



Institute for
Policy Integrity

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STATEMENT ON CLEAN WATER RULE DELAY

Yesterday, the Environmental Protection Agency (EPA) finalized a delay of the 2015 Clean Water Rule. This rule was expected to increase the wetland area subject to protection under the Clean Water Act, and an economic analysis conducted by the agencies at the time showed that the benefits of the rule would substantially outweigh the costs. Any delay in implementation would result in tens or hundreds of millions of dollars in lost benefits to the public for each year that the Clean Water Rule is pushed back, [as demonstrated in our recent report on the costs of repealing the rule](#).

Richard Revesz, director at the Institute for Policy Integrity at New York University School of Law, has released the following statement:

“EPA claims that this new delay creates regulatory certainty, but it does the opposite. Through this and other legally tenuous attempts to delay, modify, or repeal rules, EPA is creating a highly uncertain regulatory landscape that could change drastically with each new court challenge. The agency is clearly scrambling to stop implementation of this rule before the clock runs out on the current stay by the Sixth Circuit Court of Appeals. EPA has been building a house of cards with this and other deregulatory actions.”

Jeffrey Shrader, economic fellow at the Institute for Policy Integrity at New York University School of Law, has released the following statement:

“EPA is trying to have it both ways. The agency claims that the effect of this delay will be so small that they don’t need to quantify the costs or benefits while simultaneously claiming that this immediate delay is necessary. The very fact that EPA is trying to implement this delay reveals that such a delay will have impacts. EPA’s announcement discusses the harms that industry will face if the rule is implemented, but is silent on harms the public will face from a delay. Protecting wetlands can improve drinking water quality and provide many other valuable benefits. Any delay in these enhanced wetlands protections would lead to tens or hundreds of millions of dollars in lost services.”

Revesz and Shrader are available for interviews on this rule and related issues. The Institute for Policy Integrity has [submitted comments to EPA](#) on its proposal that led to this delay. Shrader's economic analysis on the rule and the costs of a potential repeal can be found in our report, [Muddying the Waters](#).

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