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Is Obama Bad for the Environment?

TIME
Tuesday, Sept. 06, 2011
By Bryan Walsh

Amid a floundering economy and a looming re-election battle, the environment is going to come second for President Obama

Over the past few weeks, there have been two very distinct lobbying efforts directed at President Barack Obama over environmental and energy policy. One has been done very publicly — more than 1,000 activists, ranging from celebrities and scientists to former Obama campaign organizers — have been arrested outside the White House, protesting the proposed Keystone XL pipeline, which would transport half a million barrels a day of carbon-intensive crude from oil-sands developments in western Canada. The other effort has been a bit quieter: representatives from industry groups like the U.S. Chamber of Commerce and the American Petroleum Institute have heavily lobbied the White House to abandon a move by the Environmental Protection Agency (EPA) to strengthen air-pollution regulations that limit smog.

So which lobbying campaign won out? Maybe not the one you'd expect for a President who came into office two and a half years ago with the greenest credentials in recent memory. On Sept. 2, President Obama shocked his environmental allies when he pulled back the proposed tougher smog standards, despite the fact that the EPA had been promising stronger rules for months. Meanwhile, the Keystone XL pipeline — which needs White House approval — seems almost certain to go forward, with a State Department assessment last month seen as largely in favor of the project and Administration officials signaling their support. Big business won while activists and environmentalists lost out.
(See why the GOP has a hidden agenda to gut the EPA.)

From the extreme to the mainstream, environmental groups reacted to Obama's announcement on smog with the fury of the scorned. It didn't help that Obama's political capital with environmentalists was already dwindling after his perceived failure to push through carbon cap-and-trade legislation and the gradual disappearance of global warming as a White House priority. Greens pondered aloud how a President they had worked so hard to elect, one who had pledged to put science before politics, could screw them over so badly — and they asked whether he was no longer worth the same effort in 2012. "Many MoveOn

members are wondering today how they can ever work for President Obama's re-election, or make the case for his to their neighbors, when he does something like this," MoveOn executive director Justin Ruben said in a statement. "This is a decision we'd expect from George W. Bush."

Ouch. It doesn't get much worse than comparing Obama to a man widely considered to be the least environmental President ever. But has Obama really surrendered his green credentials, and given how uniformly hostile the Republican presidential candidates are to any form of environmental or climate policy, is there anything greens can really do about it?

First, a little background. Under the Clean Air Act, the Administration is required to review air-pollution regulations every five years, consulting the latest science to see whether rules need to be tightened to protect public health. Back in 2008, Bush's EPA set the new limit for ground-level ozone — the main ingredient of smog and a health hazard in its own right — at 75 parts per billion (ppb). That was tighter than the existing regulations, but considerably weaker than the 60 to 70 ppb recommended at the time by the EPA's own scientists.
(Read more about the battle over EPA's emissions regulations.)

Advocacy groups like the American Lung Association launched lawsuits to force the government to stop the Bush ozone regulations, which they argued would lead to thousands of unnecessary deaths; but when Obama took office, they announced a cease-fire at the behest of the new Administration. EPA head Lisa Jackson — who said that the Bush rules were "legally indefensible" — promised that the Administration would issue stronger ozone regulations that would fall into the 60- to 70-ppb levels recommended by the current science.

But industry groups screamed bloody murder over the possibility of tougher regulations, arguing that strict air-pollution rules could cost the economy as much as $90 billion a year by 2020. The EPA has said that the proposed regulations would still have net positive economic benefits, thanks to the reduction of premature deaths, hospitalizations and lost-worker productivity due to bad air. But with the economy worsening by the month and the White House increasingly seen as unfriendly to business, that was a tough argument to make, and EPA delayed the finalization of the new regulations again and again while always promising that they would eventually come. Finally on Sept. 2 — just before the Labor Day weekend — White House regulatory chief Cass Sunstein sent a letter to Jackson urging her to reconsider the new ozone regulations, adding that new rules "would create needless uncertainty" — essentially ending the debate.

Since the announcement the White House has tried to make the case that issuing new ozone regulations in 2011 would be unnecessary and confusing because the rules are automatically up for review in 2013 under the Clean Air Act. But the EPA could have been free under the law to issue new rules now and then postpone the next review until 2016. In any case, chances are it will take well past 2013 for new rules to actually make it into practice-after all, the EPA is already years past its last deadline.

In a conference call after the announcement, one White House official tried to reassure reporters that the decision "had nothing to do with politics," but that's frankly ludicrous. This decision came from Obama, and he chose to overrule his EPA and disregard science in favor of a political goal-in this case, giving business a break at a time when the economy is floundering and his opponents are trying to paint him as a job-killing bureaucrat. Greens — and the 4,300 people a year the stronger regulations were predicted to save — were left in the cold. "President Obama has come down on the side of the polluters and those extreme forces who deny the value of government safeguards," wrote Natural Resources Defense Council president Frances Beinecke after Obama's announcement.
(See photos of the effects of global warming.)

