



**OZONE
TRANSPORT
COMMISSION**

September 7, 2004

The Honorable Michael O. Leavitt
Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Connecticut

Delaware

District of Columbia

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

New York

Pennsylvania

Rhode Island

Vermont

Virginia

Christopher Recchia
Executive Director

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Dear Administrator Leavitt,

The member states of the Ozone Transport Commission (OTC) would like to offer our support and assistance to EPA in its development and promulgation of new regulations to address small non-road spark-ignition engines.

As you are no doubt aware, Congress restricted state rulemaking authority regarding small engines in the VA/HUD section of the fiscal year 2004 (FY04) Omnibus funding bill (HR2673), but directed EPA to propose regulations containing standards to reduce emissions from new non-road spark-ignition engines smaller than 50 horsepower by December 1, 2004.

This rulemaking has the potential to be very significant and will have major implications for our states. Our region and our attainment strategy will be greatly affected by these regulations, making this a topic of particular interest to the OTC states.

The deadline for this rulemaking is fast approaching. Our modeling shows significant reductions from local and area sources are needed to have a hope to attain the National Ambient Air Quality Standards (NAAQS) on time. This is true even with an aggressive, but achievable, plan for NO_x reductions from the power sector, as OTC has promoted for a modified CAIR rule. A meaningful rulemaking to address these small engines will need to be technology-driving and must be implemented on a timeline that considers the urgency of upcoming attainment deadlines.

Accordingly, we would like to extend to you our offer of assistance in consulting on, and development of, this rulemaking. We have a diverse source of expertise and knowledge available among our staff members, including a thorough understanding of the levels of reductions needed for attainment. At a minimum, we would like to actively participate in the review and comment process, and work expeditiously with EPA to complete a rule as soon as possible. As always, a rule development process based in a high level of public involvement and state participation will produce a rule which is both effective and broadly supported, much like the non-road diesel rules successfully implemented by EPA recently. We encourage and look forward to such a process and result in this instance as well.

Please advise us as to the status of progress on this rulemaking to date, and how we might help EPA with its advancement. We welcome the opportunity to constructively collaborate with EPA on these small engine rules.

Thank you for your attention to this issue. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher Recchia". The signature is fluid and cursive, with the first name being the most prominent.

Christopher Recchia
Executive Director

cc: Jeffrey Holmstead, Assistant Administrator, OAR
OTC Commissioners