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To: Walter Wright
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COMMITTEE ON ENERGY AND COMMERCE

Chairman Fred Upton
114th Congress

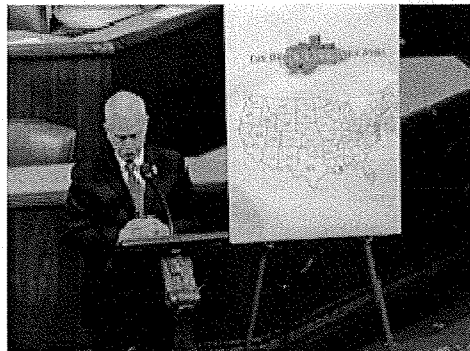
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House Passes Bill to Protect Brick Industry and Jobs from EPA Regulation

WASHINGTON, DC – Adding to the Energy and Commerce Committee's bipartisan [#RecordOfSuccess](#), the House of Representatives today passed H.R. 4557, the Blocking Regulatory Interference from Closing Kilns (BRICK) Act, by a bipartisan vote of 238-163. The bill was authored by committee member Rep. Bill Johnson (R-OH), and co-sponsored by Democratic Reps. Terri Sewell (D-AL) and Sanford D. Bishop, Jr. (D-GA). H.R. 4557 would protect the brickmaking industry and thousands of jobs from being required to comply with the EPA's costly "Brick MACT" rule before the completion of judicial review.

For a fact sheet on the bill, click [HERE](#).



To view Rep. Johnson's remarks, click [here](#).



To view Rep. Whitfield's remarks, [click here](#).

Energy and Commerce Committee Chairman Fred Upton (R-MI) concluded, "Most companies that find themselves threatened by this rule are small businesses – many are family owned – and the industry is still dealing with the effects of the recession and the weak recovery that continues to suppress demand for bricks and other building materials. Today the House put brickmakers and their thousands of direct and indirect jobs in Michigan and across the country first. The bipartisan BRICK Act is matter of fairness and commonsense."

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 2, 2016
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 4557 - Blocking Regulatory Interference from Closing Kilns Act of 2016

(Rep. Bill Johnson, R-OH, and seven cosponsors)

The Administration strongly opposes H.R. 4557, which could extend indefinitely deadlines for the brick and structural clay industry to limit mercury and other hazardous air pollution. Specifically, H.R. 4557 would extend compliance deadlines for the Brick and Structural Clay National Emission Standards for Hazardous Air Pollutants until all litigation on the final rule is complete, thereby creating an incentive for parties to litigate the rulemaking and the related corrections notice for as long as possible in order to delay air pollution reductions. In the meantime, H.R. 4557 would undermine the public health protections of the Clean Air Act (CAA) by allowing further emissions of approximately 30 tons per month of toxic air pollution from brick and clay products production facilities. These toxic emissions include mercury, gases, and other hazardous metals which are associated with a variety of acute and chronic health effects, including cancers.

The CAA required the Environmental Protection Agency to finalize pollution standards for toxic air pollution from all industrial sectors by 2000. Since then, sources in many other sectors have been complying with standards that limit their emissions of cancer-causing toxic air pollutants. The subject rule reflects CAA requirements while providing flexible compliance options and the maximum time allowed by law for compliance. It also makes distinctions between requirements for small and large kilns in order to reduce the impacts on small businesses.

Since its enactment in 1970, and subsequent amendment in 1977 and 1990—each time with strong bipartisan support—the CAA has improved the Nation's air quality and protected public health. Over that same period of time, the economy has grown over 200 percent while emissions of key pollutants have decreased nearly 70 percent. Forty-five years of clean air regulation have shown that a strong economy and strong environmental and public health protection go hand-in-hand.

Because H.R. 4557 threatens the health of Americans by allowing more toxic air pollution, if the President were presented with H.R. 4557, his senior advisors would recommend that he veto the bill.

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