens of thousands of *existing* chemicals, beginning with an initial set of ten chemicals.²³ The amendments to TSCA offer EPA an unprecedented opportunity to protect vulnerable populations around the country from hazardous chemicals that are currently freely available on the market. These populations include children, workers, the elderly, and people living in fence-line communities near industrial sources. EPA is engaging in long-overdue assessments that hopefully will take into account the full range of intended, known, or reasonably foreseen ways that people across the country are exposed to these chemicals.

These efforts by EPA have multiple benefits. They protect people from the well-known health effects associated with exposure to these chemicals, and they also open new market opportunities for safer alternative chemicals. These immense market opportunities—and the American innovations and investments that will flow from them—will remain closed if EPA is unable to continue its work on the revised TSCA.

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In conclusion, the EPA has undergone this review and discussed it as a cornerstone of a platform on American jobs and manufacturing. However, cutting regulations does not help American manufacturing—such an action only hurts manufacturing workers and communities that depend on this sector.

Simply put, rolling back protections like these would mean: More explosions at industrial facilities endangering and possibly killing workers, first-responders, and community members; more exposure to toxic chemicals in the workplace and home; more toxic waste dumping and spills; more lead in our drinking water, like we've seen in Flint, Michigan; and less innovation that drives economic growth and fewer jobs.

We urge you to defend the regulations outlined above, as well as to defend EPA's role in safeguarding workers, communities, and the environment.

²³ The first ten chemicals under evaluation are 1, 4 dioxane, 1-bromopropane, asbestos, carbon tetrachloride, cyclic aliphatic bromide cluster (hexabromocyclododecane or HBCD), methylene chloride, N-methylpyrrolidone (NMP), pigment Violet 29, trichloroethylene (TCE), and tetrachloroethylene (also known as perchloroethylene).