



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

25 April 2007

Honorable Stephen L. Johnson  
Administrator, U.S. EPA Headquarters  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 1101A  
Washington, DC 20460

RE: California's Request for Waiver of Preemption under Clean Air Act Section 209(b), DOCKET ID EPA-HQ-OAR-2006-0173

Dear Administrator Johnson:

I understand Governor Schwarzenegger of California has recently notified you of his intent to sue because of the unreasonable delay to take action on California's request for a waiver under Clean Air Act section 209(b) for their greenhouse gas emission standards for new cars and light trucks.

As you may know, Rhode Island, in full reliance of the opportunity available under Section 177 of the Clean Air Act, adopted California's motor vehicle greenhouse gas emission standards as our own. We adopted the greenhouse gas emission standards in furtherance of the goals of Rhode Island's Greenhouse Gas Action Plan of July 2002. In our Action Plan we reaffirmed and took as our own the emission reduction goals of the Conference of New England Governors/Eastern Canadian Premiers.

EPA's refusal to approve California's waiver request, or indeed take any action, has subverted the intent of Section 177, which gives other states the ability to adopt and enforce California's emissions standards "for which a waiver has been granted..." (see 42 U.S.C. § 7507(1)) It is now time for EPA to perform its duties under the Act.

Therefore Rhode Island supports Governor Schwarzenegger's letter noticing its intent to file an unreasonable delay suit if EPA fails to take final agency action. We urge you to approve the waiver request as soon as possible.

Please enter this letter in the subject docket.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Michael Sullivan', with a long horizontal flourish extending to the right.

W. Michael Sullivan, PhD  
Director

cc: David Dickinson  
EPA Office of Transportation and Air Quality  
USEPA Headquarters  
Ariel Rios Building  
1200 Pennsylvania Avenue, N. W.  
Mail Code: 6405J  
Washington, DC 20460