

April 5, 2019

The Honorable Andrew R. Wheeler
Administrator
Mail Code 1101A
United States Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

Dear Administrator Wheeler:

The undersigned organizations represent thousands of businesses and workers throughout the country and we recognize that the reliable delivery of energy is vital to economic growth and national security. We believe that maintaining and growing our energy infrastructure is necessary to ensure that energy supplies can be delivered across the country.

Unfortunately, the environmental review and permitting process for energy infrastructure has become a target for environmental activists and states that oppose the production and use of fossil fuels. Specifically, the Clean Water Act - Section 401 (CWA 401) permitting process for interstate infrastructure projects is increasingly being used to create costly delays and even the cancellation of energy infrastructure projects.

We respect that Congress designed the CWA 401 permit process to reflect their commitment to a balance between federal and state authorities (cooperative federalism). However, a single state's actions to thwart the construction of an interstate pipeline or infrastructure project prevents neighboring states from realizing benefits from the project. No single state should have the ability to use its CWA 401 authority to dictate national policy, thereby harming other states and the national interest and damaging cooperative federalism.

We are writing to encourage the Environmental Protection Agency (EPA) to improve the predictability of the CWA 401 process by working with states and other federal agencies to streamline the implementation of CWA 401, and to ensure that the process aligns with Congress' intended statutory requirements.

We urge EPA to make changes necessary to ensure that interstate energy infrastructure projects can be permitted in a safe and timely manner and constructed so that energy can be delivered efficiently and reliably throughout America.

Sincerely,

Arizona Chamber of Commerce and Industry
Colorado Chamber of Commerce
Illinois Chamber of Commerce
NC Chamber
Ohio Chamber of Commerce
Oregon Business & Industry
Pennsylvania Chamber of Business & Industry
The Business Council of New York State, Inc.
U.S. Chamber of Commerce
Virginia Chamber of Commerce
West Virginia Chamber of Commerce