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EPA smog rule rejection stirs anger at White House

Boston Globe
September 2, 2011
By Theo Emery, Globe Staff

WASHINGTON – A surprise decision from the White House today to reject tighter controls on smog emissions infuriated environmentalists and heartened business groups who had fought against the stronger pollution controls.

The White House sent back to Environmental Protection Agency Administrator Lisa Jackson a proposed regulatory change that would have tightened restrictions on the amount of ozone released into the atmosphere. In a statement, President Obama said reducing air pollution is a priority, but so is reducing regulatory burdens.

Coming amid a bitter partisan debate over how to jumpstart the economy, the decision to delay new ozone regulations and retain a 2008 rule adopted under George W. Bush's administration had a deeply symbolic meaning. For White House allies, the decision was a bitter disappointment that, for some, invited comparisons with President Obama's predecessor.

"I disagree that the 2006 pollution science that the Bush Administration ignored should be ignored once again in favor of additional delays in issuing rules to reduce the smog-producing ozone that threatens public health," US Representative Edward J. Markey of Malden, the top Democrat on the House Natural Resources Committee, said in a statement.

At the same time, the move stirred calls among Republicans for further action, as well as from groups seeking less business regulation. US Chamber of Commerce President and CEO Thomas J. Donohue said that the White House had “heeded our warning.”

“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,” he said.

The move represented the latest jockeying between the White House and Congressional Republicans over the lackluster economy and regulatory hurdles. House Speaker John A. Boehner of Ohio had asked the president for a list of pending regulations that would cost over $1 billion. The ozone rule topped the list that the president provided on Aug. 30, with a cost pegged between $19 billion and $90 billion.

In a letter rejecting the regulation, the White House said it wasn’t necessary to make the change now, that the science it was based on was outdated and that other rules would protect air quality. The administration also defended its record in a blog posting, and the president released a statement appearing to anticipate criticism.

“I want to be clear: my commitment and the commitment of my administration to protecting public health and the environment is unwavering,” he said.

Republicans cheered the decision. Senate Minority Leader Mitch McConnell of Kentucky said “this action alone will prevent more job losses than any speech the President has given.” House Majority Leader Eric Cantor of Virginia said he was hopeful that the president would strike down more regulations. A spokesman for Boehner called it “a good first step,” but said it’s not enough. “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,” said the spokesman, Michael Steel.

Environmental groups were scathing in their criticism of the president. Frances Beinecke, president of the Natural Resources Defense Council, accused the White House of “siding with corporate polluters over the American people,” and said the organization will revive a lawsuit against the administration over the smog standard.

“The Clean Air Act clearly requires the Environmental Protection Agency to set protective standards against smog--based on science and the law. The White House now has polluted that process with politics,” she said.

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White House tells EPA to withdraw draft ozone standard

Washington (Platts)
2Sep2011/300 pm EDT/1900 GMT
By Nick Juliano, Sarah Smith

Following the Obama administration's Friday announcement to shelve plans to review the Bush-era ozone standard, the White House pushed back against claims that its decision was influenced by political and industry pressure.

Instead, the decision to hold off on reviewing the 2008 ozone standards -- otherwise scheduled for reassessment in 2013 -- was based on a need for updated scientific input, White House officials said Friday in a conference call.

Prior to today's announcement, the Environmental Protection Agency had been looking reassess the Bush administration's 2008 national ambient air quality standards for ozone, which the Obama administration said was not stringent enough. That standard, set at 75 parts per billion, rejected recommendations of a congressionally chartered science advisory board that called for a more stringent standard to protect public health.

The energy sector had repeatedly said a more stringent standard would be too costly, slowing job growth and damaging the economy. On Friday the American Petroleum Institute praised the president's decision to withdraw the draft rule, saying that it would have prevented the very job creation that Obama has identified as his top priority.

"Ozone levels and air quality continue to improve under current regulations and our industry is committed to making the air we all breathe cleaner while creating new jobs," API President Jack Gerard said in a statement.

White House officials also said existing rules would reduce ozone, citing the fuel efficiency standards for cars and trucks and the Cross State Air Pollution rule to reduce sulfur and nitrogen oxides. If the EPA were to issue a new standard at the end of 2011, it would have to base it on 2006 science, and should instead wait until 2013, when it can use updated research.

EPA Administrator Lisa Jackson said in a statement her agency will revisit the standard in the future, in compliance with the Clean Air Act.

