

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062-2000  
202/463-5310

June 24, 2014

The Honorable Jeff Flake  
United States Senate  
Washington, DC 20510

Dear Senator Flake:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, commends you on the introduction of S. 2514, the "Ozone Regulatory Delay and Extension of Assessment Length (ORDEAL) Act." This legislation would improve the rulemaking process involved with the Environmental Protection Agency's review and setting of National Ambient Air Quality Standards (NAAQS).

The EPA has established NAAQS for six "criteria" pollutants, including ozone and particulate matter. Under the Clean Air Act, the EPA is required to review the NAAQS for those pollutants every five years. The five-year NAAQS review timeline, however, has led to inefficiencies and unnecessary regulatory burdens, as the EPA and state environmental agencies often are undertaking a review of a NAAQS for a particular pollutant while still in the process of trying to implement the existing NAAQS for that same pollutant.

The ORDEAL Act would revise the EPA's existing timeline to review the NAAQS and air quality criteria from 5-year intervals to 10-year intervals. Additionally, it would prohibit the EPA from finalizing, implementing, or enforcing a revised ozone NAAQS until 2018, putting it on a true 10-year cycle. The additional time between the requisite NAAQS reviews would mean a more efficient use of federal and state agency resources, less confusion in the review and implementation of NAAQS, and NAAQS reviews based upon more comprehensive data.

As to ozone specifically, it is critical that any review of the ozone NAAQS be done in a thorough and comprehensive manner, based upon quality data and sound science, and considerate of the potential economic impacts of lowering the standard. If a county or area fails to meet the ozone standard, the resulting "nonattainment" designation has immediate and severe repercussions, such as increased costs to industry, permitting delays, restrictions on expansion, and potential impacts to transportation funding.

The Chamber thanks you for introducing the ORDEAL Act and looks forward to working with you on this important piece of legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being the most prominent parts.

R. Bruce Josten