

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Council on Environmental Quality
Series/Staff Member: Kathleen (Katie) McGinty
Subseries:

OA/ID Number: 2897
FolderID:

Folder Title:
Mobile Source Provisions

Stack:	Row:	Section:	Shelf:	Position:
S	61	6	3	1

WAGNER COMMUNICATIONS

23 February 1990

Ms. Katy McGinty
c/o Senator Gore
393 Russell SOB
Washington, D.C. 20515

Dear Katy,

Enclosed are the two proposed amendments EMA and Cummins desire incorporated into S.1630: a provision providing for three years of stability between regulatory modification to emission standards and a clarification of 5.0gbh Nox as the regulatory standard between 1991-1997. These amendments are important primarily because of their impact on the industries ability to develop captial investment and R & D programs.

Your help is much appreciated in incorporating these considerations into the clean air bill.

Kind Regards



Carl R. Wagner

Enclosures



PROPOSED AMENDMENT TO)
TITLE II OF S. 1630) OXIDES OF NITROGEN

Position: The Committee Bill should be clarified to specifically indicate its intent to retain EPA's 5.0 gbh. NOx standard for heavy-duty truck engines until the statutorily mandated 4.0 gbh. standard is imposed.

Rationale: Without a clarification as to the intent of S. 1630, EPA must revisit, and possibly revise, the NOx standard for heavy-duty engines in 1994 and 1997.

Inasmuch as the 1991 NOx standard was promulgated under EPA's revision authority, EPA is obligated to revisit the NOx standard every three years and determine whether it can be reduced further. Such a requirement conflicts with what we believe is the Committee's intent to maintain the 5.0 gbh. NOx standard until the statutorily mandated reduction to 4.0 gbh. takes effect.

The heavy-duty diesel engine industry needs the certainty and stability of the time periods established for NOx reduction and particulate reduction in order to commit their limited resources to meeting the technological challenge of stringent reductions in either NOx or particulate emissions already scheduled for 1991 and 1994 and, thereafter, as mandated by S. 1630.

In order to avoid the imposition of an unnecessary review process on EPA or a costly interim regulation on the industry, Congress should add to Table 2 in Section 201 a specific reference to the 5.0 gbh. NOx standard beginning in 1991. Alternatively, Congress should clearly express its legislative intent that EPA maintain the currently promulgated heavy-duty emission standards until the proposed statutory standards go into effect.

Proposal: On page 283 of S. 1630, the heavy-duty trucks portion of Table 2 is amended by inserting a new NOx provision:

NOx.....1991-1997.....5.0 gbh.

? - table says 4.0
1996 -



PROPOSED AMENDMENT TO)
TITLE II OF S. 1630) PERIOD OF STABILITY

Position: The Committee Bill should provide for a minimum three-year period of stability between the imposition of the statutorily mandated 4.0 gbh. NOx standard, and any possible future revisions.

Rationale: Under Section 202(a)(3)(B) of the Clean Air Act, EPA is allowed to impose new NOx emission standards as often as it likes. In fact, EPA is compelled to review, and possibly revise, the NOx standard at least every three years. EPA should not be forced to undertake what may be a costly and unnecessary review process. And, the industry should not be jeopardized by too frequent incremental changes in standards.

It is critical to the well-being of the U.S. economy that there be a strong, competitive domestic heavy-duty engine industry. Since 1979, that industry has been faced with five serialized reductions in emission standards, including a major change in test requirements. As a result, manufacturers have committed capital expenditures of approximately \$1 million per test cell. Moreover, the costs of compliance have escalated from tens of millions of dollars in the early 1980's to hundreds of millions of dollars for compliance with EPA's 1991 emission control program.

These costs must be absorbed by an industry characterized by mature markets, fierce foreign and domestic competition, financial realignment and restructuring, and cost-conscious customers. The last decade has left the industry financially exhausted.

The heavy-duty engine industry cannot survive another decade of too frequent, serial reductions in emissions. Adequate time and resources must be dedicated to ensure the production of reliable and durable products that meet the Nation's emission goals. It is critical that the industry be given time to recover its resources before being required again to spend hundreds of millions of dollars on incremental emission control.

Proposal: The Clean Air Act should be amended to provide for a minimum three-year period of stability between the statutorily mandated 4.0 gbh. NOx standard and any subsequent change in the NOx standard. Section 202(a)(3)(B) of the Clean Air Act should be amended to read:

"...The Administrator may, after notice and opportunity for a public hearing, promulgate emission regulations revising any standard prescribed as provided in subparagraph (A)(ii) for any class or category of heavy-duty engines or vehicles. Such standard shall apply ~~only~~ for a minimum ~~the~~ period of three model years beginning four model years after the model year in which such revised standard is promulgated."



AMY R. LITTLEFIELD
Director of Government Affairs

499 SOUTH CAPITOL STREET, SW
WASHINGTON, DC 20003-4013
TELEPHONE: (202) 479-0196

THE DASKAL LAW FIRM

DIMITRI G. (JIM) DASKAL
Attorney & Counselor at Law

*General Counsel - Service Station Dealers of America
Tennessee Gasoline Dealers Assn.*

325 PENNSYLVANIA AVENUE S.E.
WASHINGTON, DC 20003
TELEPHONE: (202) 675-6300

107(6)(2) -

roll back to SEVERE

OPW
M-Co Wheaton } nozzles

* are sure they can @ Jack get this
rolled back on the ^{side} (would like it stripped)
I talked to Dr. Demetrius

Wld rather have on-bd
controls

= not dangerous
= not as expensive as have said

JOSEPH L. KOACH, CAE
Executive Director

Affiliates:
ALABAMA SERVICE STATION
DEALERS ASSN.
ARIZONA UNITED SERVICE
STATION DEALERS ASSN.
SERVICE STATION DEALERS
OF ARIZONA
SERVICE STATION DEALERS
OF ARKANSAS
CALIFORNIA SERVICE STATION
& AUTO. REPAIR ASSN.
NORTHERN CALIFORNIA
PETROLEUM RETAILERS ASSN.
SOUTHERN CALIFORNIA
SERVICE STATION ASSN.
COLORADO SERVICE STATION
DEALERS ASSN.
CONNECTICUT-RHODE ISLAND
GASOLINE RETAILERS &
GARAGE OWNERS ASSN.
SERVICE STATION DEALERS
OF FLORIDA
FLORIDA GASOLINE RETAILERS
& GARAGE OWNERS ASSN.
HAWAII AUTO. & RETAIL
GASOLINE DEALERS
IDAHO SERVICE STATION ASSN.
ILLINOIS GASOLINE
DEALERS ASSN.
INDIANA AUTOMOTIVE
SERVICE ASSN.
MIDWEST SERVICE
STATION ASSN.
KENTUCKY GASOLINE
DEALERS ASSN.
BAYOU STATE GASOLINE
RETAILERS ASSN.
GREATER WASHINGTON/
MARYLAND SERVICE STATION
& AUTO. REPAIR ASSN.
BAY STATE GASOLINE
RETAILERS ASSN.
MINNESOTA SERVICE
STATION ASSN.
PRO AUTOMOTIVE ASSN. OF
MISSOURI & KANSAS
AUTOMOTIVE TRADES OF
MONTANA
NEVADA GASOLINE RETAILERS
TRI-STATE GASOLINE & AUTO.
DEALERS ASSN. OF MAINE,
NEW HAMPSHIRE & VERMONT
SERVICE STATION DEALERS
ASSN. OF NEW MEXICO
NEW YORK STATE ASSN. OF
SERVICE STATIONS
NORTH CAROLINA SERVICE
STATION ASSN.
NORTH DAKOTA RETAIL
GASOLINE DEALERS ASSN.
OHIO CONFERENCE OF SERVICE
STATION DEALERS ASSNS.
OREGON GASOLINE
DEALERS ASSN.
PETROLEUM RETAILERS & AUTO.
REPAIR ASSN. OF
PENNSYLVANIA
SERVICE STATION & AUTO.
REPAIR ASSN. OF
PENNSYLVANIA/DELAWARE
SOUTH CAROLINA SERVICE
STATION DEALERS ASSN.
TENNESSEE RETAIL GASOLINE
DEALERS ASSN.
TEXAS SERVICE STATION ASSN.
LONE STAR SERVICE
STATIONS ASSN.
PETROLEUM RETAILERS
ORGANIZATION OF UTAH
VIRGINIA GASOLINE & AUTO.
REPAIR ASSN.
VIRGINIA SERVICE STATION &
AUTO. SERVICES ASSN.
AUTOMOTIVE UNITED TRADES
ORGANIZATION
WEST VIRGINIA GASOLINE
DEALERS & AUTO.
REPAIR ASSN.
WISCONSIN RETAIL GASOLINE &
AUTO. TRADES ASSN.



