

From: [Eilert, Patrick](#)
To: [Anderson, Mary](#)
Subject: FW: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"
Date: Monday, June 05, 2017 12:32:42 PM
Attachments: [Bay Area AQMD.pdf](#)
[CARB.pdf](#)

From: Saxton, Patrick@Energy [mailto:Patrick.Saxton@energy.ca.gov]
Sent: Monday, June 05, 2017 12:13 PM
To: Usibelli, Tony (COM); Charlie Stephens; Blake Shelide; Tom Berkhout; 'marty.stipe@state.or.us'; 'blake.shelide@state.or.us'; Eilert, Patrick; Murray, Chuck (COM); 'roger.kainu@state.or.us'; Toby Lau
Cc: Roger Kainu
Subject: RE: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"

This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.

Examples of comments submitted to EPA. CEC comments to DOE will be similar to the style of Bay Area AQMD's – specifics rather than a generalized 'don't do it'.

From: Usibelli, Tony (COM) [mailto:Tony.Usibelli@commerce.wa.gov]
Sent: Friday, June 02, 2017 10:52 AM
To: Charlie Stephens; Blake Shelide; Saxton, Patrick@Energy; Tom Berkhout; 'marty.stipe@state.or.us'; 'blake.shelide@state.or.us'; 'ple2@pge.com'; Murray, Chuck (COM); 'roger.kainu@state.or.us'; Toby Lau
Cc: Roger Kainu
Subject: RE: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"

Washington State is also looking at offering comments.

Tony Usibelli
Special Assistant to the Director
Energy and Climate Policy
WA Dept of Commerce
1011 Plum St. SE Olympia, WA 98504
(360) 725-3110 (360) 951-2554 (cell)

From: Charlie Stephens [mailto:CStephens@neea.org]
Sent: Friday, June 2, 2017 10:49 AM
To: Blake Shelide <blake.shelide@oregon.gov>; Saxton, Patrick@Energy <Patrick.Saxton@energy.ca.gov>; Tom Berkhout <Tom.Berkhout@gov.bc.ca>; 'marty.stipe@state.or.us' <marty.stipe@state.or.us>; 'blake.shelide@state.or.us' <blake.shelide@state.or.us>; 'ple2@pge.com' <ple2@pge.com>; Murray, Chuck (COM) <chuck.murray@commerce.wa.gov>; 'roger.kainu@state.or.us' <roger.kainu@state.or.us>; Toby Lau <toby.lau@bchydro.com>
Cc: Usibelli, Tony (COM) <Tony.Usibelli@commerce.wa.gov>; Roger Kainu <roger.kainu@oregon.gov>
Subject: RE: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"

This is largely an American problem, so the PCC jurisdictions may not feel compelled or comfortable weighing in collectively. Most people on our side of the debate will have little to supply to EPA or DOE with regard to where regulation is too onerous or expensive. Those arguments will all come from the aggrieved, and then we'll be faced with the decision as to whether or not to weigh in. The people in charge in the Death Star right now are among the 80% of Republicans (according to the latest Pew poll) who don't believe climate change is a serious problem (while 68% of Democrats believe it's a serious problem). So I'm not sure written comments in this case will matter at all. This isn't about facts or science or evidence; it's about belief. Charlie

From: SHELIDE Blake * ODOE [<mailto:Blake.Shelide@oregon.gov>]
Sent: Friday, June 02, 2017 10:00 AM
To: Saxton, Patrick@Energy <Patrick.Saxton@energy.ca.gov>; Charlie Stephens <CStephens@neea.org>; Tom Berkhout <Tom.Berkhout@gov.bc.ca>; 'marty.stipe@state.or.us' <marty.stipe@state.or.us>; 'blake.shelide@state.or.us' <blake.shelide@state.or.us>; 'ple2@pge.com' <ple2@pge.com>; Chuck Murray <chuck.murray@commerce.wa.gov>; 'roger.kainu@state.or.us' <roger.kainu@state.or.us>; Toby Lau <toby.lau@bchydro.com>
Cc: Tony Usibelli <tony.usibelli@commerce.wa.gov>; Roger Kainu <roger.kainu@oregon.gov>
Subject: RE: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"

Thanks Pat. ODOE is going to look at filing comments as well.