Ozone is created when emissions of nitrogen oxide from power plants, motor vehicles and other sources combine with volatile organic compounds, such as gasoline vapors, in the presence of sunlight. It can cause asthma and other respiratory problems, according to EPA and public health organizations.

Friday's decision sparked anger from environmental groups. Earthjustice called the administration's decision a "travesty," and Friends of the Earth said in a statement that Obama's record on environmental action "bordered on pathetic."

Obama's announcement clears the way for litigation to resume over the 2008 standard, said Allison Wood, an attorney for industry plaintiffs in the legal battle has been on hold since 2009. Some states and industry groups had challenged the Bush administration's decision to lower the standard from 84 parts per billion to 75 ppb, saying it was too strict, while environmentalists and public health advocates contended the standard should be lowered even further to the 60-70 ppb recommended by EPA's science advisers in 2006.

The case, State of Mississippi et al. v. EPA et al., has been on hold in the US Court of Appeals for the District of Columbia Circuit since early 2009, when the Obama administration announced it would reconsider the standard. The court likely will set a briefing schedule shortly now that Obama has abandoned the reconsideration, Wood said.

EPA's protracted reconsideration of the standard could complicate its ability to defend the 2008 version in court, said Daniel Weiss, senior fellow for climate and energy at the liberal Center for American Progress. Weiss pointed to a July 13 letter from Administrator Jackson to Senator Thomas Carper, a Delaware Democrat, observing that the Bush-era standard was "not legally defensible given the scientific evidence."

Groups including the American Lung Association and Natural Resources Defense Council likely will rely on that and similar statements to argue that the court should force EPA to reduce the limits.

ALA President Charles Connor said his group would resume its challenge to the 2008 standard now that Obama has abandoned the reconsideration.

"For two years the administration dragged its feet by delaying its decision, unnecessarily putting lives at risk," Connor said in a statement. "Its final decision not to enact a more protective ozone health standard is jeopardizing the health of millions of Americans, which is inexcusable."

--Nick Juliano, nicholas_juliano@platts.com, --Sarah Smith, sarah_smith@platts.com

Obama backs off tough clean air regulation

CNN
Sept. 2, 2011
CNN White House Producer Alexander Mooney

CNNMoney has the latest on President Obama's surprising move Friday to back off tightening clean-air standards. The EPA proposal was heavily criticized by Republicans, who argued stricter regulations would slow down job growth:

From CNNMONEY's Steve Hargreaves

NEW YORK (CNNMoney) - After weeks of Republican attacks on the Obama administration's tightening of environmental regulations, the president said Friday he would halt a planned increase in clean air standards.

In a statement released just hours after the U.S. Labor Department said the economy created no new jobs in August, Obama said he told Environmental Protection Agency head Lisa Jackson to withdraw the draft Ozone National Ambient Air Quality Standards.

While stressing his environmental record, Obama said he has "continued to underscore the importance of reducing regulatory burdens and regulatory uncertainty, particularly as our economy continues to recover."

Needless to say, environmentalists, who had considered the president an ally, expressed their anger with the move:

"The White House is siding with corporate polluters over the American people," Frances Beinecke, president of the Natural Resources Defense Council, said in a statement. "Our public officials, including in the White House, serve to protect us from harm. They need to get on with doing their jobs."

US SMALL/MIDCAPS-Industrials down after Obama drops smog rule

Reuters
NEW YORK, Sept 2 | Fri Sep 2, 2011 2:47pm EDT

NEW YORK, Sept 2 (Reuters) - Small and mid-cap industrial stocks fell on Friday after U.S. President Barack Obama unexpectedly asked the Environmental Protection Agency to withdraw a plan to limit smog pollution.

The President's comments followed a grim report on the labor market that U.S. employment growth ground to a halt in August with the unemployment rate stuck at 9.1 percent. The weak jobs report triggered a broad market sell-off, sending major indexes down more than 2 percent. The midcap industrials sector index .4GSPI fell 4.3 percent.

Shares of Koppers Holdings (KOP.N) fell 8.3 percent to $29.69. The company provides carbon compounds and commercial wood treatment products to aluminum, railroad, specialty chemical, utility, rubber, concrete, and steel industries.

Obama said the move to kill one the EPA's major initiatives to clean up the environment was part of a broader government effort to reduce regulatory burdens and uncertainty.

In the technology sector, Netflix (NFLX.O) was one of the top decliners. The stock fell 9.6 percent to $210.76 following the collapse of its content distribution talks with pay-TV operator Starz Entertainment, underscoring investor concerns that it may lose its edge in the online rental market. For more see [ID:nN1E7801V6].

