

**Senator Roger Madigan, Chairman
Transportation**
Room 286 Main Capitol Building
Senate Box 203023
Harrisburg, PA 17120-3023



**Senator Mary Jo White, Chairman
Environmental Resources & Energy**
Room 169 Main Capitol Building
Senate Box 203021
Harrisburg, PA 17120-3021

Senate of Pennsylvania

December 12, 2005

Joseph Otis Minott, Executive Director
Clean Air Council
107 North Front Street, Suite 113
Harrisburg, PA 17101

Dear Mr. Minott:

We are in receipt of your letter urging us to oppose Senate Bill 1025, the proposed Pennsylvania Clean Cars Program Act. As you know, we introduced this legislation to maintain the federal Tier II vehicle emission standards in Pennsylvania and establish these standards in statute.

Several points in your letter merit response for the benefit of those who received it. First, the fact that you believe we have falsely framed this debate as a states' right issue does not negate the serious concern over letting another state set policy for Pennsylvanians. The current debate over California's plan to regulate carbon dioxide (CO₂) emissions is a case in point. While the Environmental Protection Agency (EPA) has stated there is no authority to regulate CO₂ under the Clean Air Act, California has nonetheless pushed forward with its regulation. However, Pennsylvanians' interests are now subjected to the outcome of litigation in California, and they enjoy no direct representation in these proceedings.

The argument that California's emission standards provide added benefit to Pennsylvanians is specious at best. As you know, the EPA has already cautioned states not to overestimate the benefits of the California standards, pointing to its modeling which shows perhaps a 1%-2% benefit over the federal rule. Moreover, since Pennsylvania does not use, and explicitly prohibits, specially-blended California fuel, the supposed benefits over the federal rule are essentially nonexistent.

This is not a fuel economy issue, as you attempt to argue in your letter. Fuel efficiency is indeed an important component to reducing energy costs for consumers, but as you know, all states including California are explicitly prohibited under federal law from promulgating a vehicle standard intended to regulate fuel efficiency. If, as you claim, California vehicles are indeed cleaner and less costly to consumers, no doubt the market will bear this out absent a government mandate.

Likewise, your claim that the California standards are a key component of our clean air attainment strategy, and included as such in our State Implementation Plans, is patently false.

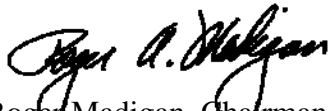
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This statement simply repeats inaccurate and misleading comments made by the Departments of Environmental Protection and Transportation. In fact, EPA has recently gone on the record stating that it does not believe passage of this legislation would cause federal sanctions. EPA has also affirmed our contention that Pennsylvania does not rely upon California vehicle emission standards to come into air quality attainment. To the contrary, Pennsylvania SIPs routinely reference the benefits to be achieved by the federal Tier II standards as key components of its federally approved attainment strategy. The implication that we rely on California's standards, and stand to lose federal transportation funding if SB 1025 passes, is wholly irresponsible and factually inaccurate.

Lost in this misinformation campaign is the fact that Pennsylvania does have a strong vehicle emission standard in place. The federal Tier II standard was crafted by the Clinton-Gore Administration, and routinely praised by environmental organizations across the country. When commemorating the completion of the standards now in place, former President Clinton hailed the fact that his standards would result in 95% cleaner vehicles than those on the road in 1999.

The federal Tier II rules significantly improve vehicle emission standards, and provide historic health benefits to Pennsylvanians. Letting California set our vehicle standards is an abrogation of our responsibility. We will continue to advocate for passage of Senate Bill 1025.

Sincerely,



Roger Madigan, Chairman
Senate Transportation Committee



Mary Jo White, Chairman
Senate Environmental Resources
& Energy Committee