PCC states – would anyone see value in a joint PCC comment?

From: Saxton, Patrick@Energy [<mailto:Patrick.Saxton@energy.ca.gov>]
Sent: Thursday, June 1, 2017 11:55 AM
To: Charlie Stephens <CStephens@neea.org>; Tom Berkhout <Tom.Berkhout@gov.bc.ca>; 'marty.stipe@state.or.us' <marty.stipe@state.or.us>; 'blake.shelide@state.or.us' <blake.shelide@state.or.us>; 'ple2@pge.com' <ple2@pge.com>; Chuck Murray <chuck.murray@commerce.wa.gov>; 'roger.kainu@state.or.us' <roger.kainu@state.or.us>; Toby Lau <toby.lau@bchydro.com>
Cc: Tony Usibelli <tony.usibelli@commerce.wa.gov>; SHELIDE Blake * ODOE <Blake.Shelide@oregon.gov>; KAINU Roger * ODOE <Roger.Kainu@oregon.gov>
Subject: DOE RFI on "Reducing Regulation and Controlling Regulatory Costs"

Here is the DOE analogue to the EPA regulatory reduction RFI that was mentioned on our last call. I expect the CEC will file individual comments.

DOE is seeking comments and information from interested parties to assist DOE in identifying existing regulations, paperwork requirements and other regulatory obligations that can be modified or repealed, consistent with law, to achieve meaningful burden reduction while continuing to achieve the Department's statutory obligations. Written comments and information are requested on or before July 14, 2017.

- Pat S



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

May 15, 2017

Mr. Scott Pruitt, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

RE: Executive Order 13777, "Enforcing the Regulatory Reform Agenda"

Dear Administrator Pruitt:

The Bay Area Air Quality Management District (Air District) welcomes the opportunity to urge U.S. EPA to continue implementing strong federal policies and programs that protect public health and the environment.

The Air District urges the U.S. EPA to consider several critical areas of concern as the U.S. EPA reviews its existing regulatory programs. These include: 1) maintaining and strengthening national air quality standards; 2) keeping California's clean car waiver intact; 3) honoring the climate protection commitments the United States made under the Paris Agreement; and 4) continue supporting grant programs under the Clean Air Act.

Maintain and Strengthen National Air Quality Standards

The Air District unequivocally supports stringent federal air quality regulations and programs. Federal, State and local clean air regulations and legislation have resulted in improvements to air quality that have significantly benefitted public health and reduced health care costs in the Bay Area. The National Ambient Air Quality Standards (NAAQS) established under the Clean Air Act are a vital part of the Air District's efforts to maintain healthy air in the Bay Area. We support the science-based evaluation of criteria pollutants, and urge the U.S. EPA to preserve existing federal rules pertaining to the specific permit programs listed below:

- State New Source Review (NSR) Program, including Minor Source Review
- State Nonattainment NSR Program
- State Prevention of Significant Deterioration (PSD) Program
- Federal PSD Program
- Compliance Assurance Monitoring
- State Operating Permit Programs
- Federal Operating Permit Programs
- Title IV Acid Rain Permits

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Scott Haggerty
Rebecca Kaplan
Nate Miley

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Karen Mitchoff
Mark Ross

MARIN COUNTY
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(Secretary)

NAPA COUNTY
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SAN FRANCISCO COUNTY
Edwin M. Lee
(vacant)
(vacant)

SAN MATEO COUNTY
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Doug Kim

SANTA CLARA COUNTY
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Liz Kniss
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Jan Pepper
Rod G. Sinks