In earnings news, Esterline Technologies Corp (ESL.N) shares fell 13.9 percent to $63.60, a day after the defense contractor forecast a weaker-than-expected outlook for 2011, hurt by slower aftermarket products growth at its largest avionics and controls segment. [ID:nL4E7K22B5]

The S&P MidCap 400 index .MID fell 3.4 percent while the S&P SmallCap 600 index .SML lost 3.3 percent. In comparison, the benchmark S&P 500 markets/index?symbol=us%21spx">.SPX declined 2.6 percent. (Reporting by Angela Moon; Editing by James Dalgleish)

Public health groups slam Obama retreat on smog, vow legal action

The Hill (Healthwatch blog)
09/02/11 03:12 PM ET
By Julian Pecquet -

Public health advocates slammed the White House on Friday for abandoning tougher ozone regulations, and vowed to fight the Obama administration in court.

The American Lung Association called the decision "outrageous" and said it would "severely jeopardize public health." The association said it would restart litigation that had been put on hold following the administration's promises to strengthen standards set under then-President George W. Bush.

"For two years the Administration dragged its feet by delaying its decision, unnecessarily putting lives at risk," President and CEO Charles Connor said in a statement. "Its final decision not to enact a more protective ozone health standard is jeopardizing the health of millions of American, which is inexcusable."

The American Public Health Association also expressed its "extreme disappointment" with the administration.

"We in the public health community, including EPA's own scientific advisors, have urged stronger ozone standards to safeguard the health of Americans," the group's interim executive director, Alan Baker, said in a statement. "The science is clear that ozone can cause asthma attacks, harm those suffering from respiratory illness, send people to the hospital and lead to death. We urge the administration to reconsider its decision and strengthen the health protections provided under the Clean Air Act based on the overwhelming scientific evidence."

The EPA has estimated that the new standards could have prevented 12,000 premature deaths and 58,000 asthma attacks a year.

White House moves to limit fallout from retreat on clean air rule

The Hill (E2 blog)
By Ben Geman - 09/02/11 03:30 PM ET

The White House moved quickly Friday to try and quell anger from the left over President Obama's decision to shelve planned smog regulations.

White House officials vowed Friday to defend other Clean Air Act regulations that are under attack by Capitol Hill Republicans, who plan to move several bills to kill or weaken separate rules including those on power plant mercury emissions, greenhouse gases and toxic emissions from industrial boilers.

“This administration has a very significant record of success when it comes to protecting public health and the environment and that is a record that we are going to stand behind,” a White House official told reporters on a call Friday.

Leading green groups blasted the White House decision in a series of scathing press releases that sounded like the attacks once lodged against the George W. Bush administration.

"The Sierra Club condemns the Obama administration's decision to delay critical, long-overdue protections from smog, an acidic air pollutant that when inhaled is like getting a sunburn on your lungs,” said Sierra Club President Michael Brune, whose group has an active political field operation.

“By putting the interest of coal and oil polluters first, the White House seems to be saying that ‘clean air will have to wait,’” he said.

Frank O'Donnell of Clean Air Watch called Obama's decision an "abject act of political cowardice."

The backlash underscores Obama's delicate position as he tries to show that he's seeking to boost jobs in the sour economy, while fending off relentless GOP claims that his environmental agenda is a brake on growth.

Since last year's disastrous election for Democrats, the president has tried to move to the political center and repair frayed relations with the business community. That effort — epitomized by the selection of William Daley as chief of staff — has already stirred up tension with labor unions, which were among the president's strongest backers in 2008.

Now, with the business-friendly move on the ozone rules, Obama risks alienating another group of key supporters as he embarks on a grueling reelection campaign.

Even before announcing the retreat on ozone rules, Obama's standing among environmentalists had grown precarious ahead of the 2012 elections.

Some activists are warning that potential approval of a major oil sands pipeline could dampen enthusiasm in 2012 among young and green-minded voters that vigorously backed Obama in 2008.

The White House decision to scuttle EPA's plan followed immense pressure from industry groups such as the U.S. Chamber of Commerce, The Business Roundtable, the National Association of Manufacturers and several oil industry groups.

But one White House official insisted Friday that the political heat from business was not behind the decision.

"This is not a product of industry pressure. This is a judgment on the merits," the White House official said.

Obama, in his statement on the decision, did not reference specific GOP or industry attacks, but said "my commitment and the commitment of my administration to protecting public health and the environment is unwavering."

