

Research



Administration's Regulatory Agenda Imposes \$110 Billion in Costs

SAM BATKINS | JUNE 10, 2015

In what has become an unfortunate biannual tradition in failed transparency, the administration released its regulatory agenda on the eve of a holiday weekend, this time, the Thursday evening before Memorial Day. An American Action Forum (AAF) review of the agenda found more than \$110 billion in potential costs, with billions more in unknown burdens.

Once again, there are few surprises in the regulatory agenda. The administration listed 18 new “economically significant” regulations, down from 23 in the previous agenda. It appears that August and October will be busy this year. The administration plans to finalize its greenhouse gas standards for new and existing sources, protections for agricultural workers, and food safety measures. By October, the schedule calls for three final energy efficiency standards, produce safety regulation, and a final ozone rule.

The two largest measures are EPA rules for [greenhouse gas standards](#) at existing power plants and revised [ozone regulations](#). Currently, final [silica standards](#) and [fiduciary rules](#) for investment advisors do not have dates for publication. Below, there are approximately 40 notable rulemakings and their scheduled publication dates.

May 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
EPA	Final	Definition of Waters of the U.S.	2040-AF30	\$166
EPA	Final	Underground Storage Tank Rules	2050-AG46	\$210

June-July 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
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June-July 2015

Treasury	Final	Margin and Capital Requirements	1557-AD43	\$5,200
EPA	Proposed	*Phase 2: GHG Standards for Heavy-Duty Engines, Vehicles	2060-AS16	
HHS	Final	Regulation on the Sale of Tobacco Products	0910-AG38	\$1,010
Energy	Proposed	Conservation Standards: Central Air Conditioners	1904-AD37	

August 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
EPA	Final	GHG Guidelines for Existing Sources	2060-AR33	\$21,700
EPA	Final	GHG Guidelines for New Sources	2060-AQ91	
CFPB	Final	Home Mortgage Disclosure	3170-AA10	\$2,161
HHS	Final	Updated Standards for Labeling of Pet Food	0910-AG10	\$690
DOL	Final	Personal Fall Protection Systems	1218-AB80	\$173.2
EPA	Final	Agricultural Worker Protection Standards	2070-AJ22	\$640
HHS	Final	Covered Outpatient Drugs	0938-AQ41	\$104
FDA	Final	Controls for Human Food	0910-AG36	\$2,579

September 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
EPA	Final	Effluent Guidelines for Power Plants	2040-AF14	\$954.1
DOJ	Final	Implementation of ADA Amendments	1190-AA59	\$451

October-November 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
HHS	Final	Produce Safety Regulation	0910-AG35	\$2,703
DHS	Final	Worker Identification Credential	1625-AB21	\$186.1
EPA	Final	Review of NAAQS for Ozone	2060-AP38	\$15,000
Energy	Final	Conservation Standards: Warm Air Furnaces	1904-AD11	\$62
Energy	Final	Conservation Standards: Dishwashers	1904-AD24	\$7,100
Energy	Final	Conservation Standards: Air Conditioners	1904-AC85	\$790
FDA	Final	Verification for Imported Human Food	0910-AG64	\$3,974
EPA	Final	Formaldehyde Emissions Standards for Composite Wood Products	2070-AJ92	\$512

December 2015

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
Energy	Final	Conservation Standards: Large Commercial A/C	1904-AC95	\$8,800
DOL	Final	Persuader Agreements	1245-AA03	

December 2015

Treasury	Final	Assessment of Fees for Large Banks	1505-AC42	
Energy	Final	Conservation Standards: Hearth Products	1904-AD35	\$1,004
Energy	Final	Conservation Standards: Gas Furnaces	1904-AD20	\$12,270

January 2016

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
DOT	Final	Commercial Driver's License Clearinghouse	2126-AB18	\$1,634
CFPB	Final	Requirements for Prepaid Cards	3170-AA22	\$17
DOL	Final	Unified and Combined State Plans	1205-AB74	\$1,471
Interior	Final	Arctic Drilling Regulations	1082-AA00	\$1,324

March-April 2016

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
HHS	Final	Revision of Nutrition Labels	0910-AF22	\$2,008
HHS	Final	Sanitary Transportation of Human and Animal Food	0910-AG98	\$179
HHS	Final	Serving Sizes of Foods	0910-AF23	\$2,008
SEC	Final	Standards for Covered Clearing Agencies	3235-AL48	\$225

March-April 2016

SEC	Final	Rules for Security Swap Dealers	3235-AL12	\$210
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Long-Term

<u>Agency</u>	<u>Proposed/ Final</u>	<u>Rule</u>	<u>RIN</u>	<u>Cost (in millions)</u>
DOJ	Final	ADA Guidelines for Passenger Vessels	3014-AA11	\$1,088
DOL	Final	Exposure to Crystalline Silica	1218-AB70	\$6,524
DOL	Final	Conflict of Interest-Investment Advice	1210-AB32	\$5,700

Possible Cost: \$110.8 Billion

The \$110 billion estimate contains just 37 monetized figures and an incredible amount of uncertainty. The public does not yet know the cost of proposed efficiency standards for heavy-duty trucks and engines or the dozens of other major rules without a public cost-benefit analysis. The previous heavy-duty rule cost more than **\$8 billion**. In fact, the new rule is slated for final publication on January of 2017, a “midnight” period for presidents when there has historically been a rush of regulatory activity.

Final costs could balloon or diminish significantly compared to earlier versions. The administration’s time in office is coming to a close, so regulators will surely rush to finish its greenhouse gas and ozone standards before the next administration takes power.