



Written by [Raven Clabough](#) on February 2, 2011

## Republicans Introduce Legislation Targeting EPA Overreach

House Republicans are turning their attention to the Environmental Protection Agency and their overreaching regulations. Today, they will be unveiling legislation to ban the EPA's authority to regulate greenhouse gases under the Clean Air Act. The legislation is expected to move through the House without issue.



The Clean Air Act is a law that requires air emissions from stationary and mobile sources. It also authorized the Environmental Protection Agency to establish the National Ambient Air Quality Standards (NAAQS) to protect public health and public welfare and to regulate emissions of air pollutants.

In 2007, the United States Supreme Court confirmed that the EPA in fact does have the authority to regulate greenhouse gases under the Clean Air Act, and once President Obama took office, the EPAs efforts to do so began.

The EPA posted a statement on its website last year indicating that it would move unilaterally to clamp down on power plant and oil refinery greenhouse emissions and announced that it would introduce new standards.

EPA administrator Lisa Jackson asserts that the plans are meant to cope with climate change. We are following through on our commitment to proceed in a measured and careful way to reduce GHG pollution that threatens the health and welfare of Americans.

According to Fox News, The officials said the [proposed legislation] would nullify all of the steps the EPA has taken to date on the issue, including a threshold that greenhouse gases constitute a danger to the public health and welfare.

It also includes language that would terminate the EPAs authority to use the law in any future attempts to regulate emissions from factories, utilities, and other stationary sources.

Debate over regulating air emissions has been contentious as some assert that the emissions of heat-trapping pollutants contributes to global warming, while others contend that evidence of those assertions is weak and continues to drive up the cost of business and cause jobs losses.

According to Daniel Benjamin of the Property & Environment Research Center, the [costs](#) of complying with environmental regulations is nearly \$30 billion per year for manufacturers alone, costs that put them at a competitive disadvantage in the world economy and result in the loss of tens of thousands of U.S. jobs.

Benjamin explains:



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The Clean Air Act imposes a broad array of regulations on U.S. firms. Following the 1970 amendments (which set the framework for today's national policy) the Environmental Protection Agency (EPA) established national ambient air quality standards for four key pollutants: carbon monoxide (CO), ozone (O<sub>3</sub>), sulfur dioxide (SO<sub>2</sub>), and total suspended particulates (TSPs). Under EPA rules, every county in the United States is either in "attainment" for a pollutant (that is, ambient concentrations are below the federal standard) or "nonattainment" (concentrations exceed the standard). Polluters in nonattainment counties are subject to stricter regulations than are polluters in attainment counties.

Because of these tighter controls, polluting firms in nonattainment counties should face significantly higher operating costs than firms in attainment counties. Greenstone has found persuasive evidence that this is the case.

Those who divulged information regarding the proposed legislation did so on the condition of anonymity, since no one has been authorized to pre-empt the release of a draft of the measure, which has been prepared by Representative Fred Upton's Energy and Commerce Committee.

Similar legislation is being introduced in the United States [Senate](#) as well. Wyoming's Republican Senator John Barasso, along with seven of his peers, introduced legislation on Monday that would curtail the reach of the Clean Air Act, Clean Water Act, the National Environmental Policy Act, and the Endangered Species Act. The Senate measure is believed to be far more sweeping than that introduced in the House.

The *Atlantic Wire* writes:

The bill's supporters say the Environmental Protection Agency has used legislation such as the 1970 Clean Air Act for a power grab and is exercising authority it doesn't have. But the heart of the issue, apparently, is not that the EPA has overstepped its mandate, but that limiting greenhouse gasses hurts businesses. The bill wants to overturn limits on seven controlled emissions, including nitrous oxide, sulfur hexafluoride and hydrofluorocarbons and wants to prevent global warming from being considered a legitimate reason to limit emissions.

Barasso indicates that the American people are frustrated by the massive amounts of government interference: Americans rejected cap and trade because they know it means higher energy prices and lost jobs. Washington agencies are now trying a backdoor approach to regulate our climate by abusing existing laws.

Barasso's legislation has already acquired the support of the National Association of Manufacturers, whose blog, Shopfloor, wrote of the measure, "Senator Barasso's broad-reaching legislation is needed to stem the tide of the EPA overreach give our nation's job creators the assurance they need to expand their businesses and put Americans back to work."

At the same time, Democratic Senator Jay Rockefeller has proposed a two-year moratorium on EPA greenhouse gases regulations, a plan that has garnered some support from some of Rockefeller's fellow Democrats.

A vote on the greenhouse gas bill will first take place in the Energy and Commerce Committee and is expected later this winter. It then moves to the House floor for a vote, where there is strong enough GOP support to overcome Democratic objections.

In just one month's time, House Republicans seem to be living up to their promise to stop President



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Obamas liberal agenda in its tracks. Thus far, the House has already voted to repeal Obamacare and House Republicans are moving towards deep spending cuts and are preparing for a contentious battle over federal spending.

*Photo: U.S. Sen. Lisa Murkowski (R-Alaska) was the leading sponsor of a resolution in the last Congress that would have prevented the Environmental Protection Agency from regulating greenhouse gases under the Clean Air Act: AP Images*



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