

Janet

November 13, 1995

The Honorable Robert Dole
Majority Leader
United States Senate
S-230 Capitol
Washington, D.C. 20510

Dear Senator Dole:

We are writing to respectfully request your assistance on a matter of great importance to our States -- the implementation of the Clean Air Act. We agree that all Americans want and deserve clean air and that the goals of the 1990 Clean Air Act Amendments are commendable. Unfortunately, EPA's implementation of the Act has been particularly burdensome to our States, especially in the area of inspection and maintenance (I/M). Without legislative changes by the Congress in this area, our States will be faced with sanctions, including the withholding of highway money, over the course of the next year to year and a half.

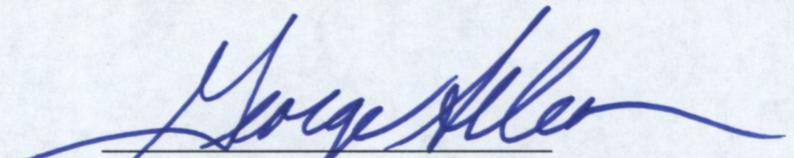
EPA has a bias in favor of bureaucratic test-only programs in granting only 50 percent credit for test-and-repair I/M programs. Rather than encouraging States to develop innovative, creative and effective I/M programs, EPA is forcing States into a one-size-fits-all program by virtue of its arbitrary 50 percent reduction in emissions credit for test-and-repair programs. States need the flexibility to design effective I/M programs that meet the unique needs of their citizens while meeting the goals of improved air quality. The federal government should set the goals; the States should have the flexibility to meet those goals in a way that makes sense for their citizens.

Unfortunately, it appears unlikely that the congressional authorizing committees will have enough time this session to complete action on legislation addressing implementation problems with the Clean Air Act. Because our States face the threat of sanctions by the end of next year, it is critical that Congress address the I/M issue this session on any appropriate legislative vehicle.

Specifically, our States support language which satisfactorily addresses the EPA bias in granting only 50 percent credit for test-and-repair I/M programs and places the burden of proof on EPA to document any alleged shortcomings it perceives in a test-and-repair I/M program. States need the opportunity to get their proposed emissions inspection programs up and running. If, once in place, the real-world data proves that a program is insufficient, then EPA could require that the State submit a new plan. States should not, however, be prevented from implementing their proposals on the basis of an arbitrary formula.

Thank you for your consideration of our request.

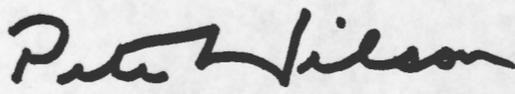
Sincerely,



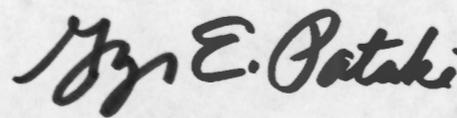
George Allen
Governor of Virginia



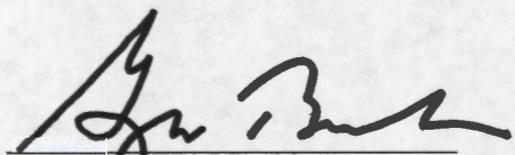
Tom Ridge
Governor of Pennsylvania



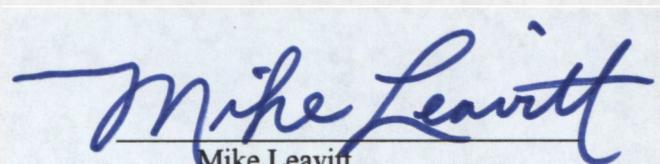
Pete Wilson
Governor of California



George E. Pataki
Governor of New York



George W. Bush
Governor of Texas



Mike Leavitt
Governor of Utah

cc: The Honorable John Chafee
The Honorable Lauch Faircloth