



## Will TRAIN Derail the EPA?

The U.S. House of Representatives has passed the TRAIN Act, which calls for establishing a committee to analyze the economic impact of recent regulations imposed by the Environmental Protection Agency (EPA). Representatives John Sullivan (R-Okla., left) and Jim Matheson (D-Utah) introduced the bill in May. "TRAIN" is short for the bill's imposing title, "Transparency in Regulatory Analysis of Impacts on the Nation Act of 2011."



"Taxpayers deserve an honest accounting how much EPA's regulations are costing our economy and hurting American consumers," [declared](#) Sullivan. "[T]he EPA's regulatory train wreck is killing our economy and costing American jobs."

The bill includes an amendment to delay EPA's Utility MACT (maximum achievable control technology) and new transport rules which set unprecedented emissions standards on large institutions. It forces EPA's rules to wait six months after completion of the TRAIN Act analysis. A stronger bill, the EPA Regulatory Relief Act of 2011 introduced in June by Rep. H. Morgan Griffith (R-Va.), would pull the plug entirely on these new regulations. Griffith's bill has 126 cosponsors; TRAIN garnered 44.

[The group Americans for Tax Reform](#) now wants the Senate to pass TRAIN. Grover Norquist, president of the taxpayer advocacy group, estimates the new EPA rules would cost \$184 billion by 2030 and result in 1.44 million jobs lost. Additionally, he says the TRAIN committee is necessary because, "Although the EPA employs its own economists to assess the fiscal impact of its rules, internal employees consistently underestimate the costs of environmental regulations."

Others disagree. Isaac Shapiro of the Economic Policy Institute wrote in [Tallying Up the Impact of New EPA Rules](#) that their combined costs "would amount to less than 0.1% of the economy." He noted advantages, "which include some benefits that directly boost productivity, would amount to 0.3% to 0.9% of the economy."

The American Lung Association wants to wreck TRAIN. It [claims](#) MACT rules are among the most important of EPA's proposed pollution controls which "would result in tens of thousands of saved lives per year with hundreds of billions of dollars in annual human health benefits."

However, The John Birch Society explains that these numbers are based on EPA's "health-based standard" which treats "all emissions at any level of exposure as causing health concerns." In a [Liberty Alert](#), it reported that the Commerce Department predicts 40,000 jobs lost due to MACT regulations alone, and the Council of Industrial Boiler Owners estimates MACT's initial cost to be \$20 billion.

Senator James Inhofe (R-Okla.) [summed up criticism](#) by observing, "Even EPA recognizes that the Utility MACT rule will result in a significant number of plant closures and increased electricity rates,



Written by [Rebecca Terrell](#) on September 23, 2011

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making it one of the most expensive rules in the Agency's history. Along with the 'transport rule,' Utility MACT is projected to cause nearly 1.4 million job losses."

Regardless, not everyone on Capitol Hill is fired up about what TRAIN will cost. Representatives Henry Waxman (D-Calif.), ranking member of the Committee on Energy and Commerce, and Bobby Rush (D-Ill.), ranking member of its Subcommittee on Energy and Power, accused their committee of violating its own rules in approving TRAIN for a floor vote. Those rules require all new programs to specify how much they will cost and to suggest equivalent discretionary spending cuts in other areas. In a [letter](#) to committee Chair Fred Upton, they pointed out, "This legislation creates a new government entity, the Committee for the Cumulative Analysis of Regulations that Impact Energy and Manufacturing in the United States, and charges it with conducting a complex array of cumulative and incremental impact analyses." They warn that by not stipulating a specific authorization amount, there is no limit to how much the federal government might spend to carry out the new committee's work. Just as TRAIN calls for an economic analysis of EPA, Waxman and Rush want Sullivan's bill analyzed for its potential financial impact on taxpayers.

President Obama has already threatened to veto TRAIN if it passes the Senate. A White House [statement](#) issued Wednesday said the TRAIN Act would indefinitely delay vast public health and economic benefits of EPA's regulations. White House advisors base their decision on EPA's estimates of "hundreds of billions of dollars in net benefits each year," and said the regulations would make it possible to "avoid tens of thousands of premature deaths, prevent tens of thousands of heart attacks and thousands of hospital visits for respiratory and cardiovascular disease, and alleviate hundreds of thousands of childhood asthma attacks and other respiratory illnesses."

Yet the Obama administration is under increasing pressure regarding its [crippling environmental regulations](#). The EPA has had to [repeatedly delay](#) a number of new rules owing to pressure from opposition and pending lawsuits.

To stay on track, the TRAIN Act must now pass the Senate and avoid a presidential veto. If it passes as now written, the 11-member TRAIN committee will be made up entirely of federal agency officials including Secretaries of the Commerce and Energy Departments and the EPA Administrator and will cost taxpayers millions.



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