Honorable Thomas J. Carper  
Governor  
State of Delaware  
Dover, DE 19901  

Dear Governor Carper:

I am pleased to inform you that today we are taking the next step to move forward with the Environmental Protection Agency’s (EPA) far-reaching approach to protect the health of over a hundred million Americans living in the eastern United States from harmful levels of air pollution. This action should significantly reduce air pollution from coal-fired power plants and other large industrial facilities. Not only do those emissions threaten public health in nearby areas, they also threaten communities hundreds of miles away. Reducing these emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma. This plan can be achieved through cost-effective, readily achievable reductions.

After EPA issued the NOx SIP Call in September 1998 to reduce smog across the eastern United States, several parties challenged us in court. Last May, as an interim measure, the Court stayed the requirement that States submit their plans to address transported smog. On March 3, 2000, the United States Court of Appeals for the District of Columbia Circuit issued a decision largely upholding the NOx SIP Call.

In light of the public health benefits at stake and the March 3, 2000 court decision upholding the NOx SIP Call, we intend to move forward expeditiously in implementing the regional strategy to reduce smog. Although the Court remanded a few narrow issues to the Agency for further action, the part of the program left intact covers over 90% of the emission reductions required by the NOx SIP Call in those states where it still applies.

The EPA and Department of Justice have been working closely together to take action in response to the Court’s decision. Today we are filing a motion with the Court asking it to lift its stay of the date for states to submit revised air pollution control plans in response to the NOx SIP Call. If the Court grants our request, you and the other states still subject to the NOx SIP Call will need to submit control plans by September 1, 2000 for those portions of the NOx SIP Call upheld by the Court. Additionally, EPA will conduct an expeditious rulemaking on those few issues remanded by the Court. After that rulemaking, you will have additional time to supplement your control plan as needed. Under a separate cover, your Environmental Commissioner will receive additional details and information about how we calculated the amount of NOx your state needs to reduce. In the absence of a state submission, the Clean Air
Act requires us to put in place a federal plan. We look forward to working with you to meet the NOx SIP Call requirements.

It is important that we move forward with plans to reduce smog levels by May 1, 2003. When some states asked the Court to stay the rule, they stated that it would not delay achieving cleaner air by May 2003. Our technical analysis supports that realizing these NOx reductions by 2003 is feasible without endangering the reliability of the electric power supply. The NOx SIP Call also includes a compliance supplement pool that allows states to provide significant flexibility to avoid reliability problems. Over 40% of the power plants that states could choose to regulate under the NOx SIP Call are already required to reduce NOx emissions as the result of EPA’s recent action on petitions submitted by Connecticut, Massachusetts, New York, and Pennsylvania to reduce air pollution from upwind sources. Our goal is to provide a coordinated approach that satisfies both the NOx SIP Call and EPA’s action on the state petitions.

I believe it is essential to move forward as quickly as possible to achieve the public health benefits from this ground-breaking strategy. My staff is ready to assist you as you develop your plan. By acting expeditiously, you can secure cleaner air for the citizens of your State and other states in the eastern United States.

Sincerely,

Carol M. Browner

cc: Nicholas A. DiPasquale
    M. Jane Brady
Honorable Anthony Williams
Mayor
District of Columbia
One Judiciary Square
Washington, DC 20001

Dear Mayor Williams:

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Sincerely,

Carol M. Browner

cc: Theodore J. Gordon
Honorable Frank O’Bannon  
Governor  
State of Indiana  
Indianapolis, IN 46204  

Dear Mayor O’Bannon:

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Sincerely,

Carol M. Browner

cc: Lori F. Kaplan
    Karen Freeman-Wilson
Honorable Paul E. Patton  
Governor  
State of Kentucky  
Frankfort, KY 40601

Dear Governor Patton:

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Sincerely,

Carol M. Browner

c: James E. Bickford
Albert B. Chandler, III
Honorable Parris Glendening  
Governor  
State of Maryland  
Annapolis, MD 21401

Dear Governor Glendening:

I am pleased to inform you that today we are taking the next step to move forward with the Environmental Protection Agency’s (EPA) far-reaching approach to protect the health of over a hundred million Americans living in the eastern United States from harmful levels of air pollution. This action should significantly reduce air pollution from coal-fired power plants and other large industrial facilities. Not only do those emissions threaten public health in nearby areas, they also threaten communities hundreds of miles away. Reducing these emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma. This plan can be achieved through cost-effective, readily achievable reductions.

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Sincerely,

Carol M. Browner

cc: Jane T. Nishida
    J. Joseph Curran, Jr.
Honorable James B. Hunt, Jr.
Governor
State of North Carolina
Raleigh, NC 27603-8001

Dear Governor Hunt:

I am pleased to inform you that today we are taking the next step to move forward with the Environmental Protection Agency’s (EPA) far-reaching approach to protect the health of over a hundred million Americans living in the eastern United States from harmful levels of air pollution. This action should significantly reduce air pollution from coal-fired power plants and other large industrial facilities. Not only do those emissions threaten public health in nearby areas, they also threaten communities hundreds of miles away. Reducing these emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma. This plan can be achieved through cost-effective, readily achievable reductions.

