

1,920 EPA regulations. \$36 billion per year in costs from just 20 of them. And now the Environmental Protection Agency is promoting “Tier 3” regulations for sulfur in gasoline – for another \$2 billion a year and benefits that appear to be somewhere in the realm of ... ZERO. As my article suggests, at some point we have to say: We have other crucial problems to solve – which *also* affect human health and welfare. We don’t have the financial, human or technological resources to do it all – especially to waste billions on something where the quantifiable health payback is minimal, or even zero.

Nothing in the Clean Air Act says EPA needs to promulgate these rules. But nothing says it can’t do so. It’s largely discretionary, and this Administration is determined to “interpret” the “science” and use its executive authority to restrict and penalize hydrocarbon use – and “fundamentally transform” America. We desperately need science-based legislative standards, commonsense regulatory actions, and adult supervision by Congress and the courts. Unfortunately, it doesn’t appear that help will be on the way anytime soon.

EPA’s Tier 3 tyranny

High cost, no benefit does nothing to forestall agency’s quest for ecological utopia

Paul Driessen, 16 April 2013

President Obama’s Environmental Protection Agency has already promulgated a tsunami of 1,920 regulations, many of which will bring few health or environmental benefits, but will impose high economic and unemployment costs, often to advance the Administration’s decidedly anti-hydrocarbon agenda. The [Heritage Foundation](#) has calculated that his EPA’s twenty “major” rulemaking decisions (costing \$100 million or more annually) alone could cost the United States over \$36 billion per year.

The latest example involves a third layer (or tier) of rules that the agency says will clean the nation’s air and save lives, by forcing refineries to remove more sulfur and other impurities from gasoline. EPA and refiners call the proposal [Tier 3 rulemaking](#). Tier 3 tyranny is more accurate – as the rules would cost billions of dollars but bring infinitesimal benefits, and will likely be imposed regardless.

Since 1970, America’s cars have eliminated some 99% of pollutants that once came out of tailpipes. “Today’s cars are essentially zero-emission vehicles, compared to 1970 models,” says air pollution expert Joel Schwartz, co-author of [Air Quality in America](#).

In addition, he notes, more recent models start out cleaner and stay cleaner throughout their lives. “As a result, fleet turnover has been reducing on-road emissions by an average of about 8 to 10 percent per year.” Over time, that has brought tremendously improved air quality, and continues to do so.

Moreover, since 2004, under Tier 1 and 2 rules, refiners have reduced sulfur in gasoline from an average of 300 ppm to 30 ppm – a 90% drop, on top of previous reductions. Those benefits are likewise ongoing. Using EPA’s own computer models and standards, a recent [ENVIRON International](#) study concluded that “large benefits in ground-level ozone concentrations will have accrued by 2022 as a direct result” of Tier 1 and Tier 2 emission standards and lower gasoline sulfur levels” that are already required by regulation.

By 2022, those existing emission reduction requirements will slash volatile organic pollutants by a further 62%, carbon monoxide by another 51% and nitrous oxides 80% more – beyond reductions achieved between 1970 and 2004.

But even this is not enough for EPA, which now wants sulfur levels slashed to 10 ppm – even though the agency’s models demonstrate that Tier 3 rules, on top of these [earlier and ongoing reductions](#), would bring essentially zero air quality or health benefits.

Viewed another way, further Tier 3 improvements would amount to reduced [monthly ozone levels](#) of only 1.2 parts per *billion* (peak levels) to 0.5 ppb (average levels). These minuscule improvements (equivalent to 5-12 cents out of \$100 million) could not even have been *measured* by equipment existing a couple decades ago. Their contribution to improved human health would be essentially zero.

To achieve those zero benefits, the new Tier 3 standards would cost [\\$10 billion in upfront capital](#) expenditures and an additional \$2.4 billion in annual compliance expenses, the American Petroleum Institute says. The sulfur rules will raise the price of gasoline by 6-9 cents a gallon, on top of new fuel tax hikes and gasoline prices that have rocketed from \$1.79 to \$3.68 per gallon of regular unleaded over the past four years. These and other hikes will ripple throughout the economy, affecting commuting and shipping, the cost of goods and services, the price of travel and vacations. (White House and EPA officials claim the Tier 3 rules would only add only a penny per gallon to gasoline costs, but that is highly dubious.)

