

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

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

*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.