

Congress of the United States
Washington, DC 20515

November 21, 2012

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson,

We are concerned about the Environmental Protection Agency's (EPA) proposed rule to reduce National Ambient Air Quality Standards (NAAQS) for fine particulate matter (PM_{2.5}). This proposed rule would impact our states and local communities by imposing burdensome new restrictions on economic growth -- just at the time these areas are struggling to attract much needed new jobs. The Agency is proceeding in an expedited fashion despite stakeholder comments stating that these regulations will impose an undue burden and despite telling a federal court last May that the Agency would need until August 2013 to review those comments and finalize the PM_{2.5} rule.

EPA's proposal to lower PM_{2.5} NAAQS comes as counties and states are showing tremendous success in implementing the current standards. According to EPA's own analysis, PM_{2.5} emissions have been cut in half over the last ten years, dropping by 1.1 million tons per year. Air quality is also improving as average PM_{2.5} concentrations have been reduced by 27% over that same period. While certain states continue their work to attain the current standards, they all share the achievement of cleaner air. EPA's proposal to further reduce PM_{2.5} NAAQS unfairly moves the goalposts in mid-game, and puts many communities at risk of being stigmatized as non-attainment.

Reducing PM_{2.5} NAAQS from the current 15 µg/m³ to EPA's proposed range of 13 to 12 µg/m³ will have wide-ranging impact across the country. EPA data indicates numerous counties meeting the current standard will fail this new more stringent range. Far more counties face non-attainment should EPA select 11 µg/m³, an outcome for which Agency accepted comments. When accounting for EPA designation and implementation policies, the proposed rule puts hundreds of counties at risk of non-attainment.

Counties designated as non-attainment areas face immediate, substantial, and long-lasting economic consequences. Existing facilities are often required to install new, expensive controls. Local infrastructure is impacted as federal funds for transportation projects are withheld unless those projects can be shown not to increase PM_{2.5} emissions. New businesses seeking to build or upgrade operations must install the most effective PM_{2.5} emissions controls, without consideration of cost, and are subject to enhanced EPA oversight. In addition, businesses must

The Honorable Lisa Jackson

November 21, 2012

Page 2

offset new PM_{2.5} emissions by paying for emissions reductions at existing facilities. In the absence of affordable offsets, new projects cannot proceed.

Moreover, restrictions do not end once non-attainment areas achieve the PM_{2.5} NAAQS. Instead, these counties must petition EPA to be redesignated to attainment by submitting a complex maintenance plan listing numerous mandatory and long-lasting measures. The sum of all these non-attainment regulatory burdens is lost business investment in local communities, reducing tax revenues supporting local schools as well as first responders and effectively hamstringing any efforts to overcome present fiscal hardships.

In light of the substantial economic impact involved, and in keeping with President Obama's Executive Order 13563, we believe that the Agency should not force stringent new NAAQS too quickly. Doing so will hurt counties and states - many still implementing the current PM_{2.5} NAAQS - struggling to move out of challenging economic conditions. Rather, EPA should maintain the current standards, and work with communities to continue the long-term trend of PM_{2.5} emissions reductions.

Sincerely,

Rob E. Jatta

John T. Sawyer

[Signature]

[Signature]

John Custer

Juan Altamira

Bob Mill

Bill Johnson

Sam B. McE

John

Jeff Aman

Bill Shurt

Tom Murray

Frank Rogers

Shelley Moore Capito

Brett Guthrie

JP

Marsha Blackburn

Sue Myrick

Todd Rokita

Lyn A. Whitcomb

Alan Emerson

Bob Sciallato

Delne B Adun

Michelle Bachmann

Loy Kinell

Pin 76

Bill Huizenga

W. Mark Gettle

Jim S.

Steve King

MST

Earl Burt

John Long

John Klein

Don Young

Rick Crawford

Kevin Lehman

Amel D. Bogosj.

John Kotts

Pat Tiboni

Pete Olson

Jim Matheson

James Rahn

Tom Fet.

Peter Proskam

Reid Hubble

List of Signatures

1. Rep. Bob Latta
2. Rep. John Barrow
3. Rep. James Lankford
4. Rep. Andy Harris
5. Rep. Steve Austria
6. Rep. Jason Altmire
7. Rep. Bob Gibbs
8. Rep. Bill Johnson
9. Rep. David McKinley
10. Rep. Brett Guthrie
11. Rep. Rob Bishop
12. Rep. James Renacci
13. Rep. Jeff Duncan
14. Rep. Marsha Blackburn
15. Rep. Bill Shuster
16. Rep. Sue Myrick
17. Rep. Tim Murphy
18. Rep. Todd Rokita
19. Rep. Harold Rogers
20. Rep. Lynn Westmoreland
21. Rep. Shelley Moore Capito
22. Rep. Jo Ann Emerson
23. Rep. Bob Goodlatte
24. Rep. Robert Aderholt
25. Rep. Michele Bachmann
26. Rep. Larry Kissell
27. Rep. Bill Flores
28. Rep. Bill Huizenga
29. Rep. H. Morgan Griffith
30. Rep. Tim Scott
31. Rep. Steve King
32. Rep. Mark Critz
33. Rep. Steve Stivers
34. Rep. Billy Long
35. Rep. John Kline
36. Rep. Don Young
37. Rep. Rick Crawford
38. Rep. Jim Matheson
39. Rep. Louie Gohmert

40. Rep. Spencer Bachus
41. Rep. Sanford D. Bishop, Jr.
42. Rep. Tom Petri
43. Rep. Joseph Pitts
44. Rep. Peter Roskam
45. Rep. Pat Tiberi
46. Rep. Reid Ribble
47. Rep. Pete Olson