Of course, those "extreme forces" happen to include virtually the entire Republican Party, including all the major GOP Presidential candidates, many of whom would be happy to eliminate the EPA altogether. And that puts the greens in a political quandary — they may be extremely unhappy with Obama, but a Republican victory in 2012 would be an environmental catastrophe. Withdraw their support from Obama, and they'll only be shooting themselves in the foot.

It's hard to see any environmental group actually campaigning against Obama, even after the ozone and oil sands disappointments, although the effect could be felt in fundraising and grassroots enthusiasm. And Obama has still done a lot for greens, from ambitious new fuel economy standards to unprecedented funding for alternative energy — not to mention the fact that the President, unlike most of his GOP opponents, actually accepts the reality of climate change. But the events of the past few weeks drive home an unhappy fact: amid a floundering economy and a scarily tight reelection battle, the environment is going to come second for the White House.

Worst of all, there doesn't seem to be much that greens can do about it. More than 1,000 people were arrested over the course of the two-week-long protests over the Keystone XL oil sands pipeline, engaging in what the writer and activist Bill McKibben called the "largest civil disobedience action in the environmental movement in a generation." While the protests were going on, reporters asked White House press secretary Jay Carney whether Obama was even aware of the demonstrations going on outside his home. Carney said he didn't know. The President's attention is somewhere else.

Read more: http://www.time.com/time/health/article/0,8599,2091814,00.html#ixzz1XBDuQclo

Jobs Focus for Regulations Article Stock Quotes Comments (15) more in Business

WSJ
September 6, 2011
By DEBORAH SOLOMON, CAROL E. LEE and THOMAS CATAN

President Barack Obama is expected to use his jobs speech to Congress on Thursday to blunt business and Republican criticism that his administration is engaged in regulatory overreach.

In the run-up to the speech, Mr. Obama on Friday abandoned a proposed Environmental Protection Agency rule tightening air-quality standards. The administration also says a regulatory review will save businesses more than $10 billion over five years, and it eased offshore drilling restrictions in the Gulf of Mexico and Alaska.

President Obama spoke on Labor Day to a union audience outside General Motors' headquarters in Detroit.

But the president's pushback has limits. Last week, for example, the federal government sued to block AT&T Corp. from acquiring wireless carrier T-Mobile USA and filed suit against 17 of the world's biggest financial institutions for not adequately disclosing the risks of home loans they sold. The White House also isn't backing away from the Dodd-Frank financial-regulatory overhaul and the health care law.

Mr. Obama applauded the new financial regulations in a Labor Day speech in Detroit, saying "working folks shouldn't be taken advantage of—so we passed tough financial reform." And he touted a new law to stop pay discrimination and regulations to promote worker safety.

Mr. Obama may also talk Thursday about giving industry more time to comply with other regulations, including environmental rules that businesses have complained are coming too quickly, according to people familiar with the matter.

Mr. Obama has made an effort to appeal to business in the second half of his first term after two initial years of frayed relations. The political goal is to show that Mr. Obama is pro-regulation on some key fronts, but is generally friendly to business.

The U.S. Chamber of Commerce and the Business Roundtable have accused the White House of undercutting the economic recovery by imposing new and onerous regulations.

Republicans in Congress say they are causing businesses to delay investments and hiring. On Friday, Senate Minority Leader Mitch McConnell (R., Ky.) said the president's reversal on the air-quality rule "alone will prevent more job losses than any speech the president has given."

Mr. Obama personally said he would jettison the EPA rule that would have reduced smog-forming ozone levels. He said the EPA would consider the rule again in 2013. The decision came after an aggressive industry-led push to oppose the rule, which the EPA estimated would cost as much as $90 billion per year. Chief of Staff William Daley, who was brought in to help smooth relations with business, and Cass Sunstein, who heads the Office of Information and Regulatory Affairs, are said to have been sympathetic to the industry point of view that the rule was unnecessary and could impose too many costs in the midst of a struggling economy, according to people familiar with the matter. Central to their thinking was that EPA is to reconsider ozone standards again in 2013. EPA Administrator Lisa Jackson, who proposed the tighter standard, pushed for its implementation.

Mr. Obama's decision infuriated many Democrats and environmental groups, who say he sided with polluters over public health. But White House officials say the president has come to agree that regulations such as the EPA rule hurt job growth. Industry-funded studies said the rule would cost millions of jobs.

