

## New EPA Head Stresses Cooperation With State Officials

It is unusual for the new leader of a federal agency to have sued the very agency that he now heads, but, that's exactly what happened when President Trump nominated and the U.S. Senate confirmed Scott Pruitt as the new administrator of the Environmental Protection Agency (EPA).

Pruitt, former attorney general for Oklahoma, has participated in several lawsuits against EPA, the Department of Interior, and the U.S. Fish and Wildlife Service over a variety of issues implemented by the Obama administration. Those issues included changes to air emissions, expansion of water regulation, "sue and settle" agreements between federal regulators and environmental groups, and the Endangered Species Act.

Although these issues directly impacted the fossil fuel industries, the main thrust of the suits involved states' rights and federal overreach stepping on the toes of states that were already regulating these industries. Many industry leaders described the actions of the regulatory agencies under the Obama administration as "harsh regulatory overreach" and "runaway bureaucracy."

During Pruitt's first meeting with EPA staff on Tuesday, he stressed a cooperative working relationship with state regulators. "For enforcement and other issues, I seek to engender the trust of those at the state level, so those at the state level see us as partners in this important mission we have as an agency and not adversaries," he said.

"Regulators exist to give certainty to those that they regulate," Pruitt said. "Those that we regulate ought to know what we expect of them so that they can plan and allocate resources to comply. That's really the job of the regulator, and the process that we engage in in adopting regulation is very, very important because it sends a message."

Pruitt's comments highlight an historical difference between state and federal regulators. Federal agencies issue complicated rules that are often hundreds of pages long. Enforcement is more of a "Gotcha!" approach, accompanied with the threat of large fines. On the other hand, states like Texas work with those regulated to solve problems. Of course, fines can be implemented, but they are not of the magnitude of federal fines, and they are not used as a threat.

"I believe that we as an agency, and we as a nation, can be both pro-energy and jobs, and pro-environment," Pruitt said in the 12-minute speech to some 100 EPA employees. "We don't have to choose between the two."

Environmental activists worked to prevent Pruitt from being confirmed by the Senate. They funded a media campaign in states where they believed they had a chance to convince some Republican Senators to oppose Pruitt. However, only one Republican, Susan Collins of Maine, voted against Pruitt's confirmation. Two Democrats, Heidi Heitkamp of North Dakota and Joseph Manchin III of West Virginia, voted for Pruitt. The final vote was 52-46.



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