

# U.S. EPA Regional Office Decision Making Authority: Trump Transition Team Memorandum



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The blog *Law and the Environment* in a March 20th post (<http://www.lawandenvironment.com/2017/03/20/has-epa-region-i-lost-its-treasured-independence/>) discusses a memorandum sent by Trump transition team member David Schnare to the United States Environmental Protection Agency (“EPA”) Assistant Administrators and Regional Administrators.

The subject of the memorandum is “Delegation of Authority.”

Besides EPA’s headquarters in Washington, D.C., the federal agency has 10 regional offices. The “Regional Administrator” is an appointee. Arkansas is located in Region 6 whose headquarters is in Dallas, Texas.

The memorandum notes that “because the Presidentially-appointed Assistant Administrators and Regional Administrators have yet to assume their duties:

*... for the next 30 days, the Administrator wishes to retain approval authority for Agency actions having significant regulatory and enforcement effect.”*

The memorandum requires that any significant regional decisions or agency actions be directed to agency headquarters if they would:

*... limit the flexibility of the States, limit energy resource use, impose significant costs on industry or commerce, or otherwise likely result in significant public attention on the proposed decisions or final agency actions.*

The author of the Law and the Environment post notes in regards to the EPA Region 1 office:

*... we are used to the regional office acting as though headquarters were nothing more than an occasional nuisance. I know that my friends at EPA would deny this, but we went through eight years of the Bush administration with the private sector wondering the entire time whether Boston paid any attention to Washington.*

I assume that EPA Region 6 was a recipient of the same memorandum.

[A copy of the Trump transition team memorandum can be found here.](#)