"My administration will continue to vigorously oppose efforts to weaken EPA's authority under the Clean Air Act or dismantle the progress we have made," he said.

But White House officials also said their accomplishments to date will help reduce ozone — which is linked to asthma and other ailments — even as they're abandoning the smog rule itself.

They are citing completed auto efficiency rules and standards to reduce power plant emissions of sulfur dioxide and nitrogen oxides, as well as upcoming utility air toxics rules, among the measures they note will help cut smog-forming pollution.

The White House on Friday said it would not issue pending rules that would have toughened Bush-era ozone standards and instead will wait until the next scheduled review in 2013.

Obama — citing the need to reduce regulatory uncertainty during the economic recovery — said Friday he did not want to implement a new standard that will be reconsidered so soon.

“Work is already underway to update a 2006 review of the science that will result in the reconsideration of the ozone standard in 2013,” Obama said in his statement. “Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.”

Cass Sunstein, the top regulatory official at the White House Office of Management and Budget, said in a letter to EPA Administrator Lisa Jackson that delay will allow more updated science to be brought to bear on ozone policy.

An array of business groups applauded the decision. U.S. Chamber of Commerce President Tom Donohue cited Friday’s Labor Department report that the economy added no net jobs in August in praising the retreat on the ozone rule.

“If today’s employment report reveals anything, it’s that our economy is in neutral and may soon be rolling backwards,” he said, citing industry-funded studies that claimed the ozone rule would have eventually cost millions of jobs.

“I'm pleased the administration recognizes that now is not the time to burden America’s job creators with unwarranted regulations," he said.

EDITORIAL:

Did the White House double-cross its supporters on the smog rule?

Washington Post/Bloomberg Business Blog (Ezra Klein)
By Brad Plumer

(BRIAN NICHOLSON/ASSOCIATED PRESS) Get ready to hear a lot about ozone in the coming weeks. On Friday, in a surprise move, the White House told the EPA to pull back on national standards for ground-level ozone pollution — smog — which the agency has been working on for the past two years. My colleague Juliet Eilperin has the full story, but the upshot is that this represents a clear victory for business groups and Republicans, who had been lobbying to postpone the regulations until a new scheduled review in 2013.

To add a bit to this, though, it’s worth taking a closer look at why environmentalists and clean-air advocates are so furious right now. Groups that have been lobbying for the long-delayed ozone update say they were essentially betrayed by the Obama administration, which, back in 2009, had fended off a lawsuit over Bush-era ozone rules by promising to issue tougher new standards. That, obviously, isn’t going to happen now. What’s more, critics note, the White House’s stated reasons for yanking the rules make no sense at all. Do they have a point?

First, some context. Under the Clean Air Act, the EPA is required to conduct a review of national standards on industrial smog every five years. Ground-level ozone is formed when emissions from power plants, vehicles and factories reacts with sunlight. The resulting pollution can, as the EPA explains,

“trigger a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma.”

The last time new ozone standards were set was back in 1997 — at 84 parts per billion. In 2006, the EPA reviewed the science on ozone and health, which had advanced considerably over the years: It wasn’t until the 2000s, for instance, that researchers realized ground-level ozone might actually be killing people, not just causing respiratory problems. Realizing that the old standards were woefully out of date, EPA scientists recommended a new level of 60 to 70 parts per billion. The Bush administration, however, decided to go with a less-stringent level of 75 parts per billion in its final rules, issued in 2008.

Groups such as the American Lung Association quickly filed a lawsuit to stop the Bush rules, which they claimed were too weak and would lead to thousands of unnecessary deaths and cases of respiratory disease. After Obama got elected, however, the new EPA said it basically agreed with the critics and would issue stronger rules by August 2010. At that point, the ALA agreed to hold off on its lawsuit. “We said, that sounds reasonable to us,” says Paul Billings, the ALA’s vice-president for policy and advocacy. “We basically trusted their intentions.”

But August 2010 rolled around. Still no rules. The EPA asked for a further extension. Then October. Then December. Still nothing. Then the EPA said it wanted to go back and look at the science again, just to double-check. Sure enough, EPA’s scientific review board said that a standard of 60 to 70 parts per billion was the most cost-effective way to protect public health. And EPA administrator Lisa Jackson announced that the final rules would be in line with the science.

