

INDA/SMART Requested Meeting with OIRA: Talking Points

- EPA has been working on this rule since 1985 – 23 years. This is certainly enough time to publish a final rule expeditiously.
- The original comment period for this proposed rule closed in mid-2004 and EPA spent the past four years developing a Notice of Data Availability.
- OMB should act expeditiously to approve the NODA so that it can be published in the Federal Register for public Comment.
- Finalization of this proposed rule is a “win-win-win” scenario:
 - The Bush administration “wins” if it can get this proposed rule finalized during its tenure (something the Reagan Administration, the first Bush Administration, and the Clinton Administration all failed to do)
 - Finalization of the proposed rule is a “win” for the environment because it would help to minimize the amount of RCRA waste being discharged to the air, water, and land
 - Finalization of the proposed rule is a “win” for small businesses all over the country who have repeatedly endorsed the proposed rule as a means of replacing the hodgepodge of varying state-level requirements with a single, consistent Federal regulation
- Finalizing the rule would also benefit the Bush administration because it reflects “smart environmental regulation” in that the proposed rule seeks to tailor regulatory requirements so that they are protective of human health and the environment while simultaneously eliminating what EPA has acknowledged is over regulation.
- For all these reasons, OMB should clear the NODA for publication immediately.
 - Can we count on OMB to clear this NODA before October 15, 2008?