



This Week in Review – February 21-25, 2005

(1) EPA Determines Final Allocation of FY 2005 Grant Reduction (February 22, 2005) – EPA has provided STAPPA/ALAPCO with its final decision regarding the allocation of reductions to FY 2005 air grants under Sections 103 and 105 of the Clean Air Act. The allocation will apportion the \$5.35 million in reductions that Congress included in the final FY 2005 Consolidated Appropriations Bill in a pro-rata fashion to each of four major components of the grant program: continuing programs, fine particle monitoring, Sections 103 and 105 air toxics monitoring and regional haze. EPA will eliminate the mobile source outreach program (\$548,782) from the continuing programs budget and then make the remaining reduction to continuing programs through a pro-rata cut to the region-by-region allocation. This is the approach EPA proposed in its December 23, 2004, letter to STAPPA/ALAPCO in which the agency requested the associations' input. STAPPA/ALAPCO responded to EPA's letter on January 26, 2005, by recommending that EPA make the reductions through a pro-rata decrease to all state and local air agencies without first dividing the cuts among the four program areas. STAPPA/ALAPCO felt this would allow state and local air agencies greater flexibility to determine where the cuts could best be accommodated. EPA decided to use its original approach however, citing constraints in how the agency implements the Congressional reductions that the agency believes would preclude use of the STAPPA/ALAPCO recommendation. [For further information: Air Web – In the News and Program Funding Committee pages]

(2) ECOS Adopts Resolution on National Multi-Pollutant Strategy (February 18, 2005) – The Environmental Council of the States (ECOS) has adopted principles that are intended "to inform discussions surrounding multi-pollutant approaches on Capitol Hill and to advise [EPA]". Although the principles take no position on any specific legislation or regulation, they call for the establishment of a flexible, enforceable, market-based multi-pollutant strategy to control nitrogen oxide and sulfur dioxide. The ECOS press release notes that, although the resolution does not address mercury, ECOS has previously expressed its support for a mercury emissions rule in resolution 04-2. Furthermore, ECOS "affirms that any federal multi-pollutant program should not interfere with existing or future state programs that are more stringent, nor should it preclude the ability of states and regions to seek redress from the power sector or from other states..." Noting that the strategy should assure that nonattainment issues relating to specific electric generating plants are addressed, the resolution advocates adoption of a national strategy by June 2005 in order that states have sufficient time to

incorporate emissions reductions attributable to the strategy into their state implementation plans. [for further information: www.ecos.org]

(3) CATF Report Finds 21,000 Early Deaths Caused by Diesel Pollution (February 22, 2005) – In a new report, *Diesel and Health in America: The Lingering Threat*, the Clean Air Task Force (CATF) found that an estimated 21,000 Americans die prematurely each year because of diesel emissions caused by buses, trucks, ships and construction and farm equipment. Using data from the Environmental Protection Agency, CATF determined that using existing technology, such as particle filters, could achieve a 90 percent reduction in diesel emissions and prevent thousands of premature deaths. The report shows that the data indicate “that reducing diesel fine particulate emissions 50 percent by 2010, 75 percent by 2015, and 85 percent by 2020 would prevent nearly 100,000 premature deaths between now and 2030.” While supportive of EPA’s recently issued emissions standards for new diesel engines, the report notes the rules do nothing to reduce emissions from the 13 million diesel engines in use today. CATF is calling on Congress “to support state and local efforts to establish clear goals for reducing diesel emissions – in particular, realistic funding levels to help states and cities outfit existing school and transit buses with clean fuels and pollution-control devices.” An accompanying web site (www.catf.us/goto/dieselhealth) also provides data on the health impacts of diesel city, county or state-wide. [For more information: www.catf.us]

(4) Ten States, EPA Launch Clean Energy Partnership Program (February 18, 2005) – The U.S. Environmental Protection Agency has launched the new Clean Energy-Environment State Partnership Program with the states of California, Connecticut, Georgia, Minnesota, New Jersey, New Mexico, New York, Ohio, Pennsylvania and Texas to reduce air pollution and greenhouse gas emissions. The Clean Energy-Environment State Partnership Program is a voluntary federal-state partnership that encourages states to develop and implement cost-effective clean energy and other environmental strategies to achieve environmental and clean energy goals while protecting public health and providing economic benefits. Under the Partnership Program, states work across all relevant state agencies to develop and implement a comprehensive strategy for using existing and new energy policies and programs to promote energy efficiency, clean distributed generation, renewable energy and other clean energy sources that can provide air quality and other benefits. [For more information: www.epa.gov/cleanenergy]