Industry groups, obviously, weren’t pleased with this. They noted that complying with a stricter standard could cost them anywhere from $19 billion to $90 billion per year by 2020. (The EPA did, however, note that a tougher standard would yield benefits of $13 billion to $100 billion, and that the benefits would outweigh the costs.) Republican House Majority Leader Eric Cantor dubbed the ozone proposal “possibly the most harmful of all the currently anticipated Obama administration regulations.”

So now, today, the White House announced that it’s not going to have any new rules. On a call with reporters, White House officials argued that it doesn’t make sense to put out new rules in 2011 when there’s going to be another scheduled review of the ozone science in 2013.

But critics say that this reasoning is flawed. For one, notes Amy Royden-Bloom of the National Association of Clean Air Agencies, if the EPA did issue a new ozone standard this year, then it could always just postpone its next scientific review until 2016, in line with the law. Second, notes Frank O’Donnell of Clean Air Watch, there’s no reason to think that a brand-new ozone standard will actually be issued by 2013. That’s just when the scientific review is due. Crafting new rules will take longer than that, given the inevitable delays and lawsuits. “I’d say three years, minimum,” says O’Donnell. (When I asked White House officials about this, they said they weren’t sure how long it would take.) And third, says Paul Billings of the ALA, it’s not clear that the science on ozone and human health will change dramatically between now and 2013 — if anything, the case for regulating ozone is likely to get stronger.

So what happens now? Right now, most states are still operating under the old 1997 standards. The EPA had earlier directed states not to follow the (somewhat stricter) 2008 Bush standards, because it was working on even tighter rules. But now those tighter rules aren’t happening. As Bill Becker of the National Association of Clean Ar Agencies told me, the EPA now has the option of directing states to follow the Bush-era rules, but that seems unlikely, given the White House’s preference to wait until the 2013 review. Which means states would keep operating under the old 1997 standards, which are more lax than even

what the Bush administration had proposed. “We would have stricter protections right now if we had just followed the Bush-era rules back in 2008,” says Becker.

And it’s unclear whether the ozone rules will get updated anytime soon. Becker notes that with each delay, the political debate over ratcheting up the standard becomes fiercer and fiercer, because the costs of compliance of any new rule will go up. And if a new president hostile to environmental regulation comes into office — Rick Perry, say — then the EPA may never get around to issuing new ozone rules.

Not surprisingly, business groups are pleased with this prospect. “This is an enormous victory for America’s job creators,” the Chamber of Commerce announced today. The White House, meanwhile, is trying to deflect criticism by pointing out all the other new EPA regulations they’ve been moving forward with. But this move looks like it could leave a lasting rift between the White House and its environmental base.

By Brad Plumer | 02:19 PM ET, 09/02/2011

Obama Burns Gas Drillers On Ozone

WSJ – Heard on the Street blog
Sept. 2, 2011
By LIAM DENNING

It is amusing that Washington, of all places, gets to regulate emissions of hot air. But natural-gas producers aren't laughing.

The White House's climb-down on tightening rules for levels of smog-forming ozone, announced Friday, came the same day as dreadful August jobs data. The president is caught between the demands of environmentalists and a struggling economy, where any regulation can be framed as "job killing."

The big question is whether Friday's cave on ozone portends a scaling back of the Environmental Protection Agency's plans for other emissions.

New EPA rules curbing emissions of airborne nasties like mercury could force the closure of 54 gigawatts, or 16%, of U.S. coal-fired electricity generating capacity, according to Sanford C. Bernstein. Gas producers need this in order to boost demand for their fuel in an oversupplied market.

The prevailing view is that, despite coming House votes aimed at derailing tighter EPA standards, the White House and Senate provide solid support. But Friday's announcement suggests economic malaise is eroding that.

Republicans will be encouraged to press for more concessions, perhaps through anti-EPA riders on spending bills. They will be aided by a report this week from the grid operator in—where else?—Texas warning that EPA-inspired plant closures could lead to rolling blackouts there.

Against this, the president must still consider his base, and even arch-partisans across the aisle will find defending mercury a tough sell. One political concession doesn't a trend make. But gas producers were

struggling already with demand-damping effects of high unemployment. The latter now also serves to throw into doubt the environmental program they hoped would ride to their rescue.

Write to Liam Denning at liam.denning@wsj.com

Obama Gets Hearts — and Darts — for Halting Proposed Ozone Rule

Wall Street Journal (blogs)
September 2, 2011, 4:37 PM ET
By Mary Lu Carnevale

President Barack Obama's move to withdraw a proposed air pollution rule had a predictable mixed reaction: Environmental groups scolded the president, while Republicans and business leaders, who have often cited the ozone rule as a job killer, offered praise.

