

H.J. Res. 59, a CRA bill that blocks the Environmental Protection Agency's (EPA) Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act Rule (RMP rule) by Rep. Markwayne Mullin (OK-02)

Dear Colleague,

On January 13, 2017, the Obama Administration published another unnecessary midnight regulation: the Environmental Protection Agency's (EPA) *Accidental Release Prevention Requirements: Risk Management Programs under the Clean Air Act* ("RMP Rule"). The RMP program is intended to reduce the risk of accidental releases impacting areas surrounding facilities. Unfortunately, EPA once again exceeded its jurisdictional limits by encroaching on Occupational Safety and Health Administration (OSHA) regulated areas and finalized a rule that not only fails to enhance safety, but in fact may compromise national security.

This rule increases operating costs for businesses with no corresponding increase in safety. Ignoring industry comments and safety experts to develop a rule that trades safety for paperwork is no way to do business. In fact, this rule actually **INCREASES** security concerns by making it easier for terrorists or other bad actors to gain access to sensitive information that could be exploited. Even officials in the Obama Administration's Department of Homeland Security raised these security concerns, citing the dangerous precedent this public oversharing would set.

"Yet again, we see that the Obama Administration has published another unnecessary midnight regulation on their way out the door," Representative Markwayne Mullin said of his bill. "In this case, the EPA's RMP Rule trades safety for paperwork as it ignores industry comments and safety experts. By imposing such heavy-handed regulatory burdens on businesses, this rule's costs far outweigh the benefits for the businesses who are obligated to follow it. Further, in a time when our nation's security is a top priority, this rule actually compromises our security by allowing anybody to access sensitive information regarding our facilities. That kind of information could be catastrophic for our nation's security if it lands in the hands of the wrong people."

We must use the Congressional Review Act to disapprove of this misguided rule, and the EPA should work with stakeholders to ensure that the regulatory framework is effective in increasing safety and security, not detrimental to it. The current RMP framework works in a sector that already prioritizes safety above all else and that Bureau of Labor Statistics proves is among the safest in the nation.

Please join me in co-sponsoring this commonsense resolution to ensure that we are not making it easier for terrorists or criminals to exploit facilities that store regulated substances. For more information or to co-sponsor, please contact Jonathan Gray in my office at 5-2701 or jonathan.gray@mail.house.gov.

Sincerely,

Markwayne Mullin
Member of Congress