January 19th, 1990

499 South Capitol St., SE, Suite 407
Washington, DC 20003
(202) 479-0196

Dear Senator :

On behalf of your local service station dealers, we are writing to express our strong opposition to the mandate of Stage II vapor recovery in S. 1630, The Clean Air Act Amendments.

These radical provisions would extend Stage II to many small rural and urban areas in your state. If passed as written, the bill would force thousands of dealers nationwide, including many of your constituents, to close their businesses.

Stage II currently costs at least \$2,000-5,000 per nozzle to put in and \$4500 per year to maintain. These costs will only increase due to equipment and labor shortages caused by the widespread installation of Stage II.

Unfortunately, the report accompanying this bill is totally divorced from reality. Claims that Stage II reduces the risk of station fires is ludicrous at best. The only accurate statement is "The station owner or operator is subject to penalties for failure to implement a Stage II system." Let's look at some of the "Senate Report Myths"

Myth #1: Stage II is Cheap and Cost Effective

The Committee assumed Stage II costs \$12-18,000 to install at a typical 12 nozzle station. The actual costs are DOUBLE that (\$24-36,000) and these costs will only increase.

The \$700-1,000 per ton VOC reduction cost-effectiveness number is based on this long-outdated installation cost. It also assumes a 92% efficiency rate which is a laboratory, not a real world number. It disregards that fact that consumers do not properly use Stage II, which requires that you hold the nozzle in for about 10 seconds after you finish pumping gas. California studies show that the vast majority (over 90%) of motorists do not do this.

It disregards the fact that the equipment breaks down with clockwork regularity.

It disregards the fact that consumers can easily defeat the nozzle by holding the boot with their fingers. It also assumes that delivery drivers will hook up vapor return lines to carry vapors to the terminals.

In sum, the numbers you have been given in the Senate Report are completely unrealistic. The implications for your constituents could not be greater.

OFFICERS
EMMETT PROBUS
President
Louisville, KY

DENNIS HEIL
First Vice President
Wausau, WI

DENNIS DeCOTA
Second Vice President
San Anselmo, CA

DON JOHSTONE
Third Vice President
Indianapolis, IN

MARY ANN RAGONA
Treasurer
Patchogue, NY

Myth #2: The Consumer Acceptance Problems with Stage II Have Been Solved

The Committee bases this statement on a 1984 statement by a prominent auto industry contractor. This is again, ludicrous. We invite you to see the "latest and greatest" Stage II equipment here in D.C. "User Friendly" Stage II equipment just installed in New York and New Jersey has moved comedians David Letterman and Andy Rooney to comment on just how "user friendly" it is.

The inconvenience costs alone to your constituents amount to \$4,106.25 per nozzle per year. This does not include the costs of gasoline spills on clothes, shoes, car finishes, and skin caused by the nozzle. Clearly, requiring Stage II would be viewed as an unfriendly act by your constituents.

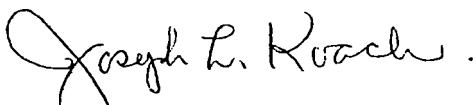
Myth #3: Stage II Can Be Installed In All These Areas Within 3 Years

This is the biggest misconception of all. For example, in New York and New Jersey, even under a two-year, court imposed deadline, Stage II is not fully in place due to shortages of both equipment and qualified personnel. A program on the scope proposed by S. 1630 will take at least 5-7 years.

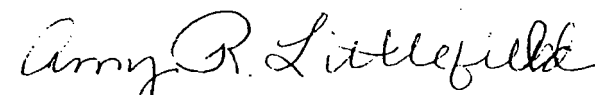
We must ask, where does this Committee expect a dealer to get the money from? Our members have an average net worth of \$81,000. Stage II will eat half of that up. Banks won't lend to us due to fear of inheriting environmental liability. We are already spending tens of thousands of dollars on 7 other environmental initiatives, including underground storage tanks. Our well is now dry. Neither your consumers nor your dealers can afford to put good money into a program that former EPA administrator Lee Thomas called "A costly technological redundancy that will do little to solve the ozone non-attainment problem."

We urge you to vote against mandatory Stage II vapor recovery.

Sincerely,


Joseph L. Koach, CAE
Executive Director


Jim Daskal, Esq.
General Counsel


Amy R. Littlefield
Director of Government Affairs

Center for Auto Safety

2001 S Street NW, Suite 410
Washington, D.C. 20009
(202) 328-7700

March 20, 1987

Lee Thomas, Administrator
U.S. Environmental Protection Agency
401 M St., SW
Washington, DC 20460

Dear Mr. Thomas:

In an effort to combat serious ozone problems plaguing many regions of the country and the dangerous health effects of benzene, the Environmental Protection Agency (EPA) is currently considering methods of reducing evaporative emissions, which consist primarily of gasoline fumes generated during motor vehicle refueling. While EPA analysis shows that modification of existing, so-called "onboard", emission controls on automobiles would yield the greatest reductions in evaporative emissions, automobile manufacturers have argued the changes would be dangerous. These "safety" arguments are overstated and EPA should not delay requiring vitally needed onboard controls. If anything, EPA's combined package of fuel volatility and onboard controls will reduce the risks of fire incidents in automobiles.

Crash Fire Safety

A central argument put forward by those opposing onboard controls is that the proposed changes would make vehicles more susceptible to post-collision fires. Post-collision fires have already been reduced in vehicles made subsequent to the September 1, 1976 effective date of the National Highway Traffic Safety Administration's (NHTSA's) Federal Motor Vehicle Safety Standard (FMVSS) 301, for post-collision fuel system integrity. This improvement in crash fire safety is all the more significant since it was made on vehicles with onboard evaporative emission controls similar to those proposed by EPA.

This assessment is based on review of automobile defect investigations conducted by the NHTSA, consumer complaints received by NHTSA and the Center, and attorney information requests received by the Center. A 1981 Society of Automotive Engineers technical report shows that only "one in every 15 reported burn injuries associated with motor vehicles results from a crash." [1] By these indicators, FMVSS 301 has been effective in preventing post-collision fires.

The emissions control modifications EPA proposes are not new and in fact are quite similar to what has been used on cars since 1971. Vehicles currently use a system consisting primarily of 1/4 inch lines which transport fuel vapors to a charcoal canister used to absorb the vapors. In a submission to the NHTSA, General Motors indicated that major modifications to this system would

1. "Motor Vehicle Non-Crash Fires," Peter Cooley, SAE No. 810012 (1981).

include enlarging the current vapor lines to about 5/8 inches, increasing the capacity of the canister and adding a valve to separate the gas tank and vapor lines. Thus GM's main post-collision safety concerns seem to be with slightly enlarging components which currently meet NHTSA's fuel system integrity standard FMVSS 301.

In a May 12, 1986, letter to you, NHTSA Administrator Diane Steed wrote:

FMVSS 301 . . . is a performance standard that does not dictate the design of an automobile's fuel system. FMVSS 301 requires a vehicle to withstand frontal, side, and rear impacts without subsequent substantial fuel leakage in simulated post-crash rollover positions. Most of the vapor control systems that we reviewed do not appear to require "exotic" changes to the vehicle.

A March 27, 1986 letter from Ms. Steed to Congressman John Dingell also pointed out that FMVSS 301 was:

a performance standard and, assuming current crash test compliance can be met by the particular on-board system a manufacturer may choose, may simply mean that the costs and benefits of the vapor controls can be assumed at a constant level of crash safety.

Rigorous NHTSA testing for compliance with FMVSS 301 will assure continuance of present levels of crash fire safety. Crash fire safety in the future depends not upon this EPA rulemaking but upon NHTSA's efforts to upgrade FMVSS 301. Technology exists to prevent fires in barrier collisions up to 50 MPH as opposed to the present 30 MPH requirement. In addition to gas tank and fuel line placement, such technology includes: fuel bladders, expanded mesh within the tank, self-sealing breakaway valves at critical locations within the fuel system, and reinforcement of fuel lines. (For a complete summary of advanced fuel systems that would sharply reduce even the present low levels of auto crash fires, see Attachment A, "Fuel-Fed Vehicle Fires," by Center for Auto Safety staff.)

Fire Safety Improvements From Fuel Volatility Controls

Aside from post collision fires, automakers have also described the potential for fuel tank overflow and fuel spitback during refueling. Fuel tank overflow describes the potential failure of the automatic shut-off mechanism used to stop the flow of gas when the fuel tank is full. While, as occasionally occurs on today's cars, fuel spitback involves overpressurized fuel spurting from the filler neck when the pump nozzle is removed after refueling. The Center agrees with EPA that these potential problems can be addressed by straight forward engineering

solutions. General Motors, for example, appears to have already developed overfill protection and a method of providing indication of overfill for both liquid and mechanical filler neck seals.[2]

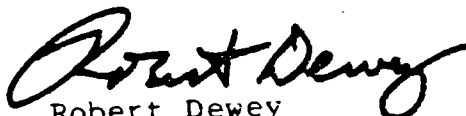
In addition to vehicle changes, EPA has proposed several non-vehicle requirements to control factors which will reduce fire hazards. These include reducing gasoline volatility and improving fuel pumps. Fuel spitback, especially, can be mitigated both by limiting pump flow rates and setting stricter volatility limits. The need for volatility limits is graphically exemplified by a serious fuel-spurting defect currently affecting 1984-86 Ford ambulances and vans. Ford has repeatedly indicated that higher vapor pressure contributes to the fuel-spurting problem.[3]

Since 1970, the Center for Auto Safety has been an outspoken advocate of safer vehicles and critic of designs which compromise safety. In the matter of requiring onboard controls, full implementation of the safeguards described above will not reduce safety and, if stricter volatility limits are set, will actually result in safety improvements. We have no doubt that onboard controls will reduce the serious health problems associated with evaporative emissions.

