



**WASHINGTON  
UPDATE**

**STAPPA**

**ALAPCO**

**State and Territorial Air Pollution Program Administrators  
Association of Local Air Pollution Control Officials**

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***This Week in Review – March 22-26, 2004***

**(1) STAPPA and ALAPCO Testify on President's FY 2005 Budget Request (March 25, 2004)** – STAPPA/ALAPCO Executive Director Bill Becker testified on behalf of the associations before the House Appropriations Subcommittee on VA, HUD, and Independent Agencies, which has jurisdiction over EPA's budget, regarding federal grants to state and local air agencies under Sections 103 and 105 of the Clean Air Act. The associations recommended that Congress increase the amount requested by the President for state and local air grants in FY 2005 by \$100 million (raising the total from \$228.6 million to \$328.6 million). STAPPA and ALAPCO noted that although the Clean Air Act envisioned the federal government providing 60 percent of the funds needed to implement the law, in reality, federal grants constitute only approximately 25 percent of that total. Accordingly, the federal government's contribution should be increased substantially. [For further information: Air Web – In the News and Program Funding Committee pages]

**(2) STAPPA and ALAPCO Release Report on State and Local Funding Shortfall (March 25, 2004)** – STAPPA and ALAPCO released a report, entitled *The Critical Funding Shortfall of State and Local Air Quality Agencies*, which provides details about the federal grant deficit facing state and local air quality agencies. In the report, the associations highlight, among other things, that the purchasing power of Section 105 grants has decreased by 25 percent over the past decade and that a previous STAPPA/ALAPCO/EPA study concluded that federal grants should be increased by approximately \$100 million to address the grant deficit that state and local agencies face. The report also provides information about the risks posed by air pollution, the sources of state and local funding, why permit fees are not the solution to the funding problem and how agencies would spend grant increases. [For further information: Air Web – In the News and Program Funding Committee pages]

**(3) CARB Approves Plan to Accelerate Emission Control Upgrades on Diesel Trucks (March 25, 2004)** – The California Air Resources Board (CARB) approved a voluntary plan to accelerate the upgrade of emission control software on heavy-duty diesel trucks. The action stems from the 1998 diesel consent decrees, which required that the engines illegally equipped with emission control defeat devices be refitted with low-emission software; however, since these upgrades have not been occurring on the presumed scheduled, excess emissions continue to occur. CARB data show that less than 10 percent of all defeat-device-equipped vehicles have been upgraded since 1998. Under the new voluntary plan, engine makers agree to pay for new software and its installation anytime a truck visits a dealership; the goal is to increase the percentage of vehicles in California using low-emission software to 35 percent by

November 2004, 60 percent by June 2005, 80 percent by February 2006 and 100 percent by 2008. If these targets are not met, CARB will implement a regulation to require the upgrades. For further information: [www.arb.ca.gov/newsrel/nr032504.htm](http://www.arb.ca.gov/newsrel/nr032504.htm)]

**(4) STAPPA and ALAPCO Request Extension of Comment Period on Transport Rule (March 26, 2004)** – STAPPA and ALAPCO requested that EPA extend the comment period on the January 30, 2004 proposed Interstate Air Quality Rule, for which comments are due by March 30, 2004. In their request, the associations state that it is essential that EPA provide for a comment period that allows commenters to consider and comment on the January 30<sup>th</sup> proposal and the forthcoming Supplemental Notice of Proposed Rulemaking (SNPR) as a complete package. Accordingly, the associations request that the comment period for both remain open until 45 days following publication of the SNPR in the *Federal Register*, which is expected sometime in late April. STAPPA and ALAPCO note in their letter their strong support for expeditious issuance of a transport rule and explain that they do not believe their request for a consolidated comment period on the January 30<sup>th</sup> proposal and the SNPR would delay publication of the final rule. Other reasons cited for the request is the failure of EPA to post all technical information on the rule on the Internet, the desire to provide additional technical information requested by EPA and the need to consider new information provided in the closely related Utility Mercury Rule rulemaking docket. [For further information: Air Web – In the News and Criteria Pollutants Committee pages]

**(5) Leavitt Outlines EPA Priorities in “500-Day Plan” (March 25, 2004)** – As promised in a speech to EPA employees on December 2, 2003, EPA Administrator Mike Leavitt has released his 500-day plan for EPA to “increase the velocity of environmental progress by implementing a better way.” Priorities in the 500-day plan include improving air and water quality, renewing polluted lands through brownfield redevelopment, making compliance an enforcement objective for the agency, developing collaborative networks for environmental problem-solving and advancing the President’s legislative priorities, among others. The air quality priorities include finalizing the Interstate Air Quality and Utility Mercury Reduction Rules, controlling diesel emissions through the nonroad rule and Clean School Bus USA program and working with states to implement the new standards for ozone and particle pollution. Passage of Clear Skies Legislation and elevating EPA to cabinet-level status are also priorities under the 500-day plan, which will be reviewed and updated every 200 days. [For more information: [www.epa.gov/adminweb/leavitt/500dayplan.htm](http://www.epa.gov/adminweb/leavitt/500dayplan.htm)]

**(6) CAAAC Will Reevaluate SIP Process (March 24, 2006)** – EPA has established a new subcommittee of its Clean Air Act Advisory Committee (CAAAC), to rethink, and possibly transform, the current methods and procedures utilized for managing the nation’s air quality. Announced at this week’s CAAAC meeting, the subcommittee – to be comprised of stakeholders from industry, state and local governments and environmental groups – will be asked to focus on the recommendations made by the National Research Council (NRC) in a report released January 29, 2004, particularly as they relate to 1) strengthening scientific and technical capacity, such as enhanced air pollution monitoring, 2) expanding national and multi-state pollution control strategies, in place of single-state programs, 3) transforming the SIP process by

replacing the plans with multi-pollutant air quality management plans, 4) developing integrated programs for criteria and hazardous air pollutants and 5) enhancing the protection of ecosystems and the public welfare. Also discussed at the CAAAC meeting was EPA's decision to convene a task force on Title V implementation. Both the new subcommittee and the Title V task force are anticipated to recommend reforms to EPA within the next two years.

