Written by **Raven Clabough** on October 26, 2010

EPA Proposes More Regulations

In yet another economically destructive ploy to "go green," the Environmental Protection Agency has recommended an unprecedented barrage of harsh federal regulations on fuel efficiency standards for semi-trucks, buses, delivery vans, garbage trucks, and heavy-duty pickup tricks.

According to the Competitive Enterprise Institute (CEI), "The Environmental Protection Agency and National Highway Traffic Safety Administration are proposing mandatory reductions in fuel use of between 10 and 20 percent from the largest vehicles. And in January, the EPA will begin regulating large stationary sources such as power plants and factories."

In response to the newest EPA suggestion, Myron Ebell, director of Competitive Enterprise Institute, remarks, "It is already in the interests of truck manufacturers and the freight industry to make trucks as fuel efficient as possible. The only way to increase fuel efficiency as quickly as EPA's proposal requires will be to move less freight. That means that commercial activity and economic growth will take a huge hit."

Competitive Enterprise Institute's Energy Policy Analyst William Yeatman adds, "Today's announcement is the latest link in a regulatory chain-reaction set off by the EPA's misbegotten decision to subject greenhouse gas emissions to air pollution controls under the Clean Air Act." Yeatman continues, "Ultimately, the EPA will have the authority to regulate virtually every large building, every power plant, and every factory, as well as cars, trucks, trains, airplanes, and ships. This unprecedented expansion of executive power threatens to shackle the economy."

The newest proposal by the EPA is just one of many examples of EPA's overreach. *OpenMarket.org* reports that on October 5, EPA officials threatened to prevent business from receiving necessary permits if they were unwilling to comply with harsh greenhouse gas emissions set under the Clean Air Act. Such a threat provoked a reaction from Democratic Senator Baucus, who said that there was "too much power" assigned to the EPA.

The Supreme Court's ruling in *Massachusetts v. EPA* confirms Baucus' suspicions that too much power has in fact been delegated to the EPA. The ruling authorized the EPA to regulate greenhouse gases when it declared that "greenhouse gases fit well within the Clean Air Act's capacious definition of 'air pollutant.'"

Fortunately, Senator Baucus' opposition to the EPA could prove to be detrimental to a variety of measures recommended by the EPA, including climate-change bills. *E&E News* observes that Baucus "is considered a key vote to obtain an order to pass any climate change bill and a bellwether for many

other moderate Democrats on the issue."

However, whether the growing EPA Leviathan can be stifled is questionable. On October 8, the *McCook Daily Gazette* wrote of the EPA's overreach: "Over the last two years, the EPA has proposed burdensome new air and water regulations on everything from irrigation canals to methane from cows. We all know too well how these actions could negatively impact our nation's rural and agricultural economies."

The Rural America Solutions Group recently hosted a forum entitled, "The EPA's Assault on Rural America: How New Regulations and Proposed Legislation Are Stifling Job Creation and Economic Growth." The forum covered the unnecessary and costly regulation of crop protection tools, the proposed zero tolerance standard for pesticide spray drift, attempts to stiffen the current regulatory standard on farm dust, which would make tilling a field, operating a feedlot, or driving a farm vehicle nearly impossible, and the unprecedented proposed ban on the popular weed control product Atrazine. Likewise, the forum addressed a proposal by the EPA under consideration to classify lead-based ammunition and fishing tackle as "toxic substances."

In June 2010, conservative Democrat Ben Nelson warned his fellow Nebraskans of the dangers of EPA overreach on Nebraska's economy. In support of Murkowski's Resolution of Disapproval, which intends to curb the EPA's power, Nelson raised concerns that EPA's regulations of carbon emissions would cause electricity rates in Nebraska to skyrocket.

Senator Nelson said in a floor speech, "I am supporting this resolution to protect the Nebraska economy, and our nation's economy, from EPA overreach. It's that simple." He added, "I want to send a clear message: Nebraska's farmers, ranchers, business owners, cities, towns, and hundreds of thousands of electricity consumers should not have their economic fortunes determined by unelected bureaucrats in Washington."

On October 21, American Petroleum Institute hosted a blogger conference to discuss several proposals introduced by the EPA. Energy Tomorrow reports that of the topics addressed included "the agency's premature approval of E15, a gasoline blend containing 15 percent ethanol, as well the agency's plans to regulate greenhouse gases, toughen ozone standards, and even govern things like farm dust and boilers."

API expert Kyle Isakower participated in the blogger conference call, where he proclaimed that the EPA has an "apparent predisposition for regulatory overreach and what appears to be, in some cases, a politicization of the regulatory process." Isakower supported his claim by citing 16 EPA regulations proposed in just the first 18 months of the second Bush administration, with an economic impact of $100 million or more. Comparatively, this administration has proposed 42 regulations during the same time period.

Noting the ire provoked by the EPA's overreach, the *Washington Examiner wrote*, "After health care and immigration, apparently the White House doesn't feel it has sufficiently irked voters enough."

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