Still, business organizations greeted the announcement with warnings that more needed to be done.

"If President Obama's speech next week is as positive as this decision was today, it will be a success," said John Engler, president of the Business Roundtable.

At the U.S. Chamber of Commerce, President and CEO Thomas Donohue said his organization "is glad the White House heeded our warning and withdrew these potentially disastrous . . . actions from the EPA." He said the move "will help reduce the uncertainty facing businesses. It's also a big first step in what needs to be a broader regulatory reform effort."

Environmental groups called the decision a loss for public health. "The Obama administration is caving to big polluters at the expense of protecting the air we breathe," League of Conservation Voters President Gene Karpinski said in a statement. Sierra Club Executive Director Michael Brune described the now-withdrawn rule as a needed protection against smog, "an acidic air pollutant that when inhaled is like getting a sunburn on your lungs."

And Natural Resources Defense Council President Frances Beinecke saw potential trouble for future air-quality regulations. "The Clean Air Act clearly requires the Environmental Protection Agency to set protective standards against smog—based on science and the law. The White House now has polluted that process with politics," she said.

In the House, Rep. Pete Sessions (R., Texas) who heads the House Republicans' campaign committee, used the occasion to throw some darts at Mr. Obama.

"President Obama has been an economic arsonist who now wants to play firefighter and take credit for saving American businesses from job-destroying regulations," Mr. Sessions said. "As one of thousands of new regulations planned this year, President Obama's excessively stringent ozone standard would cost billions of tax dollars and millions of American jobs."

Barb Arrigo: Bad air day

2:55 PM, Sep. 2, 2011
Detroit Free Press
BY BARBARA ARRIGO
DETROIT FREE PRESS EDITORIAL WRITER

How appropriate. President Barack Obama chose a day forecast to be one of the dirtiest air days of the year to announce a postponement of one of the new clean air regulations.

The reason he cited — that the science behind this particular smog standard is being re-evaluated in advance of another round of rules in fast-approaching 2013 — seems sensible. But the making of new air rules has been held up for years, mostly because of delay after delay during the Bush administration. The bing-bang-boom pace of recent EPA announcements is the result of all those delays and various court cases, not simple zealotry from Obama administration officials such as EPA administrator Lisa Jackson.

Clearly over the long haul from the 1970s, the air is cleaner. If you believe it's clean enough now, fine. And maybe in Michigan, where industrial activity has ratcheted back considerably and population is declining, we would be OK with holding steady. But that's clearly not the case with other parts of the country.

The National Park Service operates a set of visibility cameras (click on the NPS Air Webcams tab for the map), and as I write this, Joshua Tree National Park in southern California is already heading into the ozone danger zone. As is Shenandoah National Park in Virginia. Ready to take your lungs for a hike?

Even more striking is the way ozone travels. As the camera at the Seney Wildlife Refuge often shows, ozone can drift into the Upper Peninsula (as we know it also does along the western side of the Lower Peninsula), even when there are few if any major emissions sources for miles and miles.

In the long-term trend of mostly improving air quality, a delay of two years may not be significant. But in the medium term trend of all the politicking against the EPA and of all the claims that regulation hurts business so regular people just have to put up and shut up, this is disheartening. In 2013, do you think President Perry Paul Bachmann Romney will care about the air you breathe?

Obama Rewards Polluters, Blocks New Smog Restrictions

Rolling Stone
September 2, 1:49 PM ET
By Tim Dickinson

Today the Obama administration did the indefensible. It did the bidding of the American Petroleum Insitute and pulled the plug on a new, stricter standard for ozone (i.e. smog) pollution, jeopardizing public health for short-term political gain.

Some quick background: Smog is the nation's most prevalent pollutant. It causes lung damage and asthma attacks. People die early because of too much smog. In 2008, the Bush administration called for

a standard of 75 parts per billion, a decision that flew in the face of the of a unanimous panel of EPA scientists who called for a smog standard as low as 60 ppb.

Under administrator Lisa Jackson, the EPA has been at work revising the Bush regulation, seeking to replace it with a science-based standard. The agency estimated that tighter controls on smog at 60 ppb might create costs of $90 billion for polluters, but that society could reap as much as $100 billion in return on that investment -- in the form of fewer sick days and reduced medical expenses.

API met with the White House in late July to make the case that a reduction in smog would be too costly, and argued the administration wasn't technically obligated to revisit the faulty Bush standard until 2013.

