

KEY VOTE ALERT!

October 5, 2011

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly supports H.R. 2250, the "EPA Regulatory Relief Act of 2011," and H.R. 2681, the "Cement Sector Regulatory Relief Act of 2011." These two bills would provide much-needed relief to manufacturers, who face a host of excessive and unmanageable costs in order to comply with EPA's flawed and unachievable "Boiler MACT" and "Cement MACT" suite of rules.

EPA originally proposed a set of Boiler MACT regulations that were so costly, so burdensome, and received such a massive groundswell of opposition from the regulated community, that EPA had no choice but to seek a long-term extension to drastically rework its proposal. It received only one month, and the resulting final rules are not achievable for the regulated community. According to the Council on Industrial Boiler Owners (CIBO), only 31 units out of 1594 existing major source solid and liquid fuel boilers are able to comply with EPA's new standards as currently operated—less than two percent. The impacts would be felt across a wide range of industry sectors, including agriculture, chemicals, biomass power, forest and paper, refining and municipal utilities. CIBO estimates costs of compliance to be \$14 billion, putting more than 230,000 existing jobs at risk.

The Cement MACT regulations are the harshest of seven proposed or recently finalized EPA regulations targeting an already-reeling cement industry. As written, the Cement MACT regulations are too strict to allow for cost-effective compliance by the cement industry. The Portland Cement Association estimates that the regulations would force the shutdown of 18 of the nation's 100 existing cement plants, and that does not include the seven cement plants that have already announced (due to economic and other reasons) permanent closure since 2008. Such a decrease in the production capacity of the cement industry would have a ripple effect across the economy, impacting not only cement manufacturing jobs but the industries that heavily rely on them, such as building and construction.

At a time when a focus on economic growth should be paramount, EPA appears unable or unwilling to write a rule that achieves its environmental goals without sacrificing American jobs. H.R. 2250 and H.R. 2681 provide EPA the time it needs to get Boiler MACT and Cement MACT right, and provide assurance to manufacturers that the courts would not restart the compliance clock until EPA has been given adequate time to finalize the rules. Given the significant costs at issue in this rulemaking, EPA must be permitted the time to issue reasonable and achievable Boiler MACT and Cement MACT regulations.

The Chamber urges you to approve H.R. 2250 and H.R. 2681, and oppose any weakening amendments. The Chamber may consider votes on, or in relation to, H.R. 2250 and H.R. 2681 in our annual How They Voted scorecard.

Sincerely,



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