

INSIGHTS

EPA Seeks Public Comment on Existing Regulations for Repeal, Replacement or Modification

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On April 13, 2017, the U.S. Environmental Protection Agency (EPA) [announced](#) that it is seeking comments from the public on existing regulations that the Agency should consider repealing, replacing, or modifying. 82 Fed. Reg. 17793 (Apr. 13, 2017). EPA issued the Request for Comment in response to the February 2017 [Executive Order](#) issued by President Trump, “Enforcing the Regulatory Reform Agenda,” that seeks “to alleviate unnecessary regulatory burdens on the American people.”

As required by the EO, EPA Administrator Scott Pruitt formed an EPA [Regulatory Reform Task Force](#) to carry out the Administration’s regulatory reform agenda at EPA. The Task Force is led by a Regulatory Reform Officer, EPA Senior Counsel and Associate Administrator for Policy Samantha Dravis, and it includes the Agency’s Chief of Staff, Ryan Jackson, among others.

One of the duties of the Task Force is to evaluate EPA’s existing regulations and make recommendations to Administrator Pruitt regarding which regulations should be repealed, replaced, or modified. As part of this effort, the Task Force specifically asks the public to help it identify regulations that:

- (i) Eliminate jobs, or inhibit job creation;
- (ii) are outdated, unnecessary, or ineffective;
- (iii) impose costs that exceed benefits;
- (iv) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- (v) are inconsistent with Federal law (44 U.S.C. 3516 note) and implementing guidance that requires Federal agencies to ensure and maximize the quality, objectivity, utility, and integrity of the information relied upon in issuing regulations, and that rely on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard of reproducibility; or
- (vi) derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

In providing comments, the Task Force asks the public to “be as specific as possible, include any supporting data or other information such as cost information, provide a Federal Register (FR) or Code of Federal Regulations (CFR) citation when referencing a specific regulation, and provide specific suggestions regarding repeal, replacement or modification.”

Comments in response to the notice must be [submitted](#) no later than May 15, 2017. EPA will not respond to individual comments, but will consider all input that it receives in response to today’s Request for Comment. Information regarding EPA’s other regulatory reform activities can be found on the Agency’s [webpage](#).