

Message

From: Bennett, Tate [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FA92542F7CA4D01973B18B2F11B9141-BENNETT, EL]
Sent: 7/3/2018 2:56:24 PM
To: phedger@freedomworks.org
Subject: Fwd: WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority

Begin forwarded message:

From: Bennett.Tate@epa.gov
Date: June 27, 2018 at 3:43:16 PM EDT
To: Tate Bennett <Bennett.Tate@epa.gov>
Cc: gordon.stephen@epa.gov
Subject: **WSJ: EPA's Pruitt Wants to Limit His Own Agency's Authority**

In case you missed it, this WSJ piece is in response to the internal directive EPA released yesterday directing the agency to end pre-emptive veto practices with respect to 404(c) permitting. Let us know if you have any questions. -Tate Bennett, Associate Administrator for Public Engagement, U.S. EPA, Ex. 6

Ex. 6

The Wall Street Journal

EPA's Pruitt Wants to Limit His Own Agency's Authority

The Wall Street Journal

By Tim Puko

June 26, 2018

<https://www.wsj.com/articles/epas-pruitt-wants-to-limit-his-own-agencys-authority-1530091923>

The chief of the Environmental Protection Agency is trying to limit one of the agency's most powerful tools to manage or block mining, real-estate and other developments by removing the effective veto power it has over permits to dump waste into waterways.

The move, described in a memo reviewed by The Wall Street Journal, would limit the agency's power to pre-emptively or retroactively block U.S. Army Corps of Engineers approval of the waste dumping, hindering or potentially killing large development projects.

It is the latest attempt at a regulatory rollback from EPA Administrator Scott Pruitt, who has pledged to ease environmental restrictions on businesses. He wrote in the memo to some senior staff, including regional administrators, that the powers he intends to curb have a chilling effect on economic development.

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Mr. Pruitt is ordering EPA's Office of Water to relinquish authority the agency has had for about 40 years under the Clean Water Act of 1972 to prohibit some approvals by the Corps even before a developer formally applies for them, or to throw them out years after they were granted—even after a project is complete and operational.

The Corps has permitting authority when developers want to dump excavated land and waste into waterways, most commonly sought for mines and real-estate development, experts said. But Congress granted EPA the review authority over that permitting and power to reject permits approved by the Corps. While advocates see it as a fail-safe the agency can leverage to encourage developers into more environmentally friendly practices, Mr. Pruitt thinks the power is so broad it is vulnerable to abuse, according to a person familiar with his thinking.

...

Mr. Pruitt's memo directs EPA staff to send a draft policy to the White House for review within six months. The new policy would need to go through a public comment period before it is finalized, according to a person familiar with the process.

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