

The public health and environmental communities took a small victory on an EPA conference call yesterday. In a three-hour public comment call that could have been dominated by industry seeking regulatory rollbacks, about half of the speakers supported strengthening environmental and public health protections. And many of them took EPA to task for such a superficial public comment opportunity.

For background on EPA's conference call, Trump's [Executive Order 13777 on Enforcing the Regulatory Agenda](#) aims to "alleviate unnecessary regulatory burdens placed on the American people." To that end, it requires each agency to establish a Regulatory Reform Task Force to evaluate existing regulations and identify those that should be repealed, replaced, or modified. EPA responded to this EO by seeking public comment to inform its Regulatory Reform Task Force in reviewing regulations and sending them to the chopping block. The public comment opportunity has two components: a 3-hour conference call yesterday morning during which anyone who wanted to participate could speak for up to 3 minutes each; and an option to [submit written comments](#) by May 15. The comment period opened on April 10.

Yesterday's call involved many of the usual industry suspects. They voiced their distaste for the Clean Power Plan, the new ozone NAAQS, GHG reporting requirements, the Renewable Fuel Standard program, and the linear, no-threshold exposure risk of radiation, among others. Multiple speakers argued that scientific evidence did not justify the overly stringent new ozone standards and that review of the standards should be every 10 years, not every 5. Others focused on the "unfairness" of the once-in, always-in MACT policy that they argued disincentivized polluting entities from reducing emissions to below the regulatory thresholds. Pro-nuclear groups claimed it was a safe, climate-friendly energy source. And a few industry representatives urged EPA to reconsider provisions requiring emissions monitoring and reporting from small entities that don't contribute much to US carbon emissions.

Other respondents offered more procedural concerns about outdated guidance documents that EPA may still use, and duplicate reporting requirements that lead regulated entities to



redundantly input the same data in multiple forms.

The 3-hour call could have been filled entirely with comments like these. Instead, 4 of the first 5 commenters and at least half of the morning's speakers urged EPA not to weaken any regulations and rather to strengthen air quality standards to better protect the environment and public health. Representatives from all over the country made sure that support for EPA's efforts to protect the environment would not be drowned out by industry.

Speaking on behalf of environmental nonprofits, public health groups, community groups, and individuals, commenters spoke about the critical importance of the Clean Air Act and its implementing regulations in improving air quality, decreasing health risks, and enhancing quality of life. They also noted that the EO's focus on "overly burdensome" regulations failed to consider the burden that pollution places on the American people. More specifically, speakers highlighted the importance of the Clean Power Plan, stringent NAAQS, and the Renewable Fuel Standard (noting that the "blendwall" is a fiction), among others. Some speakers argued that nuclear energy is dangerous and not carbon free, and urged continuation of the radon action program. Interestingly, a representative of the aviation industry urged EPA to work with the FAA to issue regulations implementing the new global CO₂ emissions standard for aircraft so that US manufacturers could remain competitive in the global market.

These voices of support for EPA regulations and concern about the health impacts of air pollutants and radiation added a necessary balance to the conference call. Perhaps more important, many of these pro-environment/public health representatives expressed dismay at what they perceived as a woefully inadequate opportunity to comment. Contrasting the 3-hour conference call with the multiple days of public comments and discussion in development of the Clean Power Plan and other regulations, participants urged EPA to stop this regulatory reform charade and get back to their work protecting the environment and human health.

It's not clear that highlighting the superficiality of the public comment approach will move EPA to change its process. But the substantive and procedural concerns at least remind EPA that the environmental and public health communities are paying attention, will make sure their voices are heard, and will fight any regulatory rollbacks that negatively impact the environment and public health.