

June 20, 2018

Administrator Scott Pruitt
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460
Attention: Docket ID No. EPA–HQ–OA–2018–0107

Re: *Request for 90-day comment period and public hearing for advance notice of proposed rulemaking – Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process*

Dear Administrator Pruitt:

The Northeast States for Coordinated Air Use Management (NESCAUM)¹ respectfully request an additional 60 days along with a public hearing to comment on the US EPA advance notice of proposed rulemaking “Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process” (Docket ID No. EPA–HQ–OA–2018–0107). The Federal Register notice appearing on June 13, 2018 provides for only a 30-day comment period, which ends July 13, 2018 (83 Fed. Reg. 27524).

EPA’s notice is “to request more information about the nature and extent of issues raised by stakeholders regarding EPA practices in considering costs and benefits in the rulemaking process, and to solicit comment on potential approaches that would provide improved consistency and transparency” (83 Fed. Reg. at 27526). The breadth of this request will require careful consideration by interested commenters, as it could touch upon virtually every regulatory program initiated by EPA under the Clean Air Act. The potential implications are large, and it will take considerable time to fully assess the relative merits of alternative approaches to benefit-cost analyses underpinning rulemakings, as well as to assess how any changes may affect previously settled case law, such as in the setting of National Ambient Air Quality Standards.

In light of its broad call for input, the comment period of only 30 days is too short to give our states and the public a meaningful time window for consideration and comment. We therefore

¹ NESCAUM is the association of state air agencies in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

request an additional 60 days to provide a full 90-day comment period. In addition, we also request that EPA hold a public hearing during the extended 90-day comment period. A 90-day comment period with a public hearing provides our states and the public a more reasonable opportunity to comment in light of this notice's significant implications for public health and environmental protection. Thank you for your consideration of our request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur N. Marin".

Arthur N. Marin
Executive Director

cc: NESCAUM state directors
Bill Wehrum, Assistant Administrator EPA OAR
Dave Conroy, EPA R1
Richard Ruvo, EPA R2