

The Administration's Failure to Adopt Needed Regulatory Safeguards in a Timely Way Is Costing Lives and Money

Rule (Agency)	Components	Spring 2011 Regulatory Agenda Deadlines	Fall 2011 Regulatory Agenda Deadlines	New Delays	Total Costs of Delays
1. Boiler MACT (EPA)	Area Source	N/A	Final Rule: April 2012	Reconsideration will effectively delay rule by at least one year	2,500 – 6,500 premature deaths, 4,000 non-fatal heart attacks, 1,600 cases of chronic bronchitis, and more than 310,000 lost work and school days (assuming delay of one year)
	Major Source	N/A	Final Rule: April 2012	Reconsideration will effectively delay rule by at least one year	
	Solid Waste Incineration Units	N/A	Final Rule: April 2012	Reconsideration will effectively delay rule by at least one year	
2. Ozone and Particulate Matter NAAQS (EPA)	Ozone NAAQS	Final Rule: August 2011	Proposed Rule: July 2013 Final Rule: April 2014	Delay of at least 2 years and 8 months	4,000 – 11,467 premature deaths, 5,867 non-fatal heart attacks, 2,347 cases of chronic bronchitis, 2,053,333 lost work and school days (assuming delay of 2 years and 8 months)
	Particulate Matter NAAQS	Proposed Rule: TBD Final Rule: TBD *Clean Air Act requires review/proposal (if applicable) by October 2011	Proposed Rule: June 2012 Final Rule: June 2013 *Per court filings ; the regulatory agenda lists dates for completing the proposed and final rules as "to be determined."	Delay of at least 8 months	No data available to quantify the costs of delay; however, particulate matter contributes to premature death, non-fatal heart attacks, chronic bronchitis and other respiratory illness, and environmental damage (impaired rivers, degraded soil, and plant and tree destruction)

3. New Source Performance Standards to Reduce Greenhouse Gas Emissions (EPA)	NSPS for Petroleum Refineries	Proposed Rule: December 2011 Final Rule: November 2012	Proposed Rule: December 2011 (already missed) Final Rule: November 2012	Proposal is more than 2 months behind schedule; final rule likely delayed by more than 2 months	No data available to quantify the costs of delay; however, petroleum refineries and power plants are the two largest stationary sources of climate-changing greenhouse gases (accounting for roughly 78% of releases from all stationary sources); climate change causes increased temperatures, rising sea levels, increased extreme weather events, species extinction, and migration of tropical disease)
	NSPS for Power Plants	Proposed Rule: August 2011 Final Rule: June 2012	Proposed Rule: January 2012 (already missed) Final Rule: June 2012	Proposal is behind schedule; total delay now up to 6 months and counting; the final rule is likely to be delayed by at least 6 months as well	
4. CAFE Standards (EPA/NHTSA)	Heavy-Duty Vehicles	Final Rule: August 2011 (EPA/NHTSA)	Not in regulatory agenda; rule completed in September	N/A	N/A
	Light-Duty Vehicles Model Years 2017-2025	Proposed Rule: September 2011 Final Rule: TBD (EPA/NHTSA)	Proposed Rule: December 2011 Final Rule: August 2012 (EPA/NHTSA)	Proposal delayed by 3 months; final rule likely to be delayed by at least 3 months as well; however, the rule's effective date (initial application to model year 2017) is unlikely to be delayed	No costs unless effective date is pushed beyond model year 2017 as a result of the delay