(5) EPA Grants \$1.6 Million Under Clean Diesel Program (February 22, 2005) – EPA announced that it is awarding grants to state and local governments for reduction of diesel emissions under its Clean Diesel Campaign. According to EPA, the program “consists of both regulatory and voluntary efforts to reduce emissions from new diesel engines as well as existing diesel engines by 2014.” Grants awarded reflect a wide variety of projects, including construction, agriculture and port equipment, waste haulers, locomotives, fire trucks and ambulances. The campaign, which is intended to assist nonattainment areas in meeting particulate and ozone standards, is intended to reduce diesel pollution through grant assistance to state and local governments to: “develop and implement the most stringent emissions

standards for new engines and fuel; and promote voluntary emissions reductions of the existing fleet through retrofits, cleaner fuels, replacement, reduced idling and other pollution-cutting measures." [For further information: www.epa.gov/dieselretrofit/dieselgrants2004.htm]

(6) Seattle Will Meet Kyoto GHG Reduction Target; Mayor Calls on Other Cities to Adopt Equivalent Reduction Targets (February 21, 2005) – The mayor of Seattle, Washington announced that Seattle will commit to meeting the goals of the Kyoto Protocol, under which developed countries agreed to reduce their greenhouse gas (GHG) emissions to 5 percent below 1990 levels by 2008-2012. The mayor will lead a "green" coalition of mayors for the next meeting of the U.S. Conference of Mayors to urge other cities to adopt the same GHG reduction target. Ten other cities have already agreed to join Seattle in "bringing an urban climate protection agenda" to the June meeting of U.S. mayors, according to a press release from the mayor's office. [For further information: cityofseattle.net/News/detail.asp?ID=4973&Dept=40]

(7) EPA Holds Workshop to Promote Changeouts of Residential Woodstoves (February 25, 2005) – EPA hosted a workshop for state, local and tribal air officials to promote voluntary programs for replacing old residential woodstoves with newer, cleaner ones. The workshop featured 1) presentations on EPA's woodstove changeout initiative and the nature and magnitude of the woodsmoke problem, 2) state and local officials speaking about how they ran a successful woodstove changeout campaign, and 3) meetings with woodstove representatives to discuss the availability and emissions profile of newer woodstoves. Certain portions of the meeting were also broadcast on the web for state, local and tribal air officials who were interested in the meeting but could not attend in person. [For further information: Air Web – Criteria Pollutants Committee page]

(8) Clean Wisconsin, S.C. Johnson Challenge Permit Issued to Wisconsin Electric (February 21, 2005) – The environmental group, Clean Wisconsin, and S.C. Johnson, which manufactures wax and cleaning products, have filed an action in state court against the Wisconsin Department of Natural Resources asserting that the construction permit issued to the power plant for its Oak Creek expansion should have considered integrated gasification combined cycle (IGCC) technology as an option for the best available control technology (BACT). The permit was previously upheld in an administrative challenge in which the administrative law judge found that use of the IGCC technology would depart significantly from the utility's proposed project. In a related action, a hearing will be held before the state Supreme Court on the utility's plans for its Elm Road facility on March 30. [For further information: <http://pressroom.cleanwisconsin.org/news>]

(9) Mary Boyer Appointed California Assistant Secretary of Enforcement Education and Training (February 22, 2005) – Mary Boyer has been tapped to serve as the new Assistant Secretary of Enforcement Education and Training for California EPA (Cal/EPA). According to a statement release from Cal/EPA's Secretary Alan Lloyd, Mary will lead the development and implementation of Cal/EPA's regional cross-media education and training program, and the

establishment of regional environmental enforcement education and training centers throughout California. Mary serves as the STAPPA Chair of the Training Committee. STAPPA/ALAPCO congratulates Mary on her new position.

(10) EPA Publishes Final Rule Amending NSPS for Electric Arc Furnaces to Provide Alternative Monitoring Requirements (February 22, 2005) – EPA finalized revised new source performance standards (NSPS) for electric arc furnaces constructed after October 21, 1974 to add alternative requirements for monitoring emissions from furnace exhausts. The final rule also makes minor editorial corrections. The final rule amendments allow plants to use a bag leak detection system on all single stack fabric filters as an alternative monitoring option to a continuous opacity monitoring system. The effective date of this rule is February 22, 2005. [For further information: *70 Federal Register* 8523]

The Week Ahead

- National Governors Association Winter Meeting, in Washington, DC – February 26-March 1, 2005
- STAPPA and ALAPCO Testify on Transportation Conformity and CMAQ before the House Energy and Commerce Subcommittee on Energy and Air Quality – March 2, 2005
- Senate Environment and Public Works Committee Mark Up of the Clear Skies Act of 2005 (S. 131) – March 2, 2005
- House Committee on Transportation and Infrastructure Mark Up of the Transportation Equity Act: A Legacy for Users (H.R. 3) – March 2, 2005

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