On a call Friday with supporters of the rule, a White House official said the EPA is "under unprecedented assault right now" and that Republicans have made the agency "the focus of their efforts." The official referenced a letter from House Majority Leader Eric Cantor of Virginia to GOP members vowing to fight 10 "job-destroying regulations" including seven EPA rules. Some Republican presidential candidates have talked about shuttering the EPA, a line that often draws applause.

Jared Bernstein, the former top economic adviser to Vice President Joe Biden now at the Center on Budget and Policy Priorities, said Mr. Obama's decision on ozone had little to do with creating jobs. "The president is correctly committed to getting rid of outdated and harmful regulations. But to tie it to jobs and economic growth is misguided," he said

In other areas, such as antitrust, the administration has had to juggle the competing demands. In 2009, Mr. Obama vowed to "reinvigorate" antitrust enforcement. Since then, the Obama Justice Department has trod a careful middle path. The administration recently stepped-up challenges to mergers, including Nasdaq OMX Group's offer for NYSE Euronext. Even so, it has disappointed some who thought it would

more consistently place the interests of consumers above those of big business.The administration has also resisted efforts to unwind financial rules put in place to prevent a repeat of the 2008 financial crisis. Business groups and Republicans have attacked the rules as onerous but the administration has so far defended the Dodd-Frank law and continued to call for swift implementation.

"The Obama administration has certainly been more aggressive in its merger enforcement than Bush 43," said Melissa Maxman, an antitrust lawyer at Cozen O'Connor law firm in Washington. "But it's come under criticism from consumer and antitrust groups for not being as aggressive as it had promised."

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Obama spokesman dismisses as “ridiculous” suggestion president is soft on smog

Houston Chronicle (blog)
September 4, 2011

White House spokesman Jay Carney responded testily today to a reporter’s suggestion that President Obama is soft on smog following the administration’s Friday announcement that it was blocking new Environmental Protection Agency ozone standards.

“That suggestion, that question is ridiculous given all the amazing steps he has taken to ensure that we enforce the Clean Air Act,” the press secretary told reporters en route to New Jersey for a tour of hurricane damage, “including steps on mercury, as well as historic standards for — new standards for fuel efficiency for cars and trucks.”

Here’s the question that set Carney off:

Jay, could you talk about the President’s decision to pull back the ozone regulations? The President, as a candidate, talked about the importance of protecting clean air. Does this show that that commitment might be wavering?

Carney explained that Obama was simply delaying a final decision for two years, not caving in to industry groups in an attempt to curry favor with anti-regulation voters.

“The president, as he said in his statement, had to look at the fact that the new standards are being reviewed and will be out 2013, on ozone, and that he did not feel at this time that it was wise to add to regulatory uncertainty,” Carney said. “So he asked the EPA administrator to withdraw that as we wait for new science and new standards.”

Texas lawmakers from both parties hailed Obama’s decision, even as environmentalists and liberal media types objected.

“This is great news,” Rep. Sheila Jackson Lee, D-Houston, told Texas on the Potomac. ”This is the result of a lot of work in the Texas delegation, Republicans and Democrats working together.”

Jackson Lee said the administration decision is cause for “celebration for saving jobs, and not losing jobs.”

But National Resources Defense Council president Frances Beinecke said Obama “is siding with corporate polluters over the American people.”

Obama Delays New Smog Standard

National Journal
By Amy Harder
Friday, September 2, 2011 | 11:09 a.m.

Bowing to Republican and industry pressure and contradicting his top environmental aide, President Obama announced on Friday he was delaying for at least two years one of his administration’s most significant environmental and public health standards.

Obama said he was asking EPA Administrator Lisa Jackson to delay until 2013 a tougher smog standard that health and environmental groups—and Jackson herself—have said is critical to protecting public health, especially for children.

The U.S. Chamber of Commerce, American Petroleum Institute and other major industry groups have been putting intense pressure on White House Chief of Staff Bill Daley since early July to punt until 2013, arguing that the tougher standard would freeze economic growth and kill jobs. Staring down his reelection path, Obama bowed to that pressure—overruling Jackson and other top EPA officials who kept saying the agency was going to issue the standard this summer.

“I have continued to underscore the importance of reducing regulatory burdens and regulatory uncertainty, particularly as our economy continues to recover,” Obama said in a statement on Friday.

“With that in mind, and after careful consideration, I have requested that Administrator Jackson withdraw the draft Ozone [smog] National Ambient Air Quality Standards at this time,” Obama added. “Work is already under way to update a 2006 review of the science that will result in the reconsideration of the ozone standard in 2013. Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.”

Obama’s decision quickly drew praise from top GOP lawmakers and the U.S. Chamber of Commerce.

“This action alone will prevent more job losses than any speech the president has given, and I hope he will listen to the bipartisan calls from across the country to address his administration’s negative impact on job creation,” Senate Minority Leader Mitch McConnell said in a statement.

