

STAPPA / ALAPCO

STATE AND TERRITORIAL  
AIR POLLUTION PROGRAM  
ADMINISTRATORS

ASSOCIATION OF  
LOCAL AIR POLLUTION  
CONTROL OFFICIALS

February 6, 2003

S. WILLIAM BECKER  
EXECUTIVE DIRECTOR

The Honorable Christine Todd Whitman  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Governor Whitman:

We write to you on behalf of the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO) – the two national associations of air pollution control agencies in 54 states and territories and over 165 metropolitan areas across the country – to urge strongly that you deny the June 19, 2002 petition of the American Trucking Association and the March 7, 2002 petition of several members of the diesel industry for EPA to reconsider its final rule for the *Control of Emissions of Air Pollution from 2004 and Later Model Year Heavy-Duty Highway Engines and Vehicles*.

Heavy-duty diesel (HDD) engines are one of the greatest contributors to elevated levels of ozone and PM<sub>2.5</sub> and emit more than 40 toxic compounds. These emissions pose a substantial threat to public health, including, among other things, premature mortality, cancer and respiratory illnesses. In fact, a study conducted by STAPPA and ALAPCO, *Cancer Risk from Diesel Particulate, National and Metropolitan Area Estimates for the United States* (March 2000), concluded that diesel particulate may be responsible for as many as 125,000 cases of cancer nationwide over a 70-year period. In addition, diesel emissions pose a host of environmental threats, including acid deposition, eutrophication and nitrification.

EPA's final emission standards for 2004 and later model year heavy-duty vehicles and engines sets in place a control program that not only will reduce emissions from onroad HDD vehicles by more than 40 percent, but also serves as the first phase of a two-phased onroad HDD control program that will culminate with more stringent engine standards, as well as important diesel fuel sulfur requirements, beginning in 2007. In addition, EPA's 2004 rule will achieve critical emission reductions in a highly cost effective way and will do so with demonstrated technology now being sold on vehicles.

State and local air pollution control agencies are counting on the reductions to be achieved under EPA's onroad HDD control program – including the 2004 rule – in order to meet our statutory obligations under the Clean Air Act to achieve and maintain clean, healthful air. Without these reductions, many areas across the country will face serious, if not impossible, obstacles in efforts to attain clean air goals, and could face economic sanctions if they are not successful.

ATA states that the basis for its petition for reconsideration of the 2004 rule is “new information concerning reliability and maintenance issues, energy impacts, life-cycle costs, and their impact upon the anticipated emissions reductions,” as presented in a May 2002 report, entitled *Fleetwide Emissions and Cost-Effectiveness of the Consent Decree Pull-Ahead Requirements for Heavy-Duty Diesel Engines*. Further, ATA asserts that the 2004 rule “overstates the total amount of emissions that will be reduced and grossly underestimates the costs associated with the claimed emissions reductions” and, further, that “the costs associated with this rule far outweigh the benefits that will be realized and that the legal and factual premises for the 2004 Rule must now be considered fundamentally flawed.”

STAPPA and ALAPCO disagree and believe that ATA's assumptions and assertions regarding costs rely on information that does not accurately reflect the real costs and cost-effectiveness of the 2004 rule. Our associations firmly believe that the costs and cost effectiveness as calculated by EPA, and as represented in the agency's rulemaking record, remain timely and accurate.

In promulgating the final 2004 HDD rule, EPA engaged in a thorough, deliberative and open process that included ample opportunity for the input of information and comments by all parties. The benefits of this rule will play a significant role in achieving clean air goals across the nation. Accordingly, STAPPA and ALAPCO strongly urge that you deny the petitions of ATA and members of the diesel industry and continue efforts to implement the onroad HDD engine program under the 2004 and 2007 rules, as written and on schedule.

Sincerely,



Nancy L. Seidman  
STAPPA Chair  
Mobile Sources and Fuels Committee



Eric P. Skelton  
ALAPCO Chair  
Mobile Sources and Fuels Committee

cc: Jeff Holmstead  
Margo Oge