Sincerely,



Clarence M. Ditlow
Executive Director



Robert Dewey
Vehicle Safety Staff

-
2. Attachment B is an excerpt from a March 24, 1986 letter to NHTSA from General Motors summarizing industry progress on onboard technology.
 3. Attachment C is documentation describing the impact of high volatility gasoline on the Ford ambulance and van problem.

KIMBRO SERVICE COMPANY

LIGHTING SERVICE • PETROLEUM SERVICE

P.O. BOX 23089 • NASHVILLE, TENNESSEE 37202
(615) 320-1343

January 25, 1990

Don Saddler
5025 Charlotte Ave.
Nashville, Tennessee
37209

Re: Stage 2 Vapor Recovery System.

Dear Mr. Saddler:

Kimbro Service Company proposes for your review, to install Stage 2 Vapor recovery system on four multihose dispensers. This price includes retrofitting four multihose dispensers and necessary underground piping.

PRICING

Kimbro Service Company's fee to provide the necessary equipment, materials and labor to install a Stage 2 vapor recovery system will be:

Price.....\$ 29,877.34
(plus applicable sales or use taxes)

Note: The utilities will be notified before the work is to begin. However, Kimbro Service Company will assume no liability for damage done to unknown underground obstructions or damage caused by acts of nature.

Sincerely,

William G. Vaughn Jr.

William G. Vaughn Jr.
Operations Manager
Petroleum Division
Kimbro Service Company

*12 nozzles -
Nashville*



Nissan Motor Manufacturing Corporation U.S.A.

Jerry L. Benefield
President and
Chief Executive Officer

March 5, 1990

The Honorable Albert Gore, Jr.
United States Senate
393 Russell Senate Office Building
Washington, DC 20510

Dear Al:

It looks like the automotive fuel economy issue will soon -- perhaps as soon as tomorrow -- be taken up by the Senate.

Although the Senate leadership compromise on Clean Air would delete any fuel economy provision from S. 1630, Senator Bryan nevertheless says he intends to offer an amendment imposing dramatically higher, discriminatory fuel economy standards along the lines of S. 1224. It is hard for me to imagine that Senator Bryan can succeed in thwarting the will of the leadership of both parties, but the threat that his percentage improvement approach to fuel economy poses to us is so great that we must take his effort very seriously.

We realize that addressing the threat of global warming is among your highest priorities and we understand that you are also concerned about our nation's energy security. I am confident -- between my testimony before the Consumer Subcommittee in September, my letter to you of January 22 (copy attached), and my staff's several conversations with yours -- that you understand how great a problem a discriminatory approach to fuel economy regulation is for us. We are gratified to know that you are working on an alternative approach to fuel economy regulation that will be neutral in its competitive consequences.

Until your efforts bear fruit and you are in a position to put forward a better approach for the Senate's thorough consideration, we both are confronted with Senator Bryan's amendment. We hope you can find a way to voice your advocacy of prompt congressional action on the issues of global warming and energy security while taking a position against the Bryan amendment as the wrong approach.

The Honorable Albert Gore, Jr.

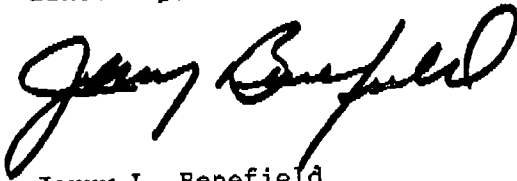
Page 2

March 5, 1990

In one of our conversations with your staff, they raised the question of a possible conflict between Nissan and Saturn on this fuel economy issue. I can assure you that on the matter of the Bryan amendment, we and the Big Three are of one mind. The entire industry is vigorously urging its defeat.

I know this issue puts you in a tough spot, Al. It puts us in a pretty tough spot, too. I hope you can help.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Benefield". The signature is fluid and cursive, with the first name "Jerry" being more prominent than the last name "Benefield".

Jerry L. Benefield

JLB:jd

Enclosure



Nissan Motor Manufacturing Corporation U.S.A.

Jerry L. Benefield
President and
Chief Executive Officer

January 22, 1990

The Honorable Albert Gore, Jr.
United States Senate
393 Russell Senate Office Building
Washington, DC 20510

Dear Al:

I am writing on the eve of Senate debate on the Clean Air Act to ask for your help on a matter of the greatest importance to our company. After hearing my testimony last September, and I hope hearing reports of the several meetings my staff has had with yours in the months since, I don't think my message will surprise you.

In the coming debate, Senators concerned about the impact of S. 1630 on the auto industry will raise strong objections to a number of provisions in the bill. These will include the very presence of CO₂ (fuel economy) standards, the stringency of "tier two" tailpipe standards, the problems that "on board" vapor recovery presents, and a number of others. Naturally we share some of these concerns. While these concerns are not a matter of indifference to us, an overwhelming threat that confronts us is the specter of discriminatory fuel economy standards. That threat comes in the form of S. 1224, which Senator Bryan may offer as a substitute for the CO₂ standards of S. 1630.

Our position in the coming debate is straightforward. We oppose S. 1224 and discriminatory fuel economy standards in whatever guise they may arise. We are asking you to oppose them. We are not asking you to take a position on any other issue in the Senate floor debate.

In my testimony in September, I explained how S. 1224 would put our company at a severe competitive disadvantage. You grasped our predicament immediately; I will not repeat here what you already know. We were heartened by the reservations you voiced at the hearing about the percentage-improvement approach and encouraged by your search for an alternative. We believe that search holds promise but every indication we now have suggests that the only choice you will face in the Clean Air Act debate will be between the uniform CO₂ standards of S. 1630 and the discriminatory approach of S. 1224. We urge you to support uniform standards as opposed to the percent improvement approach.

January 22, 1990

I do want to take this opportunity to summarize the public policy case against S. 1224.

- ♦ S. 1224 is bad regulatory policy. Setting different standards for different companies would constitute a dramatic departure from our Government's traditional, even-handed regulatory philosophy. The bill would send an unambiguous signal to every company subject to government regulation: never exceed standards because of the risk that superior performance will be used against you.
- ♦ S. 1224 is bad competitiveness policy. You yourself have voiced the concern that this attempt to put high mileage manufacturers at a competitive disadvantage could ultimately boomerang on the Big Three by creating strong incentives for only high mileage; i.e., foreign-based, manufacturers to push the pace of technological progress to the maximum.
- ♦ S. 1224 is bad trade policy. Discriminatory standards would violate U.S. international obligations under both the GATT and the GATT Standards Code. In a year when the highest U.S. trade policy priority is bringing to a successful conclusion the Uruguay round of trade negotiations which we hope will impose new obligations on other countries in areas of the greatest importance to the United States such as intellectual property protection, it makes no sense for the United States to ignore its own existing obligations. These considerations persuaded the Senate Environment and Public Works Committee not to take up an amendment to S. 1630 to adopt discriminatory CO₂ standards.
- ♦ S. 1224 would be self-defeating. The near certain effect of the bill would be to shift market share from high-mileage to low mileage manufacturers. The reason is that since high mileage manufacturers already utilize existing fuel saving technologies, to meet the bill's standards, they would have to offer for sale even smaller vehicles which consumers may not accept or adopt unproven and highly expensive technologies. Low mileage manufacturers, on the other hand, could downsize at lesser risk of consumer disfavor and could make greater use of existing fuel saving technologies. The point is that it is by no means clear that S. 1224 would result in lower total fuel consumption.

We cannot confidently anticipate how the Clean Air debate will proceed. We assume that Senator Bryan now plans to offer S. 1224 as a floor amendment. We are confident Senator Bryan would carefully

The Honorable Albert Gore, Jr.

Page 3

January 22, 1990

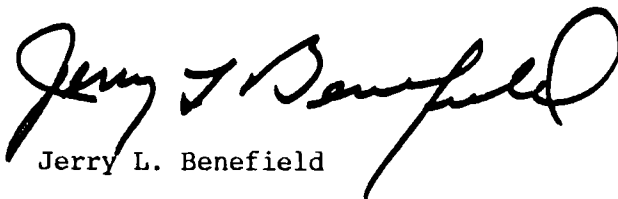
consider your views on this matter. You are, after all, the Senate's leader on the issue of global warming. If you are in a position to discourage Senator Bryan from offering his bill as an amendment, we would certainly urge you to consider doing that. If S. 1224 nevertheless comes to a vote, we hope you will speak and vote against it. Your vote and your leadership will be critical to the outcome.