Michael Steel, spokesman for House Speaker John Boehner, said it was a “good first step” in rolling back a job-destroying regulation. “But it is only the tip of the iceberg when it comes to stopping Washington Democrats’ agenda of tax hikes, more government ‘stimulus’ spending, and increased regulations—which are all making it harder to create more American jobs,” Steel said.

“It is worth noting that the president agreed with just about every one of the chamber’s arguments against a new ozone standard,” President and CEO Thomas Donohue said in a statement. “This an enormous victory for America’s job creators, the right decision by the president, and one that will help reduce the uncertainty facing businesses. It’s also a big first step in what needs to be a broader regulatory-reform effort,” Donohue said.

Environmental groups and liberal Democrats were predictably disappointed. Likely offering a glimpse of the pressure Obama will get from the left on the campaign trail, the Sierra Club shot out an e-mail with the subject line: “Sorry kids, Obama delays smog protections until at least 2013.”

The American Lung Association promised to revive its court action against the administration, "which was suspended following numerous assurances that the administration was going to complete this reconsideration and obey the law. We had gone to court because the Bush administration failed to follow the law and set a protective health standard.” Charles Connor, president and CEO of the group, said in a statement.

“By choosing to ignore the recommendations of the Clean Air Scientific Advisory Committee, the president is failing to follow the nation’s landmark air pollution law, the Clean Air Act, and therefore failing to protect public health, particularly those most at risk including children, older people, and people who suffer from chronic lung diseases.”

The smog rule would set tougher air-quality standards for states, which in turn would require businesses and localities to reduce their pollution. The new rules would have put many counties nationwide into a regulatory category known as “nonattainment.” That designation might ultimately require businesses to cut air emissions in order for the counties in which they’re located to meet the new federal standards. Critics say that could cripple economic growth in many places. The Obama administration has already delayed the standard several times in the past two years, and Friday’s announcement makes for the biggest delay yet.

White House officials denied that the move was in response to industry pressure or electoral politics. “This is not a product of industry pressure. This is a judgment on the merits,” one official said on a conference call on Friday. “The point is to rely on the current science, rather than 2006 science.”

Boehner sent a letter to the White House last week that asserted the number of administration regulatory actions with a significant impact on jobs and the economy had risen 15 percent since last year. The speaker requested that Obama identify for Congress which of these regulations have an estimated economic impact of more than $1 billion.

In his response, Obama admitted that the ozone air-quality standard he is now asking the EPA to withdraw is among seven proposed rules that would cost upwards of $1 billion to implement, Steel said in an e-mailed statement to reporters.

The back-and-forth is a sign of what could be many testy months ahead between Republicans who control the House and the administration over whether the White House’s rhetoric over reducing regulatory burdens matches its actions. At the core of this tension lies Republican anxiety over President Obama’s ability to push new policies through without congressional input.

House Majority Leader Eric Cantor announced on Monday that tackling “job-destroying” regulations will be a House Republican focus this fall. Congressional Democrats, including House Minority Whip Steny Hoyer, have characterized the GOP focus on regulations as evidence that Republicans “do not have a real, comprehensive jobs agenda."

The White House officials said on the conference call that Jackson and Obama were on the same page. She “has reconsidered and accepted the president’s own judgment, which is that this should not move forward,” one of the officials said.

In a statement, Jackson hailed the progress EPA has made on several other major clean-air rules, yet did not comment on Obama’s decision to punt the ozone standard, other than to say the agency will “revisit the ozone standard, in compliance with the Clean Air Act.”

Obama in his statement and his top aides on the conference call vowed to fight GOP efforts to delay other clean-air regulations. The first test of this promised commitment will come at the end of this month, when EPA is expected to announce draft regulations to control climate-change-related pollution from power plants. The agency continues to say it will issue them by Sept. 26, but it said the same thing about the ozone standard, which the White House ultimately pulled the plug on despite EPA.

