



This Week in Review – May 2-6, 2005

(1) House Subcommittee Marks Up Appropriations Legislation (May 4, 2005) – The House Appropriations Subcommittee on Interior, Environment, and Related Agencies marked up FY 2006 appropriations legislation, calling for an increase of \$187 million over the President's request for the Environmental Protection Agency. The total recommended by the Subcommittee, \$7.71 billion, would be a decrease of \$318 million from FY 2005 levels. The Subcommittee retained the President's recommended budget level for state and local air grants under Sections 103 and 105 at \$223.6 million, which is a decrease of \$5 million from the FY 2005 request (the decrease comes entirely from the set-aside for the regional planning organizations). When compared to the amount actually appropriated in FY 2005, which included an across-the-board rescission, the House level is \$350,000 above FY 2005. The Subcommittee retained the \$10 million recommended by the Administration for the Clean School Bus Program in FY 2006. Full committee mark-up is scheduled for May 10, with House floor action expected the week of May 16. The Senate Appropriations Subcommittee on Interior and Related Agencies has not yet scheduled its mark-up. In a related matter, the House Appropriations Committee Chairman, Jerry Lewis, announced yesterday the spending limits -- "302(b) allocations" -- for the ten appropriations bills. The Interior/Environment bill faces a \$590 million reduction from last year's allocation. [For further information: <http://thomas.loc.gov/home/approp/app06.html>]

(2) USDA Repeals Clinton Administration Roadless Rule (May 5, 2005) – Agriculture Secretary Mike Johanns announced a final rule allowing state Governors to petition the Secretary of Agriculture to develop state-specific regulations to manage roadless areas. This new rule replaces a previous regulation, the Roadless Area Conservation rule, issued by the Clinton Administration on January 21, 2001, which had set aside 58.5 million acres in untouched Forest Service lands from road building and other development. The new rule was developed after the previous regulation was struck down by a U.S. District Court in July 2003, which found that the regulations were in violation of both the National Environmental Policy Act and the Wilderness Act. Under the new rule, Governors will have 18 months from the effective date of the rule to petition the USDA to protect inventoried roadless areas in national forests within their states. If a state chooses not to file a petition or its petition is not approved, "the inventoried roadless areas within that state will continue

to be managed in accordance with the direction set forth in each national forest's land and resource management plan." In some areas management plans allow for long-range development of logging, mining and other commercial activities. [For further information: www.roadless.fs.fed.us]

(3) EPA Finalizes Transportation Conformity Rule Addressing PM_{2.5} Precursors (May 2, 2005) – EPA signed a final rule that addresses PM_{2.5} precursor emissions in transportation conformity. Specifically, the final rule adds the following transportation-related PM_{2.5} precursors to the transportation conformity regulations: nitrogen oxides (NO_x), volatile organic compounds (VOCs), sulfur oxides (SO_x) and ammonia. The final rule also specifies when each of these precursors must be considered in conformity determinations in PM_{2.5} nonattainment and maintenance areas before and after PM_{2.5} SIPs are submitted. The rule provides that a regional emissions analysis is required for NO_x as a PM_{2.5} precursor in all PM_{2.5} nonattainment areas, unless the head of the state air pollution control agency and the EPA Regional Administrator make a finding that NO_x is not a significant contributor to the PM_{2.5} air quality problem in a given area. Regional emissions analyses are not required for VOC, SO_x or ammonia before an adequate or approved SIP budget for such precursors is established, unless the head of the state air agency or EPA Regional Administrator makes a finding that on-road emissions of any of these precursors is a significant contributor. The final rule will become effective on June 6, 2005. [For further information: Air Web – Criteria Pollutants Committee and Mobile Sources Committee pages]

(4) EPA Announces Clean Diesel Demonstration Grants (May 2, 2005) – The U.S. Environmental Protection Agency is requesting proposals from national, state and local partners to fund projects that will reduce diesel emissions from nonroad vehicles and equipment. These projects would reduce diesel emissions through the use of retrofit technologies on various types of vehicles, including school buses, port, construction and agricultural equipment and freight. EPA anticipates awarding 8-12 cooperative agreements, ranging from \$50,000 to \$150,000. Applications must be received by July 1, 2005 [For further information: www.epa.gov/air/grants/05-14.pdf]

(5) EPA Announces Climate Protection Awards (May 4, 2005) – EPA announced the winners of the 2005 Climate Protection Awards, which honor the accomplishments of organizations and individuals that have made significant contributions to protecting the Earth's climate. Among the winners of the Corporate and Government awards are Boulder, Colorado; the California Energy Commission; the Connecticut Governor's Steering Committee on Climate Change; the Rhode Island Greenhouse Gas Stakeholders Group; and Syracuse, New York. Sonia Hamel, who works in Massachusetts' Office of Commonwealth Development, was one of three individuals honored this year. EPA established the Climate Protection Awards in 1998. [For further information: www.epa.gov/appdstar/awards/climproawards.htm]

(6) Ten Companies Pledge GHG Reduction Goals (May 5, 2005) – Ten U.S. corporations committed to greenhouse gas (GHG) reduction goals as part of EPA's

Climate Leaders program. Climate Leaders is a voluntary program that works with companies to measure GHG emissions and set aggressive, long-term emissions reduction goals. Among the more ambitious commitments: Green Mountain Energy committed to achieve net zero U.S. GHG emissions by 2005 and maintain that level through 2009 and Melaver committed to achieve net zero U.S. GHG emissions by 2006 and maintain that level through 2009. Bank of America, Exelon, Staples and Xerox all set absolute GHG reduction targets. In addition, ten new companies joined as Climate Leaders partners. [For further information: www.epa.gov/climateleaders/]

The Week Ahead

- Environmental Council of the States Asthma Workshop, San Jose, California – May 10-11, 2005
- Publication of Clean Air Interstate Rule in the *Federal Register* – May 12, 2005

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