**(7) EPA and FDA Announce Revised Fish-Consumption Guidelines (March 19, 2004)** – EPA and the Food and Drug Administration (FDA) announced a joint consumer advisory on methylmercury in fish and shellfish aimed especially at pregnant women, women who may become pregnant, nursing mothers and young children. The advisory emphasizes the health benefits of eating fish, but warned against sensitive populations eating shark, swordfish, king mackerel or tilefish because of high levels of mercury. Additionally, EPA and FDA advise these sensitive groups to limit consumption of albacore tuna to six ounces per week and to eat up to 12 ounces of a variety of fish and shellfish that are lower in mercury. If no local advice is available, no more than six ounces of fish from local waters should be eaten per week. [For further information: [www.fda.gov/bbs/topics/news/2004/NEW01038.html](http://www.fda.gov/bbs/topics/news/2004/NEW01038.html)]

**(8) EPA Announces Clean Air Excellence Awards; Jim Lents Honored for Lifetime Achievement (March 23, 2004)** – Thirteen winners of EPA's Clean Air Excellence Awards were announced at a special ceremony in Washington, DC. The awards recognize and honor outstanding projects, programs and individuals in the field of clean air. Among the award recipients was James M. Lents, former STAPPA and ALAPCO member, who was presented with the Thomas W. Zosel Outstanding Individual Achievement Award. Other award winners, by category, include the following: In the regulatory/policy innovations category – the State of North Carolina, for its Clean Smokestacks Act; in the education/outreach category – the Ventura County, California Air Pollution Control District, the Wisconsin Department of Natural Resources and the City of Victoria, Texas and Victoria College; in the clean air technology category – Networkcar Company, IdleAire Technology, the Ford Motor Company, Flint Hill Resources and Packaging Corporation of America; in the community development/re-development category – the Centralia Council of Governments and the Catawba Regional Council of Governments in North Carolina; and in the transportation efficiency innovations category – Acadia National Park. Congratulations to all the winners. [For further information: [www.epa.gov/caaac/clean\\_award.html](http://www.epa.gov/caaac/clean_award.html)]

**(9) EPA Examines Risk Assessment Principles and Practices (March 25, 2004)** – EPA announced in the *Federal Register* the availability of a staff paper, entitled "An Examination of EPA Risk Assessment Principles and Practices" (69 FR 15326). The agency is currently accepting public comment on the document, which is the end result of an EPA staff review of how the agency conducts risk assessments, and includes staff recommendations for EPA and others to consider regarding how the agency can improve risk assessment practices. EPA has indicated that it will not revise the paper, but plans to take comments as a first step in a dialogue about risk assessment principles and practices. The comment deadline on the document is June 23, 2004. [For further information: [www.epa.gov/osa](http://www.epa.gov/osa)]

**(10) NRC Recommends More Research on PM Characteristics and Susceptible Populations (March 25, 2004)** – The National Academies' National Research Council (NRC) issued a report that generally praises EPA's PM research program, but recommends that EPA sponsor research to determine which chemical components and other characteristics of PM are the most hazardous – especially when mixed with other airborne pollutants – and which population groups are the most susceptible. Research is also needed to better characterize and track particles from various emission sources. EPA's PM research program has largely followed the 13-year research program set out five years ago by the NRC. The report is the fourth and final one in a series requested by Congress to provide independent guidance to EPA's long-term particulate matter research program. [For further information: Air Web – Criteria Pollutants Committee page]

**(11) Report Grades Seaports on Air and Water Quality Impacts (March 22, 2004)** – The Natural Resources Defense Council and the Coalition for Clean Air have concluded that U.S. seaports are the largest and most poorly regulated sources of urban pollution in the nation. In *Harboring Pollution: The Dirty Truth about U.S. Ports*, the groups report that “despite the availability of technology to cut pollution, major seaports are emitting ever-larger amounts of toxic diesel exhaust and other contaminants that damage public health, disrupt local communities and harm marine habitats.” The study assigns overall grades to the 10 biggest U.S. seaports: Charleston (D+), Hampton Roads (C+), Houston (F), Long Beach (C), Los Angeles (C), Miami (C-), New York/New Jersey (C+), Oakland (B-), Savannah (D+) and Seattle (C+); each seaport is also assigned separate grades in four categories: air quality, water quality, land use and community relations. Recommendations for cleaning up these seaports include the use of dock-side power for all ships, cleaner fuels for all modes of transport and pollution controls for dirty diesel engines. [For more information: [www.nrdc.org/media/pressreleases/040322.asp](http://www.nrdc.org/media/pressreleases/040322.asp)]

### ***The Week Ahead***

- Senate Environment and Public Works Committee Hearing to Consider Five EPA Nominations, in Washington, DC – March 31, 2004
- Senate Environment and Public Works Committee, Subcommittee on Clean Air, Climate Change and Nuclear Safety, Hearing on Implementation of the PM and Ozone NAAQS, in Washington, DC – April 1, 2004

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