SOLANO COUNTY
Pete Sanchez
James Sperring

SONOMA COUNTY
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



Preserve California's Clean Air Act Waiver for Automotive Emission Standards

California's right to adopt stricter automotive emission standards was recognized and granted by the Clean Air Act and has been instrumental in helping the State and Air District meet the NAAQS. It has also kept the State on track to meet its greenhouse gas reduction goals established by California's hallmark legislation AB 32—the Global Warming Solutions Act—signed by Governor Arnold Schwarzenegger in 2006. The Air District recently adopted a multi-pollutant clean air plan in April 2017, "Spare the Air, Cool the Climate." Granting the State of California the ability to adopt stringent mobile source regulations is an important element of our plan's overall strategy to achieve aggressive greenhouse gas reduction goals. The Air District strongly urges the U.S. EPA to preserve California's waiver to meet our State's and our Air District's respective goals and to grant future waivers to adopt stricter standards for all criteria pollutants and greenhouse gases.

Maintain U.S. Leadership on Climate Protection

The Air District strongly encourages the federal government to become a leader in transforming the United States to a low-carbon economy to offset the most costly and devastating impacts from a warming climate by sharply reducing fossil fuel combustion. We urge the U.S. EPA to recommend to the White House Administration to honor the commitment our country has already made to the international community when it ratified the international 22nd Conference of the Parties Agreement (Paris Agreement) and made specific greenhouse gas reduction commitments.

Climate change is increasing the frequency and intensity of extreme heat occurrences, which in turn increases ozone formation and risk of wildfires, exacerbating local air quality challenges. It is of paramount importance to local air quality efforts that federal greenhouse gas commitments and programs are upheld, and current proposed regulations are moved forward.

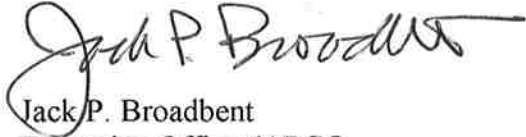
Sustain Grant Funding

We request the U.S. EPA continue to fully fund grant programs under Clean Air Act Sections 103 and 105 to support efforts by air districts in California to improve local air quality. The Air District has received funds from these grant programs for essential air monitoring and emission reduction programs. Reducing the funding for these programs would hinder the ability of state and local air quality agencies to improve air quality and protect the health of their residents.

In conclusion, here in the Bay Area and throughout California we have proven that clean air and climate protection go hand-in-hand with a thriving economy. Clean energy is a burgeoning industry in California, and investments in renewable energy and energy efficiency have drawn significant resources and talent to the State and our region. In 2016, job growth in the California solar industry was 32 percent. Nationwide, the solar energy industry employs more people than the oil, coal and gas industries combined. Energy efficiency has also proven to be an economic boon for the State – energy efficiency has saved Californians approximately \$65 billion since the 1970s. Even with the strongest clean air and environmental regulations in the country, California's per capita economic growth consistently outpaces national per capita economic growth. Claims that environmental protections reduce job growth and harm the economy are specious and serve as distractions from smart investing in the clean energy economy.

The Air District is proud of its commitment to ensure healthy air quality for all communities in the Bay Area and of its role as a leader in climate protection. We look forward to continued collaboration with the U.S. EPA in support of these important goals.

Sincerely,



Jack P. Broadbent
Executive Officer/APCO

cc: Board of Directors, BAAQMD
Richard Corey, Executive Director, California Air Resources Board



Air Resources Board



Matthew Rodriguez
Secretary for
Environmental Protection

Mary D. Nichols, Chair
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Edmund G. Brown Jr.
Governor

May 15, 2017

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

Submitted Electronically

RE: EVALUATION OF EXISTING REGULATIONS,
DOCKET ID NO. EPA-HQ-OA-2017-0190

Dear Mr. Pruitt:

I am writing on behalf of the California Air Resources Board (CARB) regarding the regulatory review recently announced by the U.S. Environmental Protection Agency (U.S. EPA), specifically regarding the federal Clean Air Act (Act) regulations which may be considered. The Act is among the most successful pieces of environmental legislation ever developed. Literally millions of lives depend upon the U.S. EPA and the states' successful implementation of the Act. Together, we have dramatically cut pollution, cleaned up the vehicle fleet, and begun to address the threat of climate change while the economy has continued to expand.