5. Scope of Clean Water Act (EPA)	Rulemaking to Codify Draft Guidance	Proposed Rule: Not part of regulatory agenda Final Rule: Not part of regulatory agenda	Proposed Rule: March 2012 Final Rule: TBD *Projected proposed rule date comes from the EPA's online rulemaking gateway ; the regulatory agenda lists the date for completing a proposed rule as TBD and lists no date for completing the final rule	Indeterminate	No data available to quantify the costs of delay; however, rule would protect wetlands and marginal waters, which control non-point source pollution, prevent flooding, and provide critical habitat to endangered species
6. National Stormwater Program (EPA)	National Stormwater Rule	Proposed Rule: September 2011 Final Rule: November 2012	Proposed Rule: January 2012 (already missed) Final Rule: November 2012	Proposal is behind schedule; total delay now up to 5 months and counting; final rule is likely to be delayed by at least 5 months as well	No data available to quantify the costs of delay; however, rule would prevent urban pollution runoff (<i>e.g.</i> , motor oil, lawn fertilizer, etc.) from impairing nation's waters and destroying aquatic vegetation and habitat

7. Mountaintop Removal Mining Rules (EPA, Department of the Interior, and the U.S. Army Corps of Engineers)	Guidance on the Application of the Clean Water Act	Proposed Rule: Not in regulatory agenda; no rulemaking underway Final Rule: Not in regulatory agenda; no rulemaking underway	Proposed Rule: Not in regulatory agenda; no rulemaking underway Final Rule: Not in regulatory agenda; no rulemaking underway	Indeterminate	No data available to quantify the costs of delay; however, these rulemaking activities would help protect mountain lands and streams against irreversible damage; safeguard habitat for many animal species, including several endangered species; preserve drinking water supplies of Appalachian communities
	Stream Buffer Rule	Proposed Rule: December 2011 Final Rule: TBD	Proposed Rule: April 2012 Final Rule: TBD	Delay of at least 4 months	
	Nationwide Permit 21	Proposed Rule: June 2011? Final Rule: December 2011	Proposed Rule: February 2011 Final Rule: December 2011 (deadline missed)	Final permit issued in February 2012, more than 1 month behind schedule.	No costs because final permit was completed before current permit expired in March of 2012
8. Coal Ash Disposal Rule (EPA)	Coal Ash Disposal Rule	Final Rule: TBD	Final Rule: TBD	Indeterminate	No data available to quantify the costs of delay; however, the strong version of the proposed rule would prevent at least 726 cases of cancer, save at least \$466 million dollars in avoided groundwater cleanup costs and up to \$16.7 billion on avoided impoundment failure cleanup costs

9. Injury and Illness Prevention Programs (I2P2) (OSHA)	I2P2 Rule	Initiate SBREFA process: June 2011 Proposed Rule: TBD Final Rule: TBD	Initiate SBREFA process: January 2012 (already missed) Proposed Rule: TBD Final Rule: TBD	SBREFA process is behind schedule; total delay now up to 8 months and counting; OSHA documents indicate SBREFA process will begin in March resulting in a total delay of at least 9 months; the final rule is likely to be delayed by at least 9 months as well	No data available to quantify the costs of delay; however, the rule would compel employers to proactively find and fix workplace hazards, significantly reducing injuries and illnesses
10. Patterns of Violation Rule (MSHA)	Patterns of Violation Rule	Final Rule: TBD	Final Rule: April 2012	Indeterminate	Indeterminate; but the rule is estimated to prevent at least 150 non-fatal injuries every year
11. Good Manufacturing Practices for Infant Formula (FDA)	Good Manufacturing Practices for Infant Formula	Final Rule: November 2011	Final Rule: March 2012	Delay of at least 4 months	No data available to quantify the costs of delay; however, the rule would ensure that infant formula meets nutritional needs of millions of babies; prevent health problems and impaired growth and development; prevent contamination of infant formula by Salmonella enterica and Enterobacter sakazakii

12. Chemicals of Concern List (EPA)	Chemicals of Concern List	Proposed Rule: June 2011 Final Rule: TBD	Proposed Rule: March 2012 Final Rule: TBD	Proposal delayed by at least 9 months; final rule likely to be delayed by at least 9 months as well	No data available to quantify the costs of delay; however, the list would provide early warning to the public about the health and environmental problems of several phthalates, several polybrominated diphenyl ethers (PBDEs), and bisphenol A (BPA)
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