In a letter today, Obama's regulator czar Cass Sunstein, acting "at the President's direction," instructed Jackson to withdraw the new rule, forestalling action until 2013, because "finalizing a new standard now is not mandatory." While observing that the EPA is barred from considering financial costs when creating new Clean Air regulations, Sunstein nonetheless emphasized Obama's wish to "minimize regulatory costs and burdens, particularly in this economically challenging time."

Health and environmental advocates have been rightfully outraged. But the oil industry couldn't be happier:

"The President's decision is good news for the economy and Americans looking for work," said API President and CEO Jack Gerard. "The oil and natural gas industry was one of the few industries to actually create jobs in August. With the right public policies, we can do more to help generate more American jobs and help get our economy back on track."

Obama backs down on smog standards

Seattle Post-Intelligencer (Politics blog)
Sept. 2, 2011

President Obama announced Friday that he will keep in place Bush-era smog standards described by his own EPA director Lisa Jackson "not legally defensible given the scientific evidence on the record" of dangers to human health.

The president's decision, vetoing an EPA plan to lower emissions of ozone into the atmosphere, is a victory for business groups and was applauded by an aide to GOP House Speaker John Boehner.

It was roundly condemned by environmental groups, which have lately suffered a series of setbacks at hands of the Obama administration.

Republican House Majority Leader Eric Cantor hailed Obama's decision as "a step in the right direction." Cantor had described EPA's draft of ozone limits as "possibly the most harmful of all the currently anticipated Obama administration regulations."

But Gene Karpinski, head of the League of Conservation Voters, said of Obama's decision: "This is a huge win for corporate polluters and a huge loss for public health."

“Smog standards exist because smog is dangerous to human health,” added Frances Beinecke, president of the Natural Resources Defense Council. “It causes respiratory illness, cardiac disease and premature death . . . The stronger smog standards would have saved up to 4,300 lives and avoided as many as 2,200 heart attacks every year.”

Obama’s decision keeps in place a three-year old rule implemented under President George W. Bush.

The EPA’s scientific experts recommended in 2006 that ground-level ozone be limited to between 60 and 70 parts per billion. The Bush administration set a standard of 75 parts per billion.

The EPA’s Jackson announced in January of last year that the standard would be set in the 60-70 parts per billion range. On Friday, however, Obama asked her to dump the draft standards and argued that they were due to be reconsidered anyway.

“Work is already underway 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.”

The Obama administration has disappointed its environmental allies on several fronts in recent weeks.

It approved Shell Oil’s proposed drilling for oil in the Beaufort Sea of Arctic Alaska. The U.S. Statement Department found there will be no adverse environmental impacts to a 1,711-mile-long pipeline that will link Alberta’s oil sands project to the Gulf Coast.

“In his statement today, President Obama referred to a need to reduce ‘regulatory burdens’: But having cleaner air to breathe is not a burden for the American people,” said the NRDC’s Beinecke.

Obama’s announcement came on the day that new employment figures showed no new jobs created by the American economy during August — a month that saw debt impasse in Washington, D.C., a major hurricane and the Verizon strike.

Rep. Fred Upton, R-Mich., chairman of the House Energy and Commerce Committee, told the Washington Post earlier in the week: “If you’re serious about a jobs agenda, the last thing you want to be doing is adding tens of billions of dollars in costs every year.”

Bur proponents have argued that tighter smog standards will save billions of dollars in health costs, and make breathing easier for 24 million Americans living with asthma.

“Today’s decision means the Obama administration now accepts the Bush-era standard: It also means we will resume our lawsuit challenging it,” said the NRDC’s Beinecke.

Obama Administration Delays Life-Saving Smog Standards

Huffington Post (Green page)
By Frances Beinecke, President, Natural Resources Defense Council
Posted: 9/2/11 02:32 PM ET

Today the Obama administration made a decision that will endanger the health of tens of thousands of Americans. Its choice to delay stronger standards for smog lets polluters off the hook and leaves Americans with sicker family members and higher medical costs.

Smog standards exist because smog is dangerous to human health. It causes respiratory illness, cardiac disease, and premature death. Though we have made progress in reducing this harmful pollution in American skies, we haven't licked the problem yet.

The stronger smog standards would have saved up to 4,300 lives and avoid as many as 2,200 heart attacks every year. They would have made breathing easier for the 24 million Americans living with asthma. And they also would have created up to $37 billion in health benefits annually.