Businesses have consistently responded to environmental protections with innovative strategies, delivering pollution cuts at below estimated costs while securing major benefits. Indeed, U.S. EPA estimated in a peer-reviewed report that the benefits of the Act will be on the order of \$2 trillion by 2020, outweighing costs by a factor of at least thirty to one.¹ U.S. EPA should support rigorous implementation of the Act as required by law, rather than embark on an unsupported and unnecessary review of well-established programs.

CARB works with California's air districts to implement the Act statewide. We have witnessed the benefits of the Act first-hand, yet we know there is still much work to be done. Going forward, it is critical that U.S. EPA maintain and enhance the Act's programs. Our most vulnerable people—children, the elderly, and members of disadvantaged and rural communities—urgently need pollution protection, especially as the evidence continues to grow and demonstrate that even lower levels of pollution

¹ See U.S. EPA, *The Benefits and Costs of the Clean Air Act from 1990 to 2020* (March 2011), available at: <https://www.epa.gov/sites/production/files/2015-07/documents/summaryreport.pdf>.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

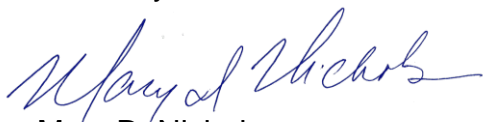
Mr. Scott Pruitt, Administrator
May 15, 2017
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impose major health risks, and are worsened by climate change. This work includes moving forward with the implementation of the National Ambient Air Quality Standards. It also includes implementing the federal Clean Power Plan and methane regulation for the oil and gas industry, extending rather than rolling back strong vehicle emissions standards, and pursuing other critical climate and public health priorities. These programs were developed through extensive stakeholder processes in response to pressing legal mandates and are urgently needed to protect the public. Strong pollution protections benefit all Americans, and create the right conditions needed for healthy workers, thriving businesses, and growing new clean industries.

U.S. EPA should also strongly support continued help for small businesses to reduce pollution and achieve new efficiencies. Section 507 of the Act was established to require states and territories to provide compliance assistance with U.S. EPA support. For small businesses with lower emission levels at the outset, pollution prevention may result in avoiding the need for regulation – an indisputable benefit to small businesses and the environment. Since small businesses are essential economic drivers of local, state, and national economies, significant employers, and the source of most new-to-the-economy jobs, assisting these businesses to both understand and comply with the regulations they are subject to and helping them avoid regulation at their inception, is essential. The federal government plays a significant role in both of these areas, resulting in substantial benefits for citizens, the economy, and the environment.

It is deeply troubling that U.S. EPA would set aside its duty to address critical legal requirements, protect the public health and support economic growth in favor of an arbitrary project to slash pages of existing regulations. This is not to say that all regulations are perfectly drafted or that no improvement to the C.F.R. is possible, but any effort at improvement must be best on strengthening environmental protection, making the rules more transparent and enforceable, and enhancing the agency's longstanding partnership with states and communities. This is certainly not a task to be undertaken in a rush to fulfill a political promise. Rather, the Agency needs to implement its statutory mandates using excellent science and good common sense.

Sincerely,



Mary D. Nichols
Chair

cc: See next page.

Mr. Scott Pruitt, Administrator
May 15, 2017
Page 3

cc: Kurt Karperos
Deputy Executive Officer
California Air Resources Board

Karen Magliano
Chief, Air Quality Policy & Science Division
California Air Resources Board

LaRonda Bowen
Ombudsman, Office of the Chair
California Air Resources Board

Emily Wimberger
Chief Economist
California Air Resources Board