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American Electric Power
The Andersons
Anthem
AT&T
Bon Secours Mercy Health
CareWorks
CareWorksComp
Charter Communications

Columbia Gas of Ohio
Commercial Vehicle Group
Encino Energy
FirstEnergy Corp.
General Electric
Grange Insurance Companies
Gulfport Energy Corporation
Kroger

Marathon Petroleum Company
Minute Men Staffing
Nationwide
Northeast Ohio Medical University
Penn National Gaming, Inc.
Petland, Inc.
Plante Moran PLLC
Procter & Gamble Co.

Quicken Loans, Inc.
Squire Patton Boggs LLP
U.S. Bank
UnitedHealthcare
Vistra Energy
Zaino Hall & Farri

July 24, 2020

VIA ELECTRONIC FILING

RE: Docket ID No. EPA-HQ-OAR-2020-00044, Increasing Consistency and Transparency in Considering Benefits and Costs in the Clean Air Act Rulemaking Process

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20460

Dear Administrator Wheeler:

The Ohio Chamber of Commerce and the many industries and businesses our members represent are eager for the opportunity to comment on the Environmental Protection Agency's proposed rulemaking to establish a standard set of best practices for the agency's cost benefit analysis procedure when determining regulations to increase transparency and consistency.

It is encouraging to see EPA Administrator Andrew Wheeler make good on promises to reform processes in ways that balance environmental and business interests.

Ohio is one of the most diverse business states, and many of our industries often overlap in unique ways. The state's economy leans heavily on manufacturing and trade industries as well as a growing energy industry that is beneficial to the region at large. These industries are all complex, and frequently fall under various regulatory jurisdictions that can complicate operations further. Too often, differences in procedures among EPA divisions result in sub-optimal or even harmful regulation for Ohio businesses. Further, our members speak from all perspectives of business owner and operator-ship, large and small, and continually share the same message: regulatory transparency and certainty is a missing puzzle piece of this region's business growth.

The most fundamental aspect of regulation and regulatory policy is that it must only be implemented when the benefits outweigh the costs. For four decades presidents in both parties have called for this as the standard bearing pillar in regulation. Losing sight of this guiding mandate results in penalties, not regulations, being enacted. Moreover, with the EPA being responsible for nearly 70% of all federal regulatory costs on the books, any imprecision in cost-benefit analysis can have severe consequences for American prosperity.

The Ohio Chamber of Commerce is supportive of proposals in the rule and others in the docket to standardize best practices and codify definitions throughout the EPA. The agency should have access to the best science and methods available to tabulate costs and benefits. That relies in part on codified definitions among branches of the agency. The Chamber fears that all too often factors are weighed differently as they move through departments; Administrator Wheeler echoed these concerns in his public notice.

With this, businesses should also be privy to information on which factors were or were not considered in the cumulative impacts or equations used to derive costs and benefits. As businesses owners, we see this transparency in data as a means to democratize and hone regulations as they are considered. Results from the data crunching must also be held to a high standard of transparency and objectivity that guarantees the public will be able to understand and respond to the policy accordingly.

The most obvious example where this methodology should be applied to is co-benefits. Establishing transparency means the agency has an obligation to identify and distinguish what are direct benefits of a regulations intendent purpose and what are secondary benefits to other factors (co-benefits). Co-benefits are certainly results that should be considered in the agency's analysis, but co-benefits should not be the primary driver of regulatory decision-making.

Ohio stands to benefit strongly from a reformed cost-benefit analysis structure at the EPA. Ohio manufacturers, energy producers, and trade companies compete internationally and require a consistent and clear regulatory landscape to remain competitive.

On behalf of the Ohio Chamber of Commerce I hope you will consider our comments above.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Kromer".

Stephanie Kromer
Director of Energy & Environmental Policy
Ohio Chamber of Commerce
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Skromer@ohiochamber.com