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Sincerely,

Carol M. Browner

cc: Bill Holman
    Michael F. Easley
Honorable George E. Pataki  
Governor  
State of New York  
Albany, NY 12224

Dear Governor Pataki:

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Sincerely,

Carol M. Browner

cc: John P. Cahill
    Eliot Spitzer
Honorable Bob Taft
Governor
State of Ohio
Columbus, OH 43215

Dear Governor Taft:

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Sincerely,

Carol M. Browner

cc: Christopher Jones
    Betty D. Montgomery
Dear Governor Ridge:

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Sincerely,

Carol M. Browner

cc: James M. Seif
    D. Michael Fisher
Honorable James S. Gilmore, III  
Governor  
State of Virginia  
Richmond, VA 23219

Dear Governor Gilmore:

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It is important that we move forward with plans to reduce smog levels by May 1, 2003. When some states asked the Court to stay the rule, they stated that it would not delay achieving cleaner air by May 2003. Our technical analysis supports that realizing these NOx reductions by 2003 is feasible without endangering the reliability of the electric power supply. The NOx SIP Call also includes a compliance supplement pool that allows states to provide significant flexibility to avoid reliability problems. Over 40% of the power plants that states could choose to regulate under the NOx SIP Call are already required to reduce NOx emissions as a result of EPA’s recent action on petitions submitted by Connecticut, Massachusetts, New York, and Pennsylvania to reduce air pollution from upwind sources. Our goal is to provide a coordinated approach that satisfies both the NOx SIP Call and EPA’s action on the state petitions.

I believe it is essential to move forward as quickly as possible to achieve the public health benefits from this ground-breaking strategy. My staff is ready to assist you as you develop your plan. By acting expeditiously, you can secure cleaner air for the citizens of your State and other states in the eastern United States.

Sincerely,

Carol M. Browner

cc: John Paul Woodley
    Mark L. Earley
Honorable Cecil Underwood  
Governor  
State of West Virginia  
Charleston, WV 25305  

Dear Governor Underwood:

I am pleased to inform you that today we are taking the next step to move forward with the Environmental Protection Agency’s (EPA) far-reaching approach to protect the health of over a hundred million Americans living in the eastern United States from harmful levels of air pollution. This action should significantly reduce air pollution from coal-fired power plants and other large industrial facilities. Not only do those emissions threaten public health in nearby areas, they also threaten communities hundreds of miles away. Reducing these emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma. This plan can be achieved through cost-effective, readily achievable reductions.

After EPA issued the NOx SIP Call in September 1998 to reduce smog across the eastern United States, several parties challenged us in court. Last May, as an interim measure, the Court stayed the requirement that States submit their plans to address transported smog. On March 3, 2000, the United States Court of Appeals for the District of Columbia Circuit issued a decision largely upholding the NOx SIP Call.

In light of the public health benefits at stake and the March 3, 2000 court decision upholding the NOx SIP Call, we intend to move forward expeditiously in implementing the regional strategy to reduce smog. Although the Court remanded a few narrow issues to the Agency for further action, the part of the program left intact covers over 90% of the emission reductions required by the NOx SIP Call in those states where it still applies.

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Sincerely,

Carol M. Browner

cc: Michael Castle
Darrel V. McGraw, Jr.
Honorable George H. Ryan  
Governor  
State of Illinois  
Springfield, IL 62706

Dear Governor Ryan:

I am pleased to inform you that today we are taking the next step to move forward with the Environmental Protection Agency’s (EPA) far-reaching approach to protect the health of over a hundred million Americans living in the eastern United States from harmful levels of air pollution. This action should significantly reduce air pollution from coal-fired power plants and other large industrial facilities. Not only do those emissions threaten public health in nearby areas, they also threaten communities hundreds of miles away. Reducing these emissions will prevent thousands of smog-related illnesses each year, including aggravated cases of childhood asthma. This plan can be achieved through cost-effective, readily achievable reductions.

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Sincerely,

Carol M. Browner

cc: Thomas V. Skinner
    Jim Ryan
Honorable Jim Hodges  
Governor  
State of South Carolina  
Columbia, SC 29211  

Dear Governor Hodges:

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Sincerely,

Carol M. Browner

cc: Robert L. Shaw
    Charlie Condon
Honorable Don Sundquist  
Governor  
State of Tennessee  
Nashville, TN 37219-5081

Dear Governor Sundquist:

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Sincerely,

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cc: Milton H. Hamilton, Jr.
    Paul G. Summers