By failing to deliver these health and economic benefits to the American people, President Obama has come down on the side of polluters and those extreme forces who deny the value of government safeguards.

In his statement today, President Obama referred to a need to reduce "regulatory burdens." But having cleaner air to breathe is not a burden for the American people.

Nor is complying with safeguards an undue burden for business. Businesses would have incurred costs to reduce their smog pollution, just as they have to pay to haul away garbage, make sure transit fleets don't endanger drivers, and make sure their food products don't sicken people. These are some of the costs of doing business.

In the case of ozone standards, the costs wouldn't have kicked in for several years, long after the current economic downturn. And keep in mind that in 2010, the top 10 utilities had a combined $28.4 billion in profits and $7.5 billion in cash balances. They can afford to embrace innovative pollution controls and protect their customers' health.

Meanwhile clean air investments yield enormous returns. The smog standards would generate $37 billion in value for a cost of about $20 billion by 2020. Take together, Clean Air Act standards generated approximately $1.3 trillion in public health and environmental benefits in 2010 alone for a cost of $50 billion. That's a value worth more than 9 percent of GDP for a cost of only .4 percent of GDP. The ratio of benefits to costs is more than 26 to 1.

Americans know it's cheaper to stay healthy than it is to pay for asthma attacks, missed work days, emergency room visits, and hospital stays. That's why a June poll for the American Lung Association of likely 2012 voters from all parties found that 75 percent support the EPA's effort to set stronger smog standards and 66 percent believe that EPA scientists -- not Congress -- should establish clean air standards.

Strengthening the standards for smog isn't just popular. It's required by law.

In 2008, the Bush EPA adopted ozone standards outside the range unanimously recommended by the EPA's science advisors. As a result, those standards were challenged by more than a dozen states, the American Lung Association, NRDC, and others for being unlawfully harmful to public health.

When the Bush EPA ignored its own science advisors on another air quality standard, the D.C. Circuit Court of Appeals unanimously overturned those standards. Lisa Jackson, the current EPA administrator,

wanted to avoid a similar legal fate on ozone. She concluded that the Bush-era ozone rules are "not defensible" under the Clean Air Act, and she committed to creating a legal standard that protects Americans' health.

Today's decision means the Obama administration now accepts the Bush-era standard. It also means NRDC will resume our lawsuit challenging it.

The Obama administration has been on the right side of the law and the science on other strong clean air protection -- including the one limiting mercury pollution -- which are now under attack in Congress. The president needs now to mount a forceful defense of those standards so we don't endanger Americans further.

This post originally appeared on NRDC's Switchboard blog.

Obama Drops Smog Initiative

Slate Magazine
Posted Friday, Sep. 2, 2011, at 2:26 PM EDT
By Daniel Politi

The president hands victory to businesses and Republicans by abandoning new standard.

For the White House, it seems economy trumps environment. Shortly after the dismal jobs report, President Barack Obama surprised Washington by unexpectedly asking the Environmental Protection Agency to withdraw a plan that would have cut smog levels, handing a victory to businesses and Republicans that had long criticized the initiative. The business community has been carrying out an intense lobbying campaign against tightening the restrictions on ground-level ozone, insisting “the new rule would cost billions of dollars and hundreds of thousands of jobs,” writes the New York Times.

Obama said the standards were scheduled to be reviewed two years from now anyway and there was no sense in rushing the process. “Work is already underway to update a 2006 review of the science that will result in the reconsideration of the ozone standard in 2013,” Obama said. “Ultimately, I did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.”

The ground-level ozone standards are usually reviewed every five years. But EPA Administrator Lisa P. Jackson had pushed to review it now because the one set under George W. Bush’s administration of 75 parts per billion in 2008 “was significantly higher than the 60 to 70 parts per billion recommended by the EPA’s scientific advisory committee at the time,” explains the Washington Post. Businesses quickly praised the decision and some Republicans offered guarded praise. House Speaker John Boehner called it a “good first step” but said it was "only the tip of the iceberg," reports the Los Angeles Times. For their part, environmentalists condemned the move and harshly criticized the president. “Obama utterly caved,” said Bill Snape of the Center for Biological Diversity.

The Associated Press points out that while a stronger standard could cost billions to implement, it “would also save billions in avoided health care costs and hospital visits.” Yet that was clearly not at the forefront of the administration’s concerns. One lobbyist who refused to be identified tells the Post that the White House was nervous about pushing for the rule at a time when the economy is struggling to recover.