Of course, the issue may never come to vote until a consensus compromise has been informally negotiated. At that point the vote will be pro forma. We understand that Senator Nickles and Senator Levin are working on a comprehensive substitute for the mobile source provisions of S. 1630 and that the Big Three and some others will endorse it. Among other things, the amendment would propose to delete any fuel economy standards from S. 1630. We have good reason to think that this amendment will not come to a vote, however. Its purpose will be to persuade the Majority Leader to broker a compromise. In such a negotiation, S. 1224 may be put forward. Discriminatory CO₂ standards might be suggested as an alternative. We ask you to take an active role opposing the adoption of discriminatory fuel economy standards if such a negotiation takes place.

Al, we understand the depth of your commitment to raising the consciousness of the Nation to the problem of global warming and your determination to fashion public policies to begin to address the threat global warming presents. We also understand your concerns about competitiveness. We are not asking you to compromise the integrity of your position on either issue. We never would.

We have not often asked for your help but we need it on this one. We hope you can give it.

Very truly yours,

A handwritten signature in black ink, reading "Jerry L. Benefield". The signature is fluid and cursive, with the first name "Jerry" being particularly prominent and stylized.

Jerry L. Benefield

JLB:jd

United States Senate

WASHINGTON, DC 20510

February 6, 1990

Dear Colleague:

The health and welfare of Americans in virtually every state in the Nation is at risk because of air pollution. The simple act of breathing threatens the health of 3 out of every 5 citizens. Motor vehicles are the biggest culprit.

An amendment expected to be offered by Senators Levin and Nickles would eliminate or make discretionary the second round of motor vehicle emission reductions and improved gas mileage required by S.1630. This would be a giant step backwards in the effort to reduce smog and prevent global warming.

The vote on the Levin-Nickles amendment will be one of the most important environmental votes in memory. **We urge you to join with us and vote against urban smog and global warming by voting against the Levin-Nickles amendment.**

The Levin-Nickles amendment may adopt the deal on motor vehicle emissions engineered by Congressman Dingell in the House. We do not believe that the "Dingell-Waxman" approach, or any similar approach, should be adopted by the Senate. That approach would not ensure motor vehicle emission reductions that are both needed and achievable.

Under the Dingell-Waxman approach, even if the EPA found that the second round's standards were available, cost effective, and necessary, the Agency would not have to require these standards. The Agency could promulgate standards less stringent than called for by the second round, or adopt no new standards at all.

The experience of the past 20 years suggests that EPA would not exercise discretionary authority to adopt the second round standards. For example, heavy-duty truck standards ordered by the 1970 Clean Air Act still have not gone into effect because EPA has been unable to overcome existing administrative hurdles.

Many cities will continue to violate clean air standards without a second round of tailpipe standards. According to an analysis of the Office of Technology Assessment, even if all other pollution controls in S.1630 are fully implemented, 55 million Americans will still live in areas violating ozone health standards. ("Catching Our Breath").

Furthermore, it is questionable in many areas whether reductions comparable to those achieved by the second round of auto standards

are even feasible from other sources. Many consumer products, ranging from lawnmowers to all-purpose cleaners, might have to be banned entirely in order to achieve the hydrocarbon reductions available from the second round of auto standards.

The smog problem in some cities is so severe that an ambitious alternative fuels program is essential. But alternative fuels are not a substitute for a second round of nationwide motor vehicle controls. Instead, alternative fuels are a useful supplement to the second round to enable the most polluted cities to achieve safe air.

In addition, for the many cities not targeted by the alternative fuels programs which have been proposed, alternative fuels cannot replace the pollution reduction benefits available from the second round. For these cities, the cleanest conventional cars feasible are necessary in order to meet, rather than continue to miss, clean air attainment deadlines.

Achievement of better gas mileage is one of the most significant steps we can take to slow the greenhouse effect. Carbon dioxide (CO2) is the major contributor to global warming, accounting for almost half of the global warming problem. Transportation sources are responsible for 30 percent of CO2 emissions. The 40 miles-per-gallon fuel efficiency standard required by S.1630 in 2000 is an important step Congress can take right now to combat global warming. This standard can be met with existing technology. Furthermore, improved gas mileage will lessen America's dependence on foreign oil, reduce our trade deficit, and help prevent further destruction of pristine areas.

With your support for the required second round of auto emission reductions and fuel efficiency improvements offered by S.1630, Congress can make a down payment toward controlling global warming and deliver on the promise made to the American people in 1970 - safe air to breathe.

Sincerely,

Timothy L. Wirth

Alan Cranston

Boehmer Adams

Mark T. Tetreault

Wendy Reid

J. L. L. L.

John F. Leahy
Gill

Patrick Leahy

Max Baucus

Chris LHM

Ed Kennedy

Richard H. K.

Clinton

Jim Jeffords

Bob Packwood

Senate, White House Negotiators Compromise on Auto Pollution Controls

By Michael Weisskopf
Washington Post Staff Writer

Senate and administration negotiators struck a compromise yesterday on a complex package of auto pollution controls as they neared completion of a broad agreement designed to assure smooth and swift passage of clean air legislation in the Senate.

The breakthrough on tailpipe emissions resolved a major issue dividing the cost-conscious Bush administration, its Republican loyalists in the Senate and members of the key Senate committee that seeks more far-reaching controls. The agreement calls for less stringent cutbacks in smog-forming emissions than the committee proposed for 1993 cars, but it allows for the possibility of more cutbacks, which had been opposed by the administration.

Together with other agreements negotiated in recent days on alternative motor fuels and industrial sources of smog and airborne toxics, the auto accord helps assure a large measure of bipartisan cooper-

ation on the Senate floor on legislation that has deeply split Congress regionally and ideologically for a decade.

Only final agreement on acid rain has eluded the "Group of 15," led by Senate Majority Leader George J. Mitchell (D-Maine), Senate Minority Leader Robert J. Dole (R-Kan.) and Roger Porter, President Bush's domestic policy adviser. But Senate leaders and Bush favor similar solutions to the problem and just began focusing on it yesterday to win the support of senators from polluting states.

Early Senate passage of a clean air bill is considered vital to intensify pressure on the House, which has failed to move legislation beyond a subcommittee.

Mitchell opened the talks Feb. 2 after deciding that the bill reported by the Environment and Public Works Committee faced too much opposition to survive a filibuster by a coalition of Republicans who share the administration's concerns over cost and senators afraid of the impact on utilities and the coal, oil, steel and auto industries in their states.

With negotiations bogging down late last

week, Mitchell threatened to take a bill to the floor by today whether or not a broad agreement had been reached. Yesterday, he repeated the threat but said he was unsure if enough time remained for bill drafting.

The auto agreement emerged yesterday after two days of negotiation in a conference room off the Senate chamber. As many as 10 car industry lobbyists at a time camped out in the marbled hallway until early Tuesday and Wednesday mornings, ready to review the latest proposal brought to them by Sen. Carl Levin (D-Mich.) who joined administration efforts to water down the committee bill.

Although emissions of the two ingredients of smog—hydrocarbons and nitrogen oxides—have been dramatically reduced by the auto industry, they are still the primary source of the unhealthy pollution shrouding nearly every U.S. city.

The administration originally proposed a single phase of tailpipe cutbacks by 1995—39 percent for hydrocarbons and 30 percent for nitrogen oxides. Administration officials said that so much pollution already has been squeezed out of the tailpipe in the past 15

years that further emissions controls are not worth the high price.

Instead, the administration proposed an ambitious program of alternative motor fuels that burn more cleanly than gasoline. The proposal called for 1 million cars that could use alternative fuels to be made annually by 1997 and sold in the nine smoggiest cities. By the year 2000, the fuels would have to burn as cleanly as pure methanol, which is made of natural gas.

No alternative fuels provision was approved by the Senate committee, which viewed them as helpful but no substitute for tighter tailpipe standards. The committee voted for stricter and earlier tailpipe cutbacks than the administration—39 percent for hydrocarbons and 60 percent for nitrogen oxides by 1993. And it called for another 50 percent cut in each pollutant and carbon monoxide by the year 2003.

Yesterday's compromise picks up the committee standards for the first phase but slows down the implementation, requiring a 1993-1995 phase-in. And cars with 50,000 miles or more on them would not have to run as cleanly. The committee bill called for

the standards to remain intact for 100,000 miles.

The greatest change is in the second phase, which was automatic in the committee bill. In the compromise, tougher tailpipe cutbacks would only kick in nationwide if 12 of the nation's 27 "seriously" polluted areas, including Washington, failed to achieve health standards for smog by the year 2000. The cutbacks would be required by 2004. A category of even smoggier cities would have to implement a second phase in their regions if they exceeded smog standards by 25 percent.

