

## REGULATIONS

### EPA exceeds goals set by Trump's rule-busting order

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EPA headquarters in Washington, D.C. Maxine Joselow/E&E News

EPA has far surpassed deregulatory goals set by President Trump's 2-for-1 executive order, but the agency has not been transparent enough about how it is deciding to cut regulations, according to a new EPA inspector general [report](#).

During the first two years of the Trump administration, EPA surged past the targets set in executive order 13771, which stipulated agencies must cut two existing regulations for each new one issued. It also established a progressively tightened regulatory budget for federal agencies.

In fiscal 2017, EPA had the highest number of deregulatory actions of any federal agency, taking 16 deregulatory actions for one new regulation. The OIG noted this resulted in the annualized cost savings of \$21.5 million. In fiscal 2018, the agency took 10 deregulatory actions and three regulatory actions for a reported annualized cost savings of \$40 million.

The OIG report makes no mention of the potential benefits of decreased regulations. The tally also does not differentiate between the elimination of economically significant rules and more minor rulemaking actions.

While EPA may have been successful at meeting the targets set forward in the president's executive order, members of the public seeking to track the agency's progress would have a hard time doing so, the report said.

EPA has a public website touting its deregulatory actions but doesn't provide information on progress on regulations, according to the report.

Visitors to the EPA page seeking information on regulatory actions are directed to Reginfo.gov, which tracks all federal regulatory and deregulatory action by agency in its Unified Agenda.

OIG notes Reginfo.gov may not provide the most up-to-date information. The Unified Agenda is only updated in the fall and spring, and includes target dates for agencies completing regulatory actions. The website also tracks the process of interagency regulatory review by the Office of Information and Regulatory Affairs, which is updated more regularly.

EPA disagreed with the assessment that it needed to provide more frequently updated information.

"The Agenda is updated twice per year and is a widely used, publicly available, searchable, official statement from the EPA about upcoming planned regulatory and deregulatory activity," the agency wrote in response to OIG.

## Insight

The report offers some insight into how the agency has gone about making decisions since the executive order was announced.

The Office of Regulatory Policy and Management, which is within EPA's Office of Policy, is responsible for "implementing, measuring and tracking items" that fall under the order. They seek input from program offices regarding what regulations should be listed.

Meanwhile, EPA's National Center for Environmental Economics works with program offices and puts the costs of regulations into a "consistent framework." As part of that work, the NCEE has developed its own spreadsheet for accounting for costs of rules.

The agency also created the Regulatory Reform Task Force to help implement the executive order. OIG, however, called for EPA to make a number of changes to the task force, including expanding membership and providing additional support for developing its own internal processes. It also recommends EPA amend the task force guidance to clarify its regulation progress reports and make them publicly available.

EPA agreed with that part of the recommendation, saying it would post the report on its regulatory reform website.

The agency was pleased with OIG's conclusion that EPA was in compliance with the executive order.

"As shown by the publicly available end of year accounting for Fiscal Years 2017 and 2018, the EPA has successfully and fully implemented the requirements of the Executive Order," the agency responded.

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