Sophie Quinton and Billy House contributed

Upton applauds Obama’s EPA decision

Niles Daily Star
Published 4:53pm Monday, September 5, 2011

U.S. Rep. Fred UptonPresident Obama is calling on the Environmental Protection Agency (EPA) to withdraw its controversial proposal to voluntarily revisit a 2008 ozone standard — a plan that the agency itself projected would impose annual costs of as much as $90 billion.
The EPA’s ozo–ne rule is one of numerous pending regulations from the agency that will cost hundreds of thousands of jobs and impose tens of billions of dollars in costs on the struggling economy, Upton claims.
“After 32 consecutive months of double-digit unemployment, Michigan cannot afford the economic costs of more ill-conceived regulations,” said Upton, of St. Joseph. “Nearly every single county in our state and across the country would be directly impacted by the proposed change. I commend the president for recognizing that adding to costs of doing business is not the key to job creation and innovation.
“We all know that folks cannot go to work at factories that are never built or are forced to shut their doors — it is very clear that EPA’s new ozone proposal would have done just that, forcing millions of jobs to someplace other than the United States,” Upton said. “While this is a very positive step forward, it is unfortunately but one of this agency’s countless regulatory proposals that have threatened jobs and contributed to greater economic uncertainty.”
Kalamazoo Regional Chamber of Commerce President and CEO Steward Sandstrom made the following statement on the president’s announcement: “This is a really great day for southwest Michigan and the Kalamazoo region. Had the EPA’s rules gone into effect as proposed, it would have been one of the largest job killers we have seen. The remediation the agency proposed would have been ridiculous and the economic consequences would have been devastating. We can now look forward and continue working to move our economy in a positive direction.”

Coats Statement on Obama’s Decision to Withdraw the Proposed EPA National Smog Standards

Kokomo Perspective

Posted: Monday, September 5, 2011 3:12 pm

Coats Statement on Obama's Decision to Withdraw the Proposed EPA National Smog Standards 0 comments

Senator Dan Coats (R-Ind.), a member of the Senate Energy and Natural Resources Committee, made the following statement today regarding President Obama's request to EPA Administrator Lisa Jackson to withdraw the draft of the Ozone National Ambient Air Quality Standards:

"The announcement by the President today to withdraw the EPA's proposed national smog standards is welcome news. I am glad the Obama administration is finally realizing that its overreaching regulations are hurting American jobs and preventing economic growth. Although today's announcement is a step in the right direction, more work needs to be done to get our economy moving again. I hope the President will work with Congress to remove the remaining costly regulations that are keeping businesses from growing and hiring. With the unemployment rate still above nine percent, it's time the administration abandon its old ways and start focusing on a pro-growth agenda that will get Americans back to work."

EDITORIAL

OPINION: EPA Called Off

Talk News Radio
Tuesday, September 6, 2011 at 9:09AM
Ernest Istook

To his credit, President Obama ordered the EPA to stand down and retract new ozone regulations that could have made our struggling economy even worse.

The EPA plan carried a price tag of $90-billion a year, making it tougher than ever for companies to stay in business, much less to expand. Since there were no net jobs added nationwide in August—zero—we don't need more killer red tape.

But Obama can do more. He'd been taking the position that federal bureaucrats are just doing their job—but now he acknowledges that they work for him and he can give them directions.

Obama can and should get other bureaucrats to shape up—like the National Labor Relations Board that is giving labor unions undue and uneven advantage over employers. Cutting red tape would go a long way to giving businesses the reassurance that it's safe to start hiring again.

From The Heritage Foundation, I'm Ernest Istook.

Obama overrules EPA

Boston Herald
Monday, September 5, 2011
By Boston Herald Editorial Staff

The president actually gave the nation one big hint that he gets it when it comes to the impact of regulations on the economy at the end of last week when he ordered a halt to pending EPA smog regulations. The announcement came on the heels of dismal jobs numbers — a situation Barack Obama wisely decided not to exacerbate.

The proposed regulations aimed at more strictly controlling the amount of allowable ground level pollutants would have added anywhere from $19 billion to $90 billion — depending on how tight the standard applied would be — to the cost of doing business. That's $19 billion to $90 billion that would not be available to put into growing jobs or productivity.

Of course, it was also last week that the Obama administration was touting it own efforts to pare back needless and costly regulations — regs they estimated would save business $10 billion over five years or barely a drop in the bucket of what the EPA regs would have added to that burden.

Environmentalists insisted that now we all are doomed. To which we can only repeat an analogy used by The Associated Press. The EPA proposed "a range for the concentration of ground-level ozone allowed in the air — from 60 parts per billion to 70 parts per billion. That's about equal to a single tennis ball in an Olympic-size swimming pool full of tennis balls."

Any questions?

Sizing Up Obama's Ozone Standard Delay

National Journal (blog)
By Amy Harder
Tuesday, September 6, 2011

Was President Obama right or wrong to withdraw the Environmental Protection Agency's smog standard?

Last week, Obama announced he was withdrawing EPA's re-proposal of the George W. Bush-era ground-level ozone standard until at least 2013 when the agency will regularly review it. While underscoring his commitment to EPA's efforts to clean up the air, he said: "Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered."

What implications does this have for the economy and the country's air quality? How does this affect Obama's commitment to other EPA rules, such as those controlling mercury and greenhouse gas emissions from power plants?

