

July 29, 2020

The Honorable Andrew Wheeler
The Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20004

RE: Comments on rulemaking, "Increasing Consistency and Transparency in Considering Benefits and Costs in the Clean Air Act Rulemaking Process"
Docket ID: EPA-HQ-OAR-2020-0044-000

Dear Administrator Wheeler:

I would first like to thank the U.S. Environmental Protection Agency for the opportunity to submit comments on this proposed rulemaking. I respectfully offer the following:

Charleston
Charlotte
Columbia
Greensboro
Greenville
Hilton Head
Myrtle Beach
Raleigh

I commend EPA Administrator Andrew Wheeler for taking these steps towards increasing consistency and transparency in cost-benefit analysis and for addressing this legacy issue. As an attorney, a former South Carolina Department of Health and Environmental Control (DHEC) Board member, and a leader in economic development and conservation, I know how much the efficacy of regulatory action depends upon a clear picture of costs and benefits. The EPA has shown it understands this objective, and I support its' effort to clarify and standardize the regulatory process.

In addition to serving on the DHEC Board, I have also served as the Director of the South Carolina Department of Revenue under two different governors. I have also served on the board of the South Carolina Economic Developers Alliance (SCEDA) and have been active with numerous conservation groups and land trusts. As DOR Director I worked with the IRS on conservation easements and was invited to testify on conservation easements by Senator Grassley and testified before his subcommittee. With SCEDA and other organizations, I have worked to promote South Carolina economic development while preserving and protecting pristine land and waterways. Through serving in these positions, I understand that government regulations wield immense power in the modern economy. Given EPA rules account<https://urldefense.proofpoint.com/v2/url?u=https-3A_www.whitehouse.gov_wp-2Dcontent_uploads_2017_12_draft-5F2017-5Fcost-

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[5Fbenefit-5Freport.pdf&d=DwIFAg&c=rTID8zFL-e0diXJhnyrnsnYU8VIcDIW52AybVWLBnqM&r=3q_o75mYRtGDknC9RjeuI-yJN97mF1XxYGNfVGxhomM&m=IPJdZrupmehh6hKubeBOPEfsfASUcpSyvtb6bnr03LE&s=DVjPmyoLnRS0nOifqQy7yLyE67WiaFo0arRnfEgoAMc&e=>](#) for more than 70 percent of the monetized costs from federal regulations, businesses and the public should be able to trust that these regulations are created through best practices. I fully support this proposed rulemaking as it calls for just that: using the best scientific information and "best practices" across multiple fields of science.

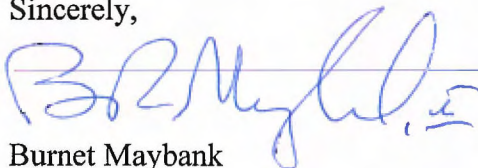
I also support the efforts taken to increase consistency in cost-benefit analysis. Cost-benefit analysis is a common sense practice where benefits should outweigh the costs. Making the analysis clear and standardized across certain factors will also allow business and the public to better understand the impacts of regulation and determine where to invest resources. The public ultimately deserves to know what data, models, and assumptions the EPA is used and how it is used in making regulatory decisions.

Transparency is also a key factor of this rulemaking. I recommend that the EPA not only codify additional requirements for disclosure, such as a disaggregated breakdown of net benefits and costs, but also enhance transparency on the extent to which a rule is achieving its statutory objectives. By requiring economically significant rules to include a detailed outline assessing how well a regulation accomplishes its statutory goals will bring more clarity to conclusions of the cost-benefit analysis and give the public more confidence in the agency's ultimate findings.

In addition to the reasons state above, I also support a number of other specific recommendations, including that the EPA should require cost-benefit analysis whenever possible. Assessment models and key terms should be consistent and reproducible. Analysis should be applied uniformly across sectors to ensure consistency. Assessment models should include cumulative impacts and include which factors were and were not included. Most importantly, because this analysis is the foundation of effective regulation, all proposed rules should begin with a cost-benefit discussion to ensure that best practices are being upheld throughout the regulatory process.

Efficient, effective regulation is crucial to our environment and our economy. I look forward to both benefitting immensely thanks to this rulemaking.

Sincerely,



Burnet Maybank