The alternative fuels proposal was weakened earlier. The compromise ensures the continued use of gasoline by setting a standard for alternative fuels weaker than pure methanol.

Negotiators sought to offset the weaker alternative fuel standard by requiring a larger number of cars to run on the fuels—all new cars sold in the smoggiest nine cities starting in 1994, instead of 1 million a year by 1997. That assuages Detroit's fears that it would be unable to sell alternative fuel-cars in cities where there was a choice.

QUENTIN N. BURDICK, NORTH DAKOTA, CHAIRMAN

DANIEL PATRICK MOYNIHAN, NEW YORK
GEORGE J. MITCHELL, MAINE
MAX BAUCUS, MONTANA
FRANK R. LAUTENBERG, NEW JERSEY
JOHN B. BREAU, LOUISIANA
HARRY REID, NEVADA
BOB GRAHAM, FLORIDA
JOSEPH I. LIEBERMAN, CONNECTICUT

JOHN H. CHAFFEE, RHODE ISLAND
ALAN K. SIMPSON, WYOMING
STEVE SYMMS, IDAHO
DAVE DURENBERGER, MINNESOTA
JOHN W. WARNER, VIRGINIA
JAMES M. JEFFORDS, VERMONT
GORDON J. HUMPHREY, NEW HAMPSHIRE

DAVID M. STRAUSS, STAFF DIRECTOR
ROBERT F. HURLEY, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

February 26, 1990

Dear Colleague:

I intend to offer an amendment to modify Section 218 of the pending Clean Air legislation, which now mandates the use of gasohol in areas that do not meet clean air goals. Section 218 could drain the Highway Trust Fund of at least \$1 billion desperately needed to meet our nation's infrastructure needs. At the same time, it fails to appropriately address environmental needs. The provision as written has no place in the bill.

My amendment has the support of the State and Territorial Air Pollution Program Administrators, the Associated General Contractors, Consumers for Competitive Fuels, and the Associated Builders and Contractors. I seek your support.

Areas of the country that do not meet Clean Air standards -- so-called "nonattainment areas" -- are required by the bill to take special steps to reduce pollution. Some of these measures focus on reducing auto emissions, specifically carbon monoxide. Using fuels with added levels of oxygen -- so-called oxygenated fuels -- can help reduce carbon monoxide exhaust. Carbon monoxide reductions can be maximized without creating other environmental problems by setting an oxygen content of 2.7%.

However, section 218 sets the required oxygen content of fuels in non-attainment areas at the unnecessarily high level of 3.1%. The only fuel that can meet that level of oxygen is gasohol. While achieving no meaningful increase in carbon monoxide reduction, the gasohol mandate would result in other forms of environmental damage. Gasohol is a highly volatile fuel. When used, it releases harmful hydrocarbons into the air. It thereby worsens the ozone non-attainment problems of many communities.

Section 218 -- by legislatively mandating wide use of gasohol -- would result in a loss to the Federal Highway Trust Fund (HTF) of at least \$1 billion annually, according to the Department of Transportation. The loss results from the deep tax subsidies favoring gasohol. Gasohol is subsidized through several sources, including an exemption from six cents of the nine cent Federal gas tax. This exclusion already costs the HTF almost \$500 million in revenues annually and has cost more than \$2.5 billion in transportation revenues over the last decade. With the gasohol mandate in section 218, the HTF could lose over \$1.5 billion a year. At a time when infrastructure needs are so pressing, that loss of revenue would be devastating.

In addition to reducing support for highway construction, repair and rehabilitation, the gasohol mandate would reduce HTF support of mass transit. At the same time that the Clean Air act requires local governments to expand mass transit usage, to reduce auto emissions, section 218 would deprive local governments of needed federal mass transit assistance. That makes no sense.

My amendment would require an oxygen content of fuels during winter months at 2.7%. This would achieve our carbon monoxide reduction goals without bleeding the HTF. It would allow other fuels, such as methanol-based methyl-tertiary-butyl-ether (MTBE), to be used in non-attainment areas. MTBE is not exempt from the gas tax, and therefore does not drain public transportation and highway spending. And, unlike gasohol, MTBE also can reduce hydrocarbons, and does not contribute to the ozone problem.

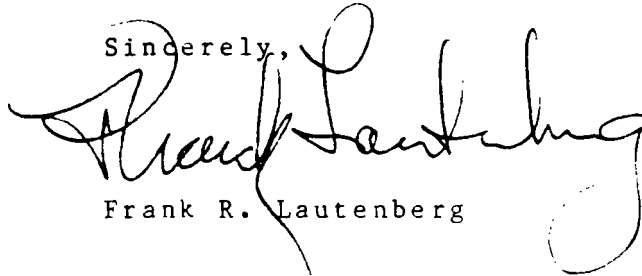
The goal of an oxygenated fuels provision should be to enhance the condition of our environment, not to promote or mandate the use of any particular fuel. This view is shared by the State and Territorial Air Pollution Program Administrators (STAPPA), those charged with implementing clean air programs in the states. STAPPA has stated that any oxygenated fuels requirement should be "fuel-neutral," not favoring the use of one beneficial fuel over another. Unfortunately, section 218 does not meet this test.

This amendment would result in comparable reductions in carbon monoxide levels throughout this country, while avoiding the devastating impacts on transportation funding that the provision now in S. 1630 would bring.

As you know, there have been ongoing discussions off the floor to resolve a variety of concerns about the pending bill. I am hopeful that this problem can be worked out in these discussions. However, if it cannot, I intend to offer my amendment to section 218, and I urge your support.

If you have any questions, please let me know, or have your staff contact Jeff Morales at 4-9721.

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read "Frank Lautenberg". The signature is fluid and cursive, with a large loop at the end.

Frank R. Lautenberg

Suburbs polluting; auto tests needed?

By J. Patrick Willard
Banner Staff Writer

The seven suburban counties surrounding Davidson County produce about as much air pollution as Nashville, according to a University of Tennessee study.

The study will be used to determine if automobile inspection programs need to be expanded into the suburban counties, according to Barry Stephens of the state's air pollution control division.

"This is the first big hurdle that had to be covered," Stephens told the state Air Pollution Control Board on Wednesday. He said the board will next determine the emissions reductions needed and then adopt regulations to meet those reduction goals.

He said among the options for

reducing emissions would be an expanded or enhanced auto emissions inspection program like the one now in effect in Davidson County through MARTA.

"The possibility is there. It depends on the percentage reduction needed," Stephens said.

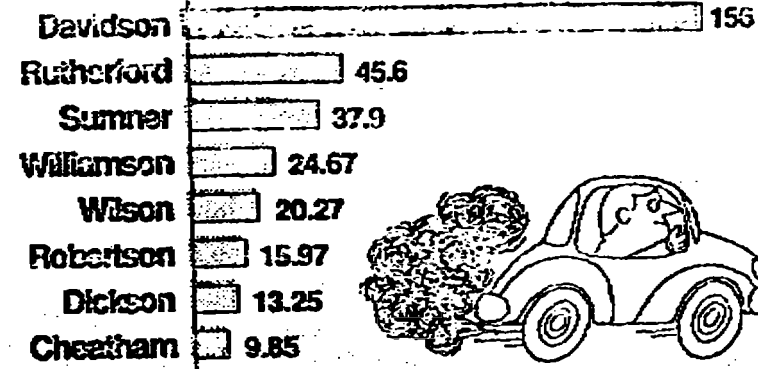
The study, required under the federal Clean Air Act, estimated volatile organic compound emissions for Davidson County totaled 156 tons for a summer day when the ozone standard was exceeded in 1988. The seven neighboring counties accounted for a total of 167.5 tons during the same period.

Those neighboring counties are Rutherford (45.6 tons), Sumner (37.9), Williamson (24.67), Wilson (20.27), Robertson (15.97), Dickson (13.25) and Cheatham (9.85).

The eight counties are included

Air pollution in the Metro area

Emissions of volatile organic compounds in Nashville and the surrounding counties. Figures are in tons per day.



Source: University of Tennessee study



in a non-attainment area for ozone by the U.S. Environmental Protection Agency. The "non-attainment" label means that the area does not meet EPA standards.

Under federal law the state must take action in non-attainment areas to reduce emissions to

comply with the Clean Air Act.

The study showed that mobile sources, including automobiles and other vehicles, were responsible for about 54 percent of the volatile organic compound emissions

lease see AIR, page A-10

There are an estimated 269,033 pollutants in the area. He said the modeling experiments will determine the percentage of reductions in emissions needed in the area. Stephens said the modeling experiments should be completed by next year. Regulations will then be drawn up on how to reduce emissions.

Stephens said University of Tennessee researchers now will conduct modeling experiments to determine the concentration of pollutants in the metropolitan area. Davidson County accounts for 43.5 percent of the total.

