

**Only Two Statutory Provisions Protecting Health, Safety, and the Environment Call for Cost-Benefit Analysis**

<b>Reliance on Cost-Benefit Analysis?</b>	<b>Statutory Standard</b>	<b>Provisions in Environmental, Health and Safety Statutes</b>	<b>Number of Provisions</b>
<b>Prohibited by statute: 23</b>	<i>Technology-Based</i>	<ul style="list-style-type: none"> <li>• Clean Water Act (existing sources standard)</li> <li>• Clean Water Act (new sources standard)</li> <li>• Clean Air Act (non-attainment areas standard)</li> <li>• Clean Air Act (prevention of significant deterioration standard)</li> <li>• Clean Air Act (national emissions standards for hazardous air pollutants)</li> <li>• Clean Air Act (mobile sources standard)</li> <li>• Clean Air Act (new sources standard)</li> <li>• Occupational Safety and Health Act</li> <li>• Resource Conservation and Recovery Act (land disposal restrictions)</li> <li>• National Traffic and Motor Vehicle Safety Act</li> <li>• Surface Mining Control and Reclamation Act</li> </ul>	<b>11</b>
	<i>Effects-Based</i>	<ul style="list-style-type: none"> <li>• Clean Water Act (ambient water quality standards and anti-degradation policy)</li> <li>• Clean Air Act (national ambient air quality standards)</li> <li>• Food, Drug, and Cosmetic Act (Delaney Clause)</li> <li>• Food, Drug, and Cosmetic Act (pesticide residues standard)</li> <li>• National Forest Management Act (diversity protection provision)</li> <li>• Endangered Species Act (species listing, take, and jeopardy standards)</li> <li>• Wilderness Act</li> <li>• Wild and Scenic Rivers Act</li> <li>• National Wildlife Refuge Administration Act</li> <li>• National Park System Organic Act</li> </ul>	<b>10</b>
	<i>Phased Ban</i>	<ul style="list-style-type: none"> <li>• Clean Air Act (ozone depleting materials standard)</li> <li>• Toxic Substances Control Act (polychlorinated biphenyl standard)</li> </ul>	<b>2</b>
<b>Permitted but not required by statute: 6</b>	<i>Multi-factor Balancing</i>	<ul style="list-style-type: none"> <li>• Comprehensive Environmental Response, Compensation, and Liability Act</li> <li>• Federal Insecticide, Fungicide, and Rodenticide Act</li> <li>• Toxic Substances Control Act</li> <li>• National Forest Management Act (multiple use and sustained yield standard)</li> <li>• Federal Land Policy and Management Act (multiple use and sustained yield standard)</li> </ul>	<b>5</b>
	<i>Tech-Based / C-B Hybrid</i>	<ul style="list-style-type: none"> <li>• Safe Drinking Water Act*</li> </ul>	<b>1</b>
<b>Required by statute: 2</b>	<i>Cost-Benefit</i>	<ul style="list-style-type: none"> <li>• Consumer Product Safety Act</li> <li>• Accountable Pipeline Safety and Partnership Act</li> </ul>	<b>2</b>

\*Under SDWA Amendments of 1996, EPA is authorized but not required to deviate from the technology-based standards on the basis of cost-benefit analysis.