EPA believes the additional sulfur reductions are technologically possible. Its attitude seems to be, if it can be done, we will require it, no matter how high the cost, or how minimal the benefits.

Citizens need to tell EPA: “The huge improvements to date are enough for now. We have other crucial health, environmental, employment and economic problems to solve – which *also* affect human health and welfare. We don’t have the financial, human or technological resources to do it all – especially to waste billions on something where the quantifiable health benefits payback is minimal, or even zero.”

Moreover, there are better ways to reduce traffic-related urban air pollution. Improve traffic light sequencing, to speed traffic flow, save fuel, and reduce idling, emissions, driver stress and accidents, for example. That’s where our efforts should be concentrated.

Another basic problem is that EPA always assumes there is no safe threshold level for pollutants – and pollution must always and constantly be ratcheted downward, eventually to zero, regardless of cost.

This flies in the face of what any competent epidemiologist knows: the dose makes the poison. There is a point below which a chemical is not harmful. There are even chemicals which at low or trace quantities are essential to proper operation of our muscular, brain and other bodily functions – but at higher doses can be poisonous. There are also low-level chemical, radiation and pathogen exposures that actually safeguard our bodies from cancer, illness and other damage, in a process known as hormesis.

Even worse, this Tier 3 tyranny is on top of other highly suspect EPA actions. The agency has conducted [illegal experiments](#) on humans, used secret email accounts to hide collaborations with radical environmentalist groups, and implemented 54.5 mpg vehicle mileage standards that will maim and kill thousands more people every year, by forcing them into smaller, lighter, less safe cars.

EPA also expanded the ethanol mandate to promote corn-based [E15 fuels](#) (15% ethanol in gasoline). That means we must turn even more food into fuel, to replace hydrocarbons that we again have in abundance (thanks to [fracking and other new technologies](#)) but our government won’t allow us to develop, and to substitute for cellulosic ethanol that doesn’t exist (but EPA tells refiners they must use anyway). So corn farmers get rich, while consumers pay more for gasoline, meat, fish, eggs, poultry and other products.

The agency is also waging [war on coal](#), automobiles and the Keystone XL pipeline – based on assertions that carbon dioxide emissions are causing “[dangerous manmade global warming](#).” Even the UN’s Intergovernmental Panel on Climate Change, NASA, British Meteorological Office, and many once alarmist scientists now acknowledge that average planetary temperatures have not budged in 16 years, and hurricanes, [tornadoes, floods, droughts](#) and sea level rise have shown no statistically significant variation from century-long averages – even as CO2 levels have “soared” to 395 ppm (0.0395% of Earth’s atmosphere). [True scientists](#) increasingly recognize solar and other complex, interconnected natural forces as the primary drivers of Earth’s ever changing and unpredictable weather and climate.

These inconvenient truths have apparently had no effect on Administration thinking. Perhaps rising indoor CO2 emissions from larger EPA and White House staffs have “weirded” their thinking. The EPA’s yellow brick road to [Eco-Utopia](#) is not one our nation should travel. It will not take us to an economic recovery, more jobs, a cleaner environment, or improved human safety, health and welfare.

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EPA administrator nominee Gina McCarthy says EPA will “consider” industry and other suggestions that it revise greenhouse gas and other proposed rules. However, neither she nor the President has said they will modify or moderate any policies or proposals, or retreat from their climate change agenda.

We are desperately in need of science-based legislative standards, commonsense regulatory actions, and adult supervision by Congress and the courts. Unfortunately, that is not likely to be forthcoming anytime soon, and neither Republican Senators nor the House of Representatives seem to have the power, attention span or spine to do what is necessary. Where this all will end is therefore anyone’s guess.

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