

Message

From: Kovacs, William [WKovacs@USChamber.com]
Sent: 4/5/2017 9:52:07 PM
To: Bolen, Brittany [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31e872a691114372b5a6a88482a66e48-Bolen, Brit]
Subject: Section 321 (a) of the CAA
Attachments: 101309 Senate Letter to Lisa Jackson re Section 321.pdf; Murray Energy v. McCarthy.docx

Importance: High

Brittany:

This is to update you on the long term congressional effort to have EPA implement section 321(a) of the Clean Air Act which mandates the agency undertake a continuing evaluation of the job impact of its regulations. The Senate has been involved in this issue since 2009 when six Senators sent a letter to EPA Administrator Jackson and requested that EPA implement section 321(a) of the Clean Air Act. (A copy of the original letter is attached.) The section requires EPA to undertake a continuing analysis of the job impacts of its regulations. While the Obama administration refused to implement that section the Murray Energy Company sued EPA in a WVA Federal court and won. The court issued a mandatory injunction against EPA mandating that it implement the jobs analysis mandate. EPA appealed a few days after the new administration took office. Unfortunately with all that is going on the administration is proceeding as if the Obama administration is still running EPA. Oral argument on the appeal is May 9th in the Fourth Circuit Court of Appeals. The government must file its briefs by mid – April.

Also attached is a short description of the Murray litigation and the importance of the case to protecting jobs.

Presently there is being prepared a joint House – Senate letter to the administrator that talks about the benefits of the jobs analysis should EPA decide to withdraw the appeal. The administrator should receive it in a few days.

Thanks for any consideration you give to this matter.

Best wishes,

Bill Kovacs
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