

## EPA SEEKS STAKEHOLDER COMMENTS ON REFORMING EXISTING REGULATIONS

by

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President Trump has made regulatory reform a priority for his Administration. Among other actions, on February 24, 2017, the President issued Executive Order 13777 on Enforcing the Regulatory Reform Agenda, which mandates that each agency establish a Regulatory Reform Task Force to “evaluate existing regulations ... and make recommendations to the agency head regarding their repeal, replacement, or modification, consistent with applicable law.”<sup>1</sup>

Following that direction, on April 13, 2017, the US Environmental Protection Agency published in the Federal Register a Request for Comment on the “Evaluation of Existing Regulations.”<sup>2</sup> It follows an EPA memo announcing EPA’s Regulatory Reform Task force.<sup>3</sup> EPA’s Request for Comment calls on stakeholders, including small businesses and trade associations, to “inform its Task Force’s evaluation of existing regulations.”<sup>4</sup> Decisions on whether to seek to repeal or modify a rule would be based on whether specific regulations eliminate jobs, inhibit job creation, are ineffective, or have other deleterious effects. Accordingly, EPA has explicitly requested that commenters “be as specific as possible,” including supporting information such as cost estimates and citations to the relevant Federal Register or Code of Federal Regulations provisions. EPA has also requested that commenters provide specific recommendations regarding repeal, replacement, or modification of regulations on which they comment.

Interested stakeholders can submit comments on recent regulations promulgated during the Obama administration. However, EPA has framed the Request for Comment broadly to encompass earlier EPA regulatory actions as well. Likewise, the Request for Comment is not limited by environmental media or statute—it covers all EPA regulations and thus is very broad in scope. Therefore, the Request for Comment gives interested parties a unique opportunity to shape the Trump Administration’s regulatory-reform agenda in the environmental arena. The President has made it

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<sup>1</sup> Sec. 3, Presidential Executive Order on Enforcing the Regulatory Reform Agenda (Feb. 24, 2017), *available at* <https://www.whitehouse.gov/the-press-office/2017/02/24/presidential-executive-order-enforcing-regulatory-reform-agenda>.

<sup>2</sup> Request for Comment, Evaluation of Existing Regulations, 82 Fed. Reg. 17793 (Apr. 13, 2017).

<sup>3</sup> Memorandum: Executive Order 13777: Enforcing the Regulatory Reform Agenda (Mar. 24, 2017), *available at* <https://www.epa.gov/laws-regulations/memorandum-executive-order-13777-enforcing-regulatory-reform-agenda>.

<sup>4</sup> 82 Fed. Reg. at 17793.

clear that EPA will play a leading role in his regulatory-reform agenda.

EPA will be accepting comments through **May 15, 2017** at regulations.gov at docket EPA-HQ-OA-2017-0190.<sup>5</sup> It will also be conducting public outreach through meetings and teleconferences.<sup>6</sup>

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<sup>5</sup> <https://www.regulations.gov/docket?D=EPA-HQ-OA-2017-0190>.

<sup>6</sup> Public Participation in EPA's Regulatory Reform (Apr. 11, 2017), *available at* <https://www.epa.gov/laws-regulations/regulatory-reform>.