Message

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Subject: News update: GOP panel to question McCarthy on scientific basis for rules (E&E News)

GOP panel to question McCarthy on scientific basis for rules

Amanda Reilly, E&E reporter
Environment and Energy Daily
June 20, 2016
http://www.eenews.net/eedaily/2016/06/20/stories/1060039048

In what's likely to be a contentious matchup, U.S. EPA Administrator Gina McCarthy this week will face congressional critics over her agency's use of science.

The hearing Wednesday in the House Science, Space and Technology Committee could cover a broad range of topics, as GOP critics on the committee have expressed concerns about the scientific underpinning of a number of agency rules.

"The purpose of this hearing is to examine the U.S. Environmental Protection Agency's (EPA) recent regulatory agenda, the scientific and technical justification for these regulations, and these regulations' impacts on the American people," a Science Committee spokesperson said Friday.

McCarthy last testified in front of the full Science panel in July 2015 in a hearing that committee Democrats blasted as "political theater."

At that hearing, which similarly looked at the science behind a range of agency regulations, the EPA administrator and Republicans traded barbs over the use of private data and committee requests for information (*Greenwire*, July 9, 2015).

The majority staff spokesperson said that EPA's Clean Power Plan, Waters of the U.S. rule and regional haze program rule could come up at this week's hearing. Lawmakers may also grill McCarthy on the proposed Pebble mine in Alaska.

Science Chairman Lamar Smith (R-Texas), a doubter of man-made climate change, has long raised concerns about the Clean Power Plan, which requires states to develop plans to reduce carbon dioxide emissions from power plants. The Supreme Court in February stayed the rule until complex litigation is resolved.

Smith has charged that the Obama administration used "scare tactics, worst-cased scenarios and biased data" to justify the Clean Power Plan. The rule is the centerpiece of the Obama administration's domestic climate change agenda, and EPA has maintained that it will eventually be upheld by the courts.

Committee Republicans have likewise slammed the agency's water rule, which seeks to clarify which waters of the United States receive automatic protection under the Clean Water Act, as a federal power grab. Last October, the 6th U.S. Circuit Court of Appeals issued a temporary stay of the rule.

Smith and other Republicans on the Science Committee have also criticized EPA for undercutting state authority through its regional haze program, which is meant to reduce visibility-impairing pollutants at national parks and wildernesses.

Smith's home state of Texas is seeking a court-ordered stay of a plan to reduce haze at two national parks in the Lone Star State and a national wildlife refuge in Oklahoma (*Greenwire*, April 8).

"We look forward to EPA's presence at a future hearing," Smith said in March at a subcommittee hearing on the regional haze program. "EPA will also be expected to answer questions about other regulations that the agency has recently issued or finalized."

EPA's April proposal to update the regional haze program and give states a three-year extension on a 2018 deadline to rework implementation plans may also be discussed.

The proposed Pebble mine in Alaska is likely to be a flashpoint if it comes up at the hearing.

At a hearing earlier this year, Republicans on the Science, Space and Technology Committee accused EPA of conspiring with environmental activists to block the controversial open-pit mine proposal in Bristol Bay. EPA Region 10 Administrator Dennis McLerran rejected the allegations and defended the agency's assessment of the Bristol Bay Watershed (*E&E Daily*, April 29).

Recently, Smith has focused on two other agency actions: EPA's review of the herbicide glyphosate's cancer risk and EPA's program for reviewing the safety of chemicals. It's possible that Republicans will use the hearing to grill McCarthy about those topics, as well.

Schedule: The hearing is Wednesday, June 22, at 10 a.m. in 2318 Rayburn.

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