The report also looked at carbon monoxide and nitrogen oxide pollution in the eight-county area. It showed that 892.4 tons per day of carbon monoxide is emitted in the Nashville area. Davidson County accounts for 47 percent

also lead to potential lung damage. Stephens said volatile organic compounds, or hydrocarbons, are a leading contributor to the creation of ozone. The VOCs react to sunlight to form ozone. Ozone poses a health hazard to those with breathing difficulties, the elderly and children. It can

Air

Wynn's International, Inc.

2600 EAST NUTWOOD AVENUE BOX 4370 FULLERTON, CALIFORNIA 92634
(714) 992-2000 TELECOPIER (714) 525-3392 CABLE ADDRESS WYNN'S

February 6, 1990

The Honorable Al Gore
Senate Office Building
Washington, D. C. 20510

Dear Al:

It is my understanding the Senate Environment and Public Works Committee has approved a bill, S. 1630, which, if passed by Congress, could have disastrous consequences for the automotive business and ultimately the people of Tennessee because of the growing number of automotive-related jobs in our State.

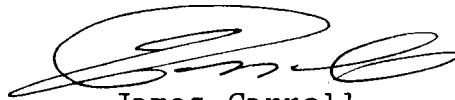
We at Wynn's support a responsible revision of the Clean Air Act, including motor vehicle emissions standards tougher than those currently in force. However, S. 1630 goes much too far. It would provide minimal benefits to the environment with a potential for a huge loss of jobs in Tennessee.

I am informed that Senators Carl Levin (D-MI) and Don Nickles (R-OK) are developing a bipartisan approach to address the onerous motor vehicle provision in S. 1630. It is a more sensible approach to the problem. I urge you to support the Levin/Nickles approach to modify S. 1630 when the bill is taken up on the Senate floor.

In the same vein, you should be aware that our Wynn Oil Company subsidiary has developed and patented a fuel supplement, WYNN'S EMISSION CONTROL, which reduces hydrocarbon and monoxide exhaust emissions. As you can see from the technical data enclosed, the results have been remarkable.

Very truly yours,

WYNN'S INTERNATIONAL, INC.



James Carroll
President and
Chief Executive Officer

JC:jm
Enclosures

Clinton Presidential Records Digital Records Marker

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.

SAE Technical Paper Series

890828

Diesel Particulate Emission Control Without Engine Modifications- A Cost-Effective Fuel Supplement

Mark S. Filowitz and Marcel Vataru

Wynn Oil Co.

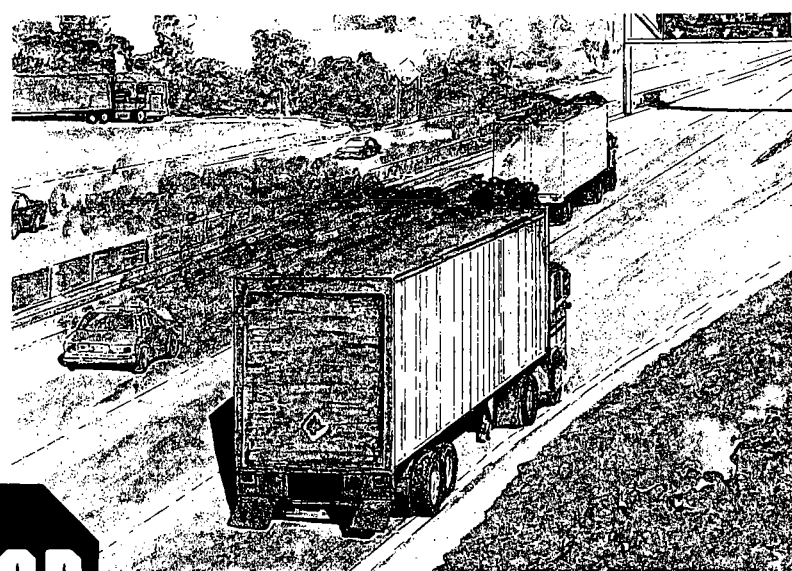
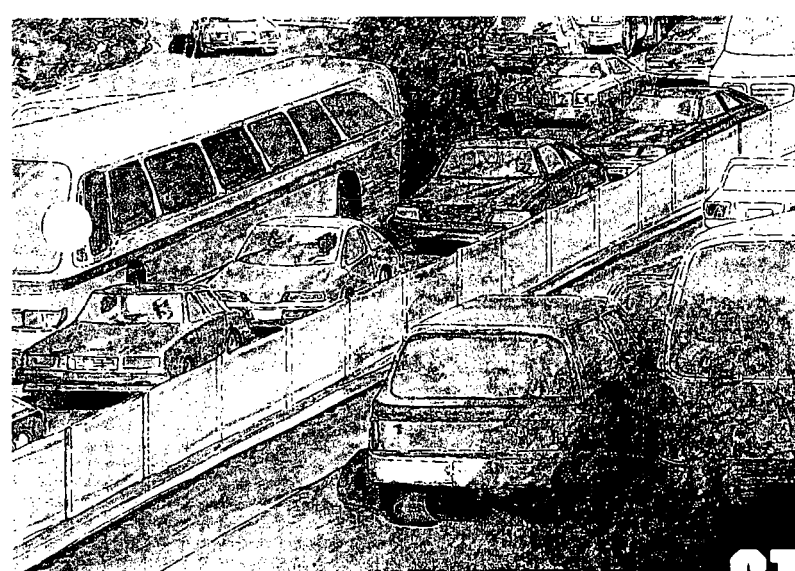
**International Congress
and Exposition
Detroit, Michigan
February 27-March 3, 1989**

Clinton Presidential Records Digital Records Marker

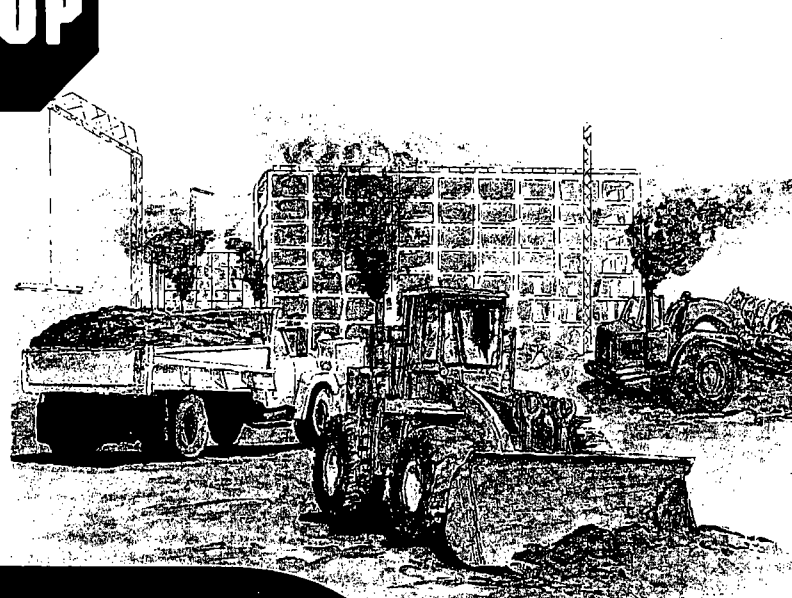
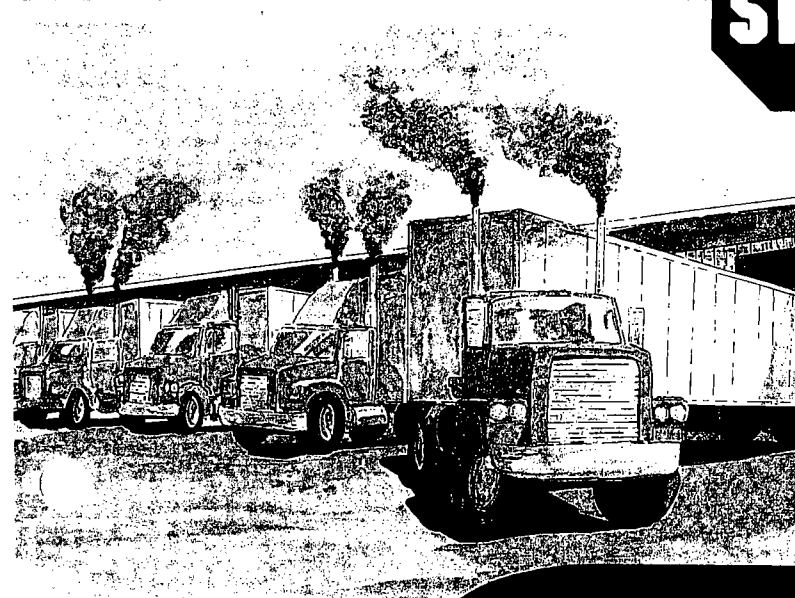
This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies the place of a publication.

Publications have not been scanned in their entirety for the purpose of digitization. To see the full publication please search online or visit the Clinton Presidential Library's Research Room.



