

February 8, 2011

Fred Upton  
2183 Rayburn House Office Building  
Washington, DC 20515

Henry A. Waxman  
2204 Rayburn House Office Building  
Washington, DC 20515

Dear Congressmen Upton and Waxman:

**Re: Section 177 States' Support for EPA and California Authority to Establish Motor Vehicle GHG Emission Standards**

On behalf of the air quality agencies in the northeast states, NESCAUM is writing to strongly urge the House to protect the existing system established by Congress in the Clean Air Act (CAA) for developing motor vehicle emission standards. The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have long pursued a dynamic program for cleaner cars that continually re-visits and re-assesses the state of technological innovation for motor vehicles. Ensuring that the U.S. continues to move forward with standards reflecting future innovation for all covered air pollutants, including greenhouse gases (GHGs), is critical to protect public health and the environment, enhance energy security, create jobs in a modern auto industry, and provide significant consumer savings through reduced fuel costs.

The states in our region first evaluated the merits of using the authority provided in Section 177 of the CAA to adopt California's motor vehicle emission standards in the 1980s. Beginning in the early 1990s, a coalition of northeast states moved forward in adopting the California low-emission vehicle standards. In time, a total of thirteen states and the District of Columbia voluntarily opted into the California program. These efforts have remained constant through changes in Republican, Democratic, and independent state administrations.

Climate change and the attendant disruptions in weather patterns are serious threats to the health and welfare of the citizens of the Northeast and to the region's economy. The ability of our member states to adopt the California pollution limits is a crucial tool in their ongoing efforts to address these threats and to provide clean, healthy air throughout the Northeast. In our states, passenger cars and trucks emit approximately 35 percent of total human-made GHG emissions. These emissions contribute to climate change and its adverse impacts, such as the degradation of our coasts and sensitive ecosystems and the increasing cost associated with weather extremes. In addition, not only do passenger car and heavy truck emissions contribute significantly to climate change, the cost for imported fuel used in these vehicles is a tremendous drain on our economy.

Over the many years of implementing the California program in the Northeast, manufacturers have routinely met the program requirements and the desires of the Northeast's consumers for clean and efficient cars. It is critical to preserve the right of states to choose and to take the most effective action to meet our mutual public health and environmental goals. The public demands and deserves clean air, energy security, stable jobs, and efficient vehicles that save them money.

The federal and California motor vehicle standards are about improving public health and protecting our planet. Given the continuing health and environmental risks posed by automobiles and trucks, it is imperative that both EPA and CARB retain the authority to promulgate protective standards, and that other states retain the flexibility under the CAA to implement the most effective available measures to reduce air pollution, including GHG emissions, from these sources. It is important to note that fuel economy standards alone are not sufficiently protective against climate change. The EPA and California standards provide critical incentives to reduce all GHG emissions through improvements to air conditioning systems and other approaches. The history of air quality improvements in California and the northeast states demonstrates that the federalist approach of the Clean Air Act is a workable and effective mechanism for reducing vehicular pollution. In light of this successful track record, Congress should ensure that the CAA continues to promote and enable innovation by providing both states and the federal government with the authority and tools they need to maintain and improve our shared environment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arthur N. Marin".

Arthur N. Marin  
Executive Director

Cc: Lisa Jackson, Administrator, US EPA  
Ray LaHood, Secretary of Transportation, US DOT