

**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**

To: All Members of the General Assembly

From: Senator Roger Madigan, Chairman  
Senate Transportation Committee  
Senator Mary Jo White, Chairman  
Senate Environmental Resources & Energy Committee

Date: February 3, 2006

Re: SB 1025/HB 2141

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Recently you received a letter from Dr. Walter Tsou (copy attached) of the PA Public Health Association regarding Senate Bill 1025 and House Bill 2141.

There are legitimate differences of opinion over whether adopting the California vehicle emission standards provides any actual added benefit to Pennsylvania, or whether the Commonwealth needs to take additional steps to meet its air quality obligations. However, the underlying assertions in Dr. Tsou's letter concerning how this legislation has been handled bears response.

Dr. Tsou states that the legislation which would prohibit the Environmental Quality Board from adopting the California standards is being advocated "without even a hearing". This is absolutely false. On December 13, 2005 the Senate Environmental Resources and Energy and Transportation Committees held a lengthy public hearing on this issue; the House Environmental Resources and Energy Committee will hold a similar hearing on February 8<sup>th</sup>. Senate Bill 1025 was also discussed extensively prior to being voted on by the Senate Transportation Committee on January 25, 2006.

Ironically, the Department of Environmental Protection (DEP) made the decision to adopt the California vehicle emission standards without any public hearings or input that Dr. Tsou believes is so beneficial. The EQB hearings Dr. Tsou references are required by the federal Clean Air Act, and do not go to the underlying policy of whether to adopt the California standard. Furthermore, numerous letters have been exchanged between lawmakers and DEP, leading to a significant debate on the merits of this legislation.

Dr. Tsou expresses concern about unhealthy ozone levels in 37 counties of the Commonwealth. We are all concerned about the health of Pennsylvanians. We note again that of the non-attainment counties, 31 are expected to come into compliance with ozone health standards by 2009. The remaining 6 counties face a 2010 attainment date. These attainment strategies do not rely upon the California vehicle emission standards.

In the late 1990s, DEP convened 3 ozone stakeholder groups which looked at vehicle emission standards to devise regional attainment strategies. These stakeholder groups had ample representation from public health officials. Each group recommended a strategy that included the federal Tier II vehicle emission standard as sufficiently protective of public health.

While we welcome the spirited debate that continues on this issue, we cannot condone or accept the mischaracterization by Dr. Tsou that this issue is being advanced without public input.

cc: Michelle S. Davis, MSPH, Ph.D., President  
PA Public Health Association  
Honorable Calvin B. Johnson, M.D., M.P.H.

Attachment