<u>1 Response</u>

September 6, 2011 10:38 AM

Don’t Fall for Ozone Distraction
By Phil Kerpen

Vice President, Policy, Americans for Prosperity

The disastrous EPA proposal for unreasonably low ozone standards would have destroyed over seven million jobs and ground industrial activity to a halt. Nearly the whole country would have been out of attainment.

Obama said that he would pause the regulations “at this time.” He went on to explain: “Work is already underway to update a 2006 review of the science that will result in the reconsideration of the ozone standard in 2013.” In other words, Obama still plans to pursue this disastrous regulation, but not until after the next election.

Most likely, that was always the plan. The out-of-cycle ozone reproposal never made much sense from a political or practical standpoint, given the weak economy, the impending election, and regularly-scheduled review in 2013.

In fact, the gratuitous ozone reproposal may have been a diversionary tactic from the beginning, giving Democratic lobbyists and fundraisers an opportunity to shake the trees and delivery a "victory" while allowing the president to look balanced while his EPA continu...

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In fact, the gratuitous ozone reproposal may have been a diversionary tactic from the beginning, giving Democratic lobbyists and fundraisers an opportunity to shake the trees and delivery a "victory" while allowing the president to look balanced while his EPA continues its multi-trillion-dollar regulatory agenda.

The day after the 2010 election, President Obama said: “Cap and trade was just one way of skinning the cat; it was not the only way. It was a means, not an end.”

While the left feigns outrage over ozone – distracting the public and trying to make Obama look like a centrist – the EPA will move forward with its MACT rules and its NSPS for greenhouse gases. And unless

Congress steps in and stops the EPA, the cat that will get skinned is an American economy simply can't afford steeply higher energy prices and hundreds of thousands of lost jobs.

(Of course, if Obama is re-elected his disastrous ozone proposal will still have to be defeated in 2013.)

Ozone climbdown: Is Obama giving up on environment?

New Scientist (blog)
6 September 2011
Andy Coghlan, reporter

Did President Barack Obama sell out to big business last week by abandoning plans for stricter limits on ozone pollution? Announced on 2 September, the decision was greeted with deep suspicion by environmental and health groups, who fear he has caved in to pressure from Republicans and industry to rid the country of what they say are burdensome regulations that could cost jobs.

The upshot is that legal ozone limits will stay at 84 parts of ozone per billion of air, the same as they were in 1997 when they were last upgraded. If the new rules had been adopted, they would have reduced the limit to 60 ppb, a tightening of standards denounced by industry as too costly.

Hardly surprisingly then, that industry was delighted with the news. "We loudly applauded President Obama today for his decision to send the Environmental Protection Agency's voluntary reconsideration of the 2008 Ozone National Ambient Air Quality Standards back to EPA with instructions to withdraw the rule," wrote Ross Eisenberg in a blog for the US Chamber of Commerce.

But environmental groups such as the National Resources Defense Council see it as a sell-out that will cost lives. "The stronger smog standards would have saved up to 4300 lives and as many as 2200 heart attacks every year," wrote the NRDC's Frances Beinecke in a blog. "They would have made breathing easier for the 24 million Americans living with asthma, and they would have created up to $37 billion in health benefits annually."

As noted by The Washington Post, environmentalists could be forgiven for wondering whether Obama is quietly abandoning the green credentials that helped him win office.

"It's hard to understand why [Obama] made this decision, which will only embolden [his] enemies and alienate [his] allies," says Daniel Weiss of the liberal research group, Center for American Progress (CAP). Obama was naive, Weiss says, to think that Republicans would be satisfied with one regulatory concession on air pollution.

According to The New York Times, green suspicions of a sell-out president had already been aroused in August when Obama gave the OK for the Keystone XL pipeline that would bring tar sands oil from Canada to the Gulf Coast. Just last Friday, more than 1000 protesters against the pipeline were arrested outside the White House.

But the White House has fought back against the "sell-out" claims. Jay Carney, a White House spokesman, told the Houston Chronicle that the president is not "soft on smog". Carney said that Obama was simply delaying a final decision on ozone for two years, not caving in to industry groups in an attempt to butter up anti-regulation voters. The reason, he said, was that the new standards were in the process

of being reviewed anyway, so it would have been premature to introduce them until the review was complete in 2013.

Even the gung-ho US Chamber of Commerce has acknowledged that the ozone standards could yet pop up to haunt them in two years' time. "While [Obama's] decision is clearly a victory for the American economy, keep in mind that it may be short lived," wrote Ross Eisenberg on the group's blog. "EPA has the chance to do it all again in a few short years."

