

January 25, 2012

Honorable Lisa P. Jackson  
Administrator  
U.S. Environmental Protection Agency  
Mail Code: 6102T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

***Re: Tier 3 Motor Vehicle Standards / Low Sulfur Gasoline Rule***

Dear Administrator Jackson:

We, the undersigned state environmental leaders, write to urge you to expeditiously propose the Tier 3 motor vehicle and low sulfur gasoline standards and to finalize that rule in 2012. Despite a significant and sustained joint state and federal effort spanning more than 40 years, air pollution remains a serious public health threat in our region and across the United States.

EPA first committed to proposing Tier 3 standards in 2008 to help states meet the National Ambient Air Quality Standard (NAAQS) for ozone and is late in delivering the much needed reductions from the light-duty vehicle sector. This sector remains a significant source of ozone-forming pollutants across the country. EPA's own modeling analysis shows that the Cross-State Air Pollution Rule (if implemented) will not result in attaining the new ozone NAAQS in many of the most populous areas in our region. Clearly, Tier 3 and low sulfur gasoline is needed to better protect public health.

Emissions from cars and light and medium-duty trucks also contribute to fine particle pollution and are key sources of hazardous air pollutants such as benzene, formaldehyde, acetaldehyde and 1,3-butadiene. These pollutants disproportionately affect people living and working in our urban communities, where vehicle congestion and population density are highest. Further, nitrogen oxides (NO<sub>x</sub>) and other vehicle-related pollutants contribute to a number of environmental problems such as acid rain, coastal marine eutrophication, and regional haze that affect cherished and economically valuable resources in the Northeast and Mid-Atlantic region.

Light-duty vehicles are by far the largest source of NO<sub>x</sub> emissions in the Ozone Transport Region (OTR), emitting over 700,000 tons of NO<sub>x</sub> per year. Lowering the sulfur content of gasoline to 10 parts per million (ppm), as EPA is considering, would immediately reduce NO<sub>x</sub> from this sector by more than 25 percent. Over time, the vehicle standards will dramatically reduce harmful pollutants as the Tier 3 vehicles replace older cars and trucks in the fleet.

A recent analysis indicates that the Tier 3/low sulfur gasoline program would reduce NOx emissions in the OTR by over 50,000 tons per year in 2017, which is more than three times the benefits projected for the Cross-State Air Pollution Rule in the region.<sup>1</sup> Further, as a national strategy, the Tier 3 low sulfur gasoline provision alone would reduce NOx emissions by over 175,000 tons per year, or 500 tons per day, by 2017 across the eastern United States. These reductions will benefit air quality by lowering the “ozone reservoir” and accompanying NOx precursor pollution generated in the eastern United States and transported into the OTR under the prevailing summertime winds.

These reductions would translate to between \$235 million and \$1.2 billion in direct public health benefits annually in our region. The 10 ppm sulfur gasoline provisions would likely reduce NOx at a cost of less than \$4,000 per ton, which is comparable to or less than the costs associated with federal Tier 2 and heavy-duty engine/low sulfur diesel rules and many stationary source controls, including industrial, commercial, and institutional (ICI) boilers and combustion turbines.

Given the stringency of existing emission controls already in place in our states, federal constraints on state regulation of motor vehicle fuels, and the fact that our states are significantly affected by pollution transport from sources outside the region, national emission control measures for light-duty vehicles are critical to achieving further improvements in air quality. Without Tier 3 and other federal measures, more costly emission reductions will have to be accomplished by controlling local sources in our states beyond what otherwise would be needed, in order to compensate for the foregone national measures.

We respectfully request that EPA expeditiously issue a notice of proposed rulemaking and finalize the Tier 3/low sulfur gasoline rule in 2012.

Sincerely,



Daniel C. Esty, Commissioner  
CT Department of Energy & Environmental Protection



Christophe A. G. Tulou, Director  
DC Department of the Environment



Robert M. Summers, Secretary  
MD Department of the Environment



Kenneth L. Kimmell, Commissioner  
MA Department of Environmental Protection

<sup>1</sup> *Assessment of Clean Gasoline in the Northeast and Mid-Atlantic States*, Northeast States for Coordinated Air Use Management, Boston, MA (November 2011).



Joseph J. Martens, Commissioner  
NYS Department of Environmental Conservation



Janet Coit, Director  
RI Department of Environmental Management



David K. Mears, Commissioner  
VT Department of Environmental Conservation

- c: Bob Perciasepe, Deputy Administrator, EPA
- Gina McCarthy, Assistant Administrator, OAR
- Margo Oge, Director, OAR/OTAQ