

Spring 2023 Unified Agenda of Regulatory and Deregulatory Actions: Projected U.S. Environmental Protection Agency Activities



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

08/07/2023

The United States Environmental Protection Agency (“EPA”) released a somewhat delayed Spring 2023 Semi-Annual Agenda of Regulatory and Deregulatory Actions (“Agenda”).

The Agenda includes information addressing:

- EPA regulations in the Semiannual Agenda that are under development, completed, or canceled since the last Agenda
- EPA review of regulations with small business impacts under Section 610 of the Regulatory Flexibility Act

EPA’s introduction to the document states that it offers an update to the public about regulatory activity undertaken in support of its mission.

The federal agency further states that the Agenda:

- Provides notice of plans to review, propose, and issue regulations
- Benefits all communities and encourages public participation and meaningful engagement in regulatory activities and processes
- Provides information about rules that may have significant economic impact on a substantial number of small entities
- Explains in greater detail the types of actions and information available in the Agenda that are currently undergoing review

EPA (and all federal agencies) twice a year produce in combination a comprehensive report describing regulatory actions currently under development or recently completed. In particular, the Agenda identifies each regulatory action that the federal agency (such as EPA) expects to work on through the next 12 months.

Agency interests are typically associated with one of five rulemaking stages. Two key rulemaking stages include:

- Proposed rulemaking stage (indicating that the agency plans to issue a Notice of Proposed Rulemaking or close an existing comment period)
- Final rule stage (indicating that the agency plans to issue a final rule)

Each Agenda entry typically provides a variety of information.

Congress, interest groups, regulatory entities, environmental organizations, and the general public rely on the Agenda to understand which rules EPA plans to issue in the upcoming year. Nevertheless, the Agenda does not create a legal obligation to adhere to schedules in the publication or limit their regulatory activities to those items that are encompassed by it.

A copy of the Agenda can be downloaded [here](#).