Zero jobs prompts Obama retreat on EPA regs

Washington Examiner
09/05/11 8:05 PM
By: Examiner Editorial |

President Obama announced that his administration was rescinding proposed ozone regulations that the EPA estimated would cost the U.S. economy $90 billion a year. If the first step is admitting you have a problem, then President Obama may have begun rehabilitating his presidency last Friday when he announced that his administration was rescinding proposed ozone regulations that the Environmental Protection Agency estimated would cost the U.S. economy $90 billion a year. Obama's announcement came just hours after the latest Labor Department jobs report showed the unemployment rate unchanged at 9.1 percent after the economy added zero jobs in August.

In a conference call following the announcement, a senior White House official insisted that Obama's decision "has nothing to do with politics." We hope that is not true. We hope that the pressure of near-double-digit unemployment, 32 months after Obama passed his $820 billion stimulus package, is forcing Obama to put job creation ahead of the whims of the environmental movement.

When the enviro-leftists scream, put in earplugs because there is no concern that Obama's decision will harm the air you breathe. The Environmental Protection Agency is still regulating ozone levels, a major contributor to smog, in accordance with standards that the Bush EPA established in 2008. By law the EPA must review its National Ambient Air Quality Standards for air pollutants every five years, so Obama EPA's decision to issue new standards 2 1/2 years early was mystifying.

Perhaps he has learned his lesson. As encouraging as this decision is, Obama's explanation for it was even better. He said he decided to rescind the proposed regulations because of "the importance of reducing regulatory burdens and regulatory uncertainty, particularly as our economy continues to recover."

It is a huge step for Obama to admit that his regulatory agenda is creating burdens and uncertainty for job creators. This is the president who once blithely quipped, "You know, the business community is always complaining about regulations." But Friday's decision can only be viewed positively if it is indeed a first step.

There are still six other proposed regulations from the EPA that would cost the economy dearly. According to the EPA's own estimates, the cost to small businesses for obtaining carbon emission permits alone would be $76 billion per year, not including the hundreds of billions of dollars in widespread economic damage from higher energy prices.

If Obama really wanted to remove "regulatory uncertainty" from the economy, he would use his Thursday jobs speech to announce that he is ordering EPA Administrator Lisa Jackson to halt all of her agency's work on global warming regulations.

Read more at the Washington Examiner: http://washingtonexaminer.com/opinion/2011/09/zero-jobs-prompts-obama-retreat-epa-regs#ixzz1XBApZpy5

Obama's war on red tape
New York Post
Posted: September 06, 2011

The White House at week's end deep-sixed proposed environmental regulations that delighted greenies but would certainly have killed jobs.

Good for the White House.

Among the rules was one that would've brought allowable ground ozone levels down so low that even Yellowstone National Park -- not exactly an asthmatic's nightmare -- would likely have been out of compliance.

The regs would also have socked it to power producers and the industries that rely on them, imposing a total estimated cost of as much as $90 billion.

Friday, President Obama overruled his own Environmental Protection Agency, directing Administrator Lisa Jackson to nix the proposed regs.

For sure, the greenies won't take "no" for an answer: Already, some are pledging they'll try to foist their ozone-free utopia upon the nation through (of course) the courts.

But, for now, it seems the president at least has thrown over the environmentalists in favor of sounder advice.

Indeed, his EPA decision was surely influenced by pleading by many industry groups -- from the Business Roundtable to the US Chamber of Commerce -- not to drive another stake into the economy's heart.

And he obviously heard the collective gasp early Friday morning, when the Bureau of Labor Statistics revealed that August had seen the creation of zero new jobs, while simultaneously downgrading the figures for June and July.

Of course, Obama should feel no shame in listening to what the nation's employers -- and brutal economic figures -- are telling him.

Indeed, he'd do well to double down on the ozone decision and take a hatchet to a lot of other regs as well.

Researchers at Washington University in St. Louis and George Washington University have found that, despite record debt, regulatory agencies' budgets have jumped 16 percent so far this year. Against a backdrop of 9.1 percent unemployment, their hiring has climbed a staggering 13 percent.

According to the Office of Management and Budget, the administration has issued more than 340 regulations just this year -- and has another 4,200 in the works.

And Obama's two signature legislative achievements -- the Dodd-Frank Act and ObamaCare -- wrap the financial and health-care industries in so much red tape that they're practically mummified.

The ozone-rule rollback was a terrific first step.

But it was only a first step.

Read more:
http://www.nypost.com/p/news/opinion/editorials/obama_war_on_red_tape_eDHumZw6GaRkkDAJKYuM3I#ixzz1XBIEGnIK

Ozone in the no-zone

The Daily Caller
September 6, 2011
By Susan Dudley

Susan E. Dudley is Director of the George Washington University Regulatory Studies Center, which works to raise awareness of regulations' effects and improve regulatory policy through research, education, and outreach. She formerly served as Administrator of the Office of Information and Regulatory Affairs in the U.S. Office of Management and Budget.

