February 1, 2010

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, DC 20510

The Honorable John Boehner
Minority Leader
United States House of Representatives
Washington, DC 20510

Re: State Voice Group Comments on Protecting USEPA Authority to Regulate Greenhouse Gases under the Clean Air Act

Dear Speaker Pelosi and Minority Leader Boehner:

The "State Voice" group is a bipartisan, regionally diverse coalition of state environmental officials working together to promote a strong national climate change program in the U.S. The environmental regulators who comprise the State Voice group strongly oppose efforts to prevent the U.S. Environmental Protection Agency (USEPA) from proceeding with implementation of the Endangerment Finding or otherwise using the Clean Air Act (CAA) to control dangerous levels of greenhouse gas emissions (GHGs).

We strongly support aggressive federal legislation to combat climate change and build a new clean energy economy on a foundation of a robust local-state-federal partnership. We believe that a cap-and-trade framework should be the cornerstone of a national program to cost-effectively reduce GHG emissions. While climate change legislation is critical, the CAA is also an effective and proven framework for achieving national environmental and public health goals that USEPA should use to reduce GHG pollution. Specifically, emission performance standards have been shown to be critically important in promoting the application of clean technologies and strategies to new sources and existing sources undergoing major modifications, and ensuring equitable compliance with federal requirements. Over the past four decades, the CAA has delivered tremendous public health and environmental benefits, including significant reductions in lead, carbon monoxide, sulfur dioxide, particulate matter and other pollutants. We believe that USEPA regulatory oversight of GHG emissions under this statute will deliver similar benefits.

We therefore strongly support the USEPA's efforts under the federal CAA to protect the health and welfare of the American people from the dangers of climate change resulting from GHG pollution. Congress should guarantee that the well-established and proven tools under the CAA remain available to assist in achieving the nation's GHG reduction goals. Accordingly, we urge the House to reject efforts to overrule USEPA's greenhouse gas Endangerment Finding or otherwise prevent USEPA from using its current authority under the CAA to regulate GHG emissions.

As environmental regulators from states active in developing and implementing climate change initiatives, we believe that GHGs must be reduced in the most cost-effective manner. We have developed and will continue to implement cost-effective state-level policies and programs,

including energy efficiency and renewable energy standards, which will complement USEPA's regulatory efforts. Together, these efforts will accelerate investment in low-carbon technologies to help ensure that our local economies remain globally competitive while achieving the pollution reductions needed to stabilize atmospheric GHG concentrations and avoid catastrophic and irreversible harm from climate change.

However, we cannot meet this monumental challenge without fair and strong federal action to curb GHG emissions that is based on sound science. Nearly three years ago, the U.S. Supreme Court ruled that GHGs are pollutants under the CAA, which if found by USEPA to be detrimental must be regulated. USEPA has now complied with the court's mandate and, after rigorous scientific review, determined that GHGs endanger public health and welfare and must be controlled under the Act. While the legislative debate continues, Congress must respect the science and allow USEPA to proceed with its efforts to put the nation on a path toward effectively addressing climate change.

States have actively participated in USEPA proceedings and made specific suggestions regarding how the Agency can exercise its authority under the CAA in ways that minimize administrative and compliance burdens and improve overall program cost-effectiveness. We stand ready to abide by the Agency's findings and to perform our duties as partners with USEPA to effectively and efficiently implement any forthcoming regulations pursuant to the Endangerment Finding.

We ask you to ensure that all of the tools to address the tremendous challenge of climate change remain available to USEPA. We strongly urge the House to reject efforts to overrule USEPA's greenhouse gas Endangerment Finding or otherwise limit USEPA's authority under the CAA to regulate these pollutants.

Sincerely,

The Members of the State Voice Group

Mary D. Nichols, Chair	Amey Marrella, Commissioner
California Air Resources Board	Connecticut Department of Environmental Protection

Douglas P. Scott, Director

Illinois Environmental Protection Agency

David Littell, Commissioner

Maine Department of Environmental Protection

Laurie Burt, Commissioner

Massachusetts Department of Environmental Protection

Ron Curry, Secretary

New Mexico State Environment Department

Pete Grannis, Commissioner

New York Department of Environmental Conservation

Dick Pedersen, Director

Oregon Department of Environmental Quality

Ted Sturdevant, Director

Washington Department of Ecology

Matthew J. Frank, Secretary

Wisconsin Department of Natural Resources

cc: Congressman Henry Waxman

Congressman Edward Markey