STOP



Wynn's[®]

EMISSION CONTROL*

- Increase Fuel Economy
- Improve Engine Performance
- Reduce Black Smoke Emissions
- EPA Registered

*U.S. Patent No. 4,684,373 (additional patents pending)

JOSEPH I. LIEBERMAN
CONNECTICUT

COMMITTEES:
ENVIRONMENT AND PUBLIC WORKS
GOVERNMENTAL AFFAIRS
SMALL BUSINESS

United States Senate
WASHINGTON, DC 20510

SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-4041

STATE OFFICE:
ONE COMMERCIAL PLAZA
21ST FLOOR
HARTFORD, CT 06103
203-240-3566
TOLL FREE: 1-800-225-5605

February 5, 1990

Dear Democratic Colleague:

*Info
but only
is EPA
say needed*

I appreciated the opportunity to talk with you at the Caucus last week about the need for the second round of automobile tailpipe controls. I wanted to provide you with copies of the charts I used and briefly summarize the key points.

First, transportation is the major source of our ozone and carbon monoxide pollution problems.

Second, the contention by industry representatives that pollution from the tailpipes of cars has been reduced by 96 percent since 1970 presents a faulty picture. Unfortunately, while a car tested in the laboratory will show a 96 percent reduction, in reality the cars on the road only attain a 20 percent reduction in emissions from the 1970 levels. This is because cars actually on the road do not use the "ideal" fuel of testing conditions; the average person does not drive a vehicle in the same manner and under the same conditions as used during the test procedures; and the test procedures do not reflect the conditions during a hot summer day when the maximum ozone problems occur.

The number of cars on the road and the number of miles driven continue to grow, offsetting much of the gain that has occurred. There are 140 million cars on the nation's highways today -- over 50 million more than in 1970, driving 140 million more miles per year. While many of these cars are on the road for 100,000 miles, under the current law they are only required to meet the cleaner air quality standards for 50,000 miles. The emissions from cars increase significantly after the first 50,000 miles.

Third, it is misleading to claim that the reduction from the second round of standards is only two percent. That figure fails to take into account:

- * Stricter controls result not only in a reduction of hydrocarbons, but also reductions in oxides of nitrogen (NOx), a principal component of smog and carbon monoxide. Both of these pollutants pose severe health threats.

- * Increases in both the number and use of automobiles will occur. Currently, Americans drive 25 billion miles each year, and this number is growing. The attached charts demonstrate that the impact of the second round is substantially greater in the years after 2004 because the stricter controls offset increased emissions from growth in vehicle miles traveled.

In terms of the emissions from the tailpipe of the automobile alone when compared with today's levels, the second round of standards in S. 1630 will achieve a 52 percent greater reduction in hydrocarbons alone than the President's proposal. Moreover, the reductions in terms of tons of emissions eliminated from cars and light trucks are dramatic when compared with the President's proposal: over time, the reductions will be 1 million more tons of hydrocarbons per year, 1.2 million more tons of NOx per year, and 10.2 million more tons of carbon monoxide per year removed from the air.

Fourth, the evidence before the Environment and Public Works Committee from the California Air Resources Board, the leading expert in this area and supported by the manufacturers of this equipment, establishes that the cost of these standards will be between \$122-\$132 per car. This cost is extremely cost-effective when compared with strategies states might have to adopt in the absence of emission reductions from the second round. According to the states, some of them might be forced to consider options such as eliminating all dry cleaners or some iron and steel manufacturers.

Thank you for taking the time to review this issue. I would be glad to discuss the matter with you in further detail at any time.

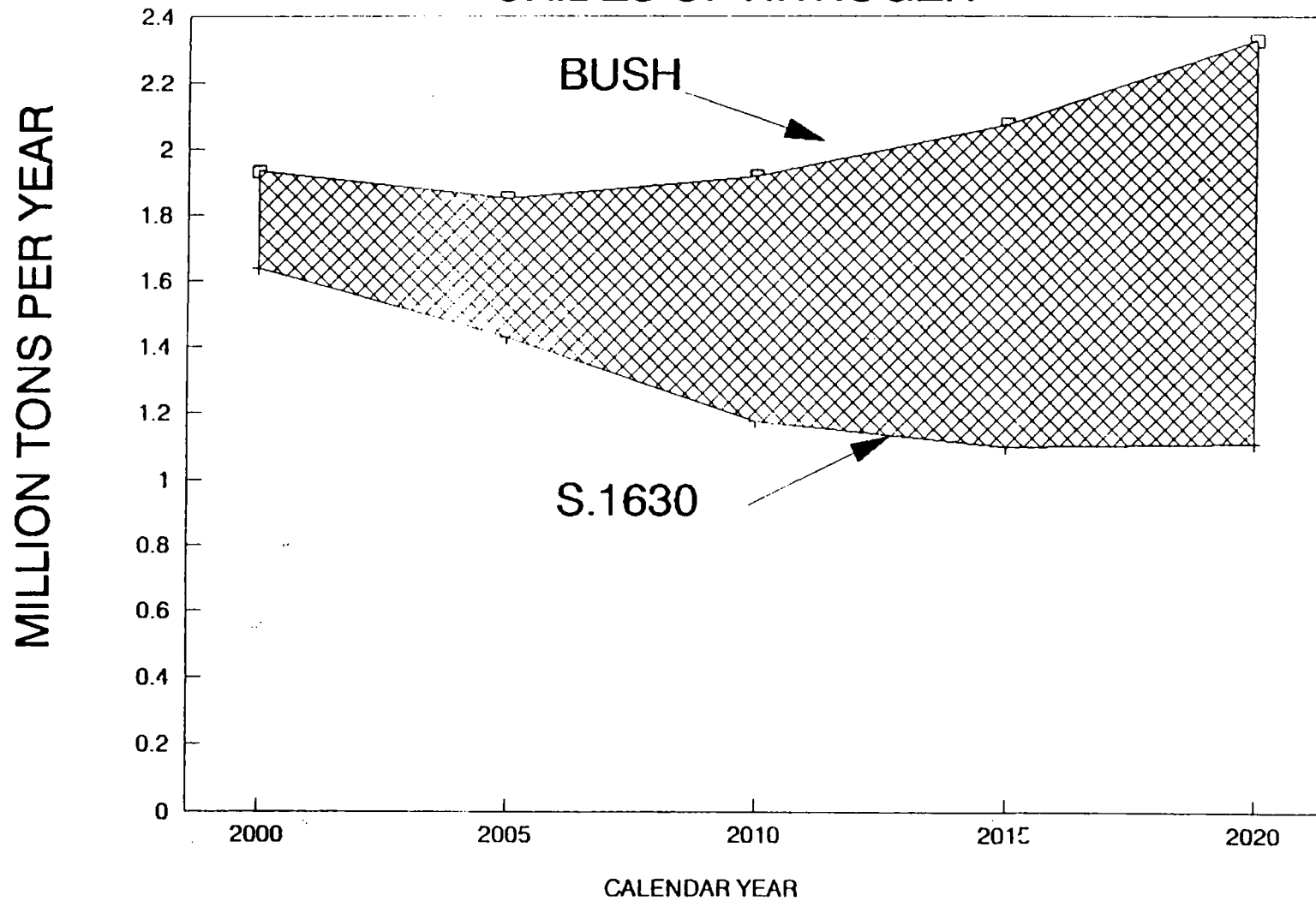
Sincerely,

A handwritten signature in black ink, appearing to read "J. Lieberman", written in a cursive style.

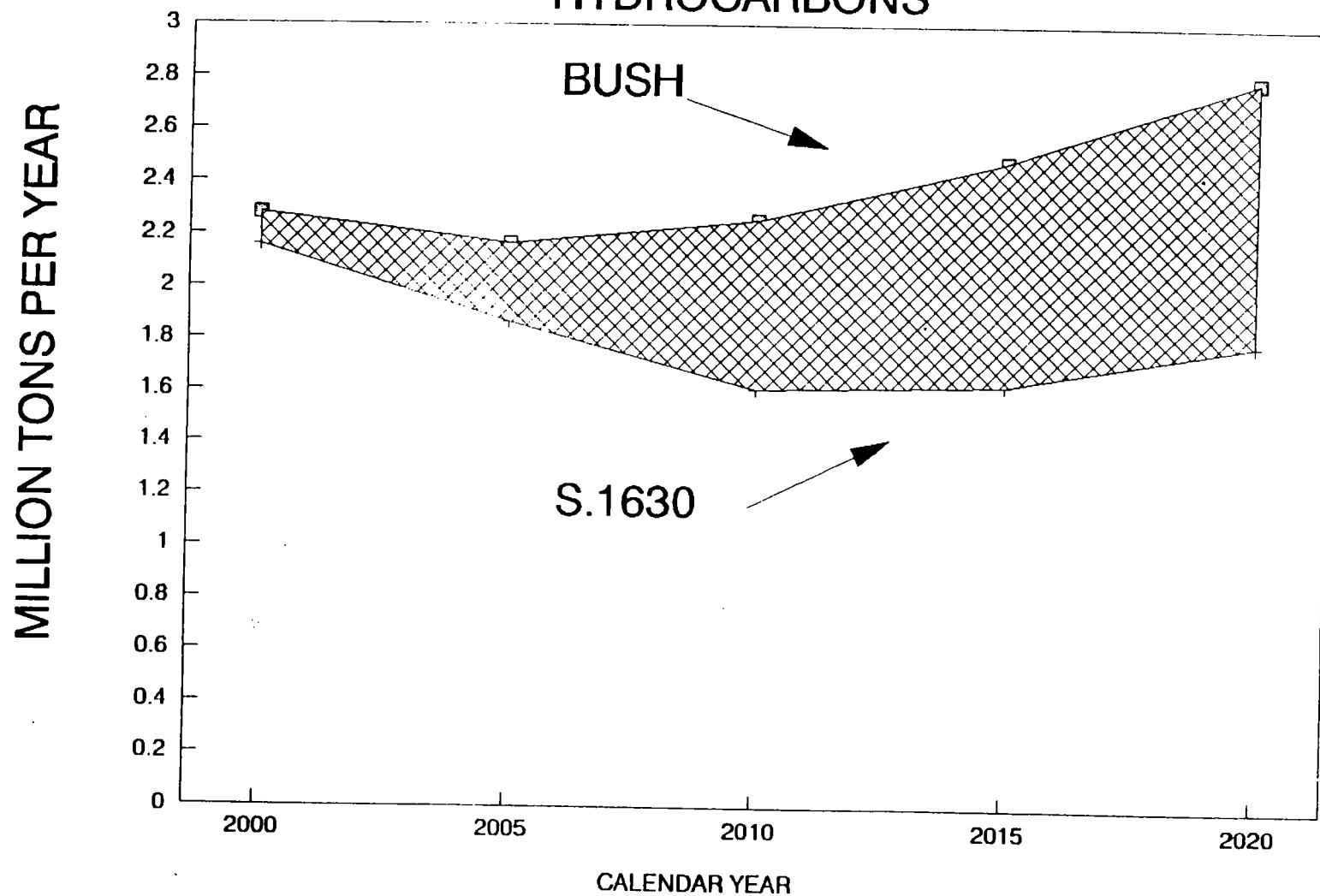
Joseph I. Lieberman

Attachments (6)

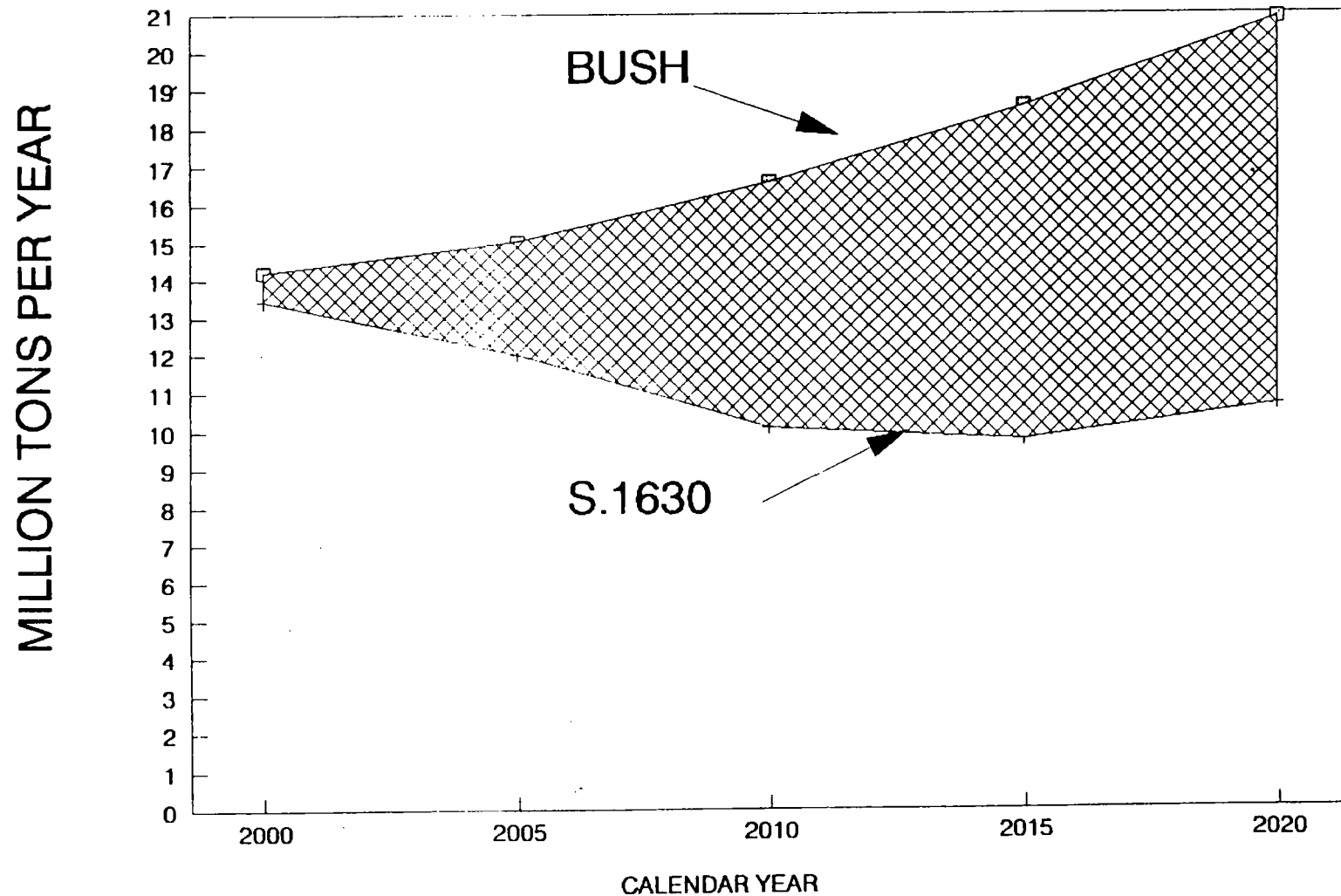
EXCESS CAR AND LIGHT TRUCK EMISSIONS FROM BUSH PROPOSAL OXIDES OF NITROGEN

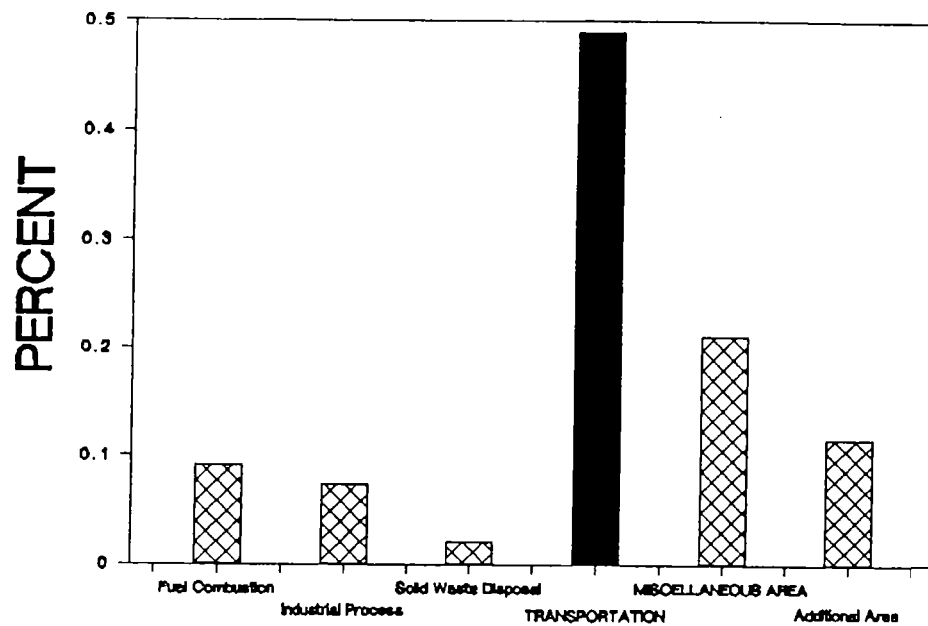


EXCESS CAR AND LIGHT TRUCK EMISSIONS FROM BUSH PROPOSAL HYDROCARBONS

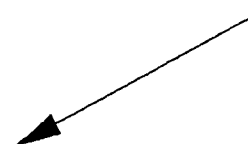


EXCESS CAR AND LIGHT TRUCK EMISSIONS FROM BUSH PROPOSAL CARBON MONOXIDE

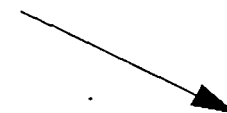