President Obama made an important decision Friday not to pursue discretionary new EPA regulations that would have set more stringent standards for levels of ozone in the ambient air. In a statement announcing the decision, he noted that EPA was working on revising the standard again in 2013 and concluded:

"Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered."

The national ambient air quality standards (NAAQS) for ozone have a checkered history. This is the third time in as many revisions of the standard that a president has had to weigh in on EPA's decision.

In 1997 EPA's proposed standard of 80 parts per billion (ppb) ran into strong objections from other federal agencies, including the Department of Commerce (then led by current White House Chief of Staff William Daley) and OMB's Office of Information and Regulatory Affairs (OIRA). President Clinton ultimately sided with EPA Administrator Carol Browner, but promised states that EPA would not actually enforce the very expensive standard — at least not right away, and not beyond some agreed-upon cost thresholds.

Ten years later, EPA again faced objections from other agencies and OIRA, as well as from state and local governments, when it proposed to tighten the standard to 75 ppb. Many regions of the country were unable to comply with the 1997 standards, so ratcheting them down again appeared unlikely to yield any

health benefits but was certain to raise costs and constrain economic growth. This time, EPA also wanted to add a distinct welfare-based “secondary” standard, aimed at protecting vegetation rather than human health.

Again the interagency dispute reached the oval office, but the question to President Bush was not the appropriate level of the health standard (on which OIRA reluctantly deferred to EPA) but the addition of the welfare standard with a distinct form. EPA argued that the new form of secondary standard would not affect air quality because the primary standard was binding, but other agencies viewed it as a troubling precedent and a pointless proliferation of complicated rules. This time, the president sided with OIRA and directed EPA not to adopt a new form for the secondary standard.

Unhappy with President Bush’s decision, in 2009 disgruntled EPA staff convinced their new administrator, Lisa Jackson, to revisit the ozone standard ahead of the five-year scheduled review. In January 2010, EPA proposed not only to adopt a distinct form for the secondary standard, but also to tighten the primary standard below the level established in 2008. These new standards appeared destined to become law until the president’s announcement last week.

President Obama cited current economic conditions as part of his rationale for staying EPA’s hand on the 2011 standard. In doing so, he rejected EPA’s argument that the Clean Air Act allows no room for such considerations. The president’s decision likely will stand because environmental groups that would challenge the decision will have a stronger case by waiting until 2013, when EPA has a statutory duty to revisit the ozone standard. The threat of litigation will make it much more difficult, at that point, for any president to maintain control of the outcome.

Read more: http://dailycaller.com/2011/09/06/ozone-in-the-no-zone/#ixzz1XBaMmgdX

A Labor Day Debacle for Clean Air and Health

NRDC (blog)
Posted September 5, 2011
Kim Knowlton

The President refused to set lower, more health-protective ozone air quality standards. The decision ignores the unanimous recommendation of the scientific advisors who were asked to look at the evidence and agreed: a lower standard is needed to protect Americans’ health.

Friday’s retreat is a tragedy of public health victories “that-might-have-been,” now abandoned:

4,300 lives every year could have been saved – and now, will not be.
2,200 heart attacks every year could have been avoided – and now, won’t be.
770,000 days when people miss work or school could have been avoided - but not now.
23,000 asthma attacks annually could've been prevented because of cleaner air.
Are you one of the 25 million Americans with asthma? That includes an estimated 7 million kids. The Centers for Disease Control & Prevention (CDC) says asthma prevalence rates are on the rise nationwide. The greatest 2001-2009 increase was among African-American children (almost a 50% increase). Friday’s decision is terrible news for people with asthma. The White House will need to answer if you’re asking, what happened?

This one decision hurts tens of millions vulnerable to ozone smog air pollution: people with asthma, children, seniors, people with chronic heart, respiratory or lung ailments, outdoor workers, athletes, and those of us trying to exercise outside, breathe deeply, get fit and stay fit --- but work and play is more difficult in ozone-polluted air.

EPA's website describes how breathing ozone irritates airways and reduces lung function in ways likened to "getting a sunburn on your lungs." It can trigger chest pain, coughing, throat irritation, worsen bronchitis, emphysema, and asthma. Repeated exposure can permanently scar lung tissue.

The President's decision is a capitulation to industry polluters at the expense of public health. It retreats from the mission of protecting human health and our children's right to breathe clean, healthy air.

Even considering costs, we need a lower ozone standard. As my colleague Laurie Johnson explains here, EPA's economic analysis finds that the benefits of a lower, more health-protective air quality standard outweigh costs 26 to 1. NRDC's Frances Beinecke highlights this and more here.

At the very least, now we expect President Obama to strongly defend what remains of the Clean Air Act rules that are already out.

Undoubtedly, public health will face more House attacks. But public health should not be negotiable. Our children's health is not for sale.