

November 20, 2017

Filed electronically at <u>www.regulations.gov</u>

Laura Gentile Office of Policy (Mail Code 1104-A) U.S Environmental Protection Agency 1200 Pennsylvania Avenue NW Washington, DC 20460

> RE Comments of the Associated General Contractors of America (AGC) on Applying FAST-41 Best Practices to Delegated State Permitting Programs Docket ID No. EPA-HQ-OA-2017-0600

Dear Ms. Gentile:

The Associated General Contractors of America (AGC) appreciates the opportunity to provide the U.S Environmental Protection Agency (EPA) with input on whether, and the extent to which, the best practices identified by the Federal Permitting Improvement Steering Council (FPISC)¹ pursuant to -41 apply to the environmental review and permitting programs in states that have been delegated the authority to implement and enforce provisions of the federal pollution control laws.² 82 *Fed. Reg.* 50418 (Oct. 31, 2017).

Executive Summary

On Jan. 18, 2017, the FPISC published Recommended Best Practices for Environmental Reviews and Authorizations for Infrastructure Projects, available at https://www.permits.performance.gov. AGC strongly recommends that EPA apply the streamlined permitting procedures in FAST-41 and the corresponding best practices identified by the FPISC to

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programs through the delegation process. A majority of states have been delegated authority to implement and enforce one or more provisions of the federal pollution control laws.⁴ For example, EPA has authorized 46 states⁵

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for both public and private property owners and developers. Collectively, AGC member firms build much if

Environmental Permitting in Construction

EPA, states and localities heavily regulate construction site stormwater runoff, dredge and fill activities in U.S. waters and wetlands, oil and chemical storage and spills, air emissions, lead and asbestos handling/abatement, and solid/hazardous waste storage and disposal. Construction practices may also be subject to rules on hazardous substances (Superfund liability), historic properties, coastal zones, vegetation and habitat protection, indoor air quality, energy and equipment use, as well as requirements resulting from the National Environmental Policy Act (NEPA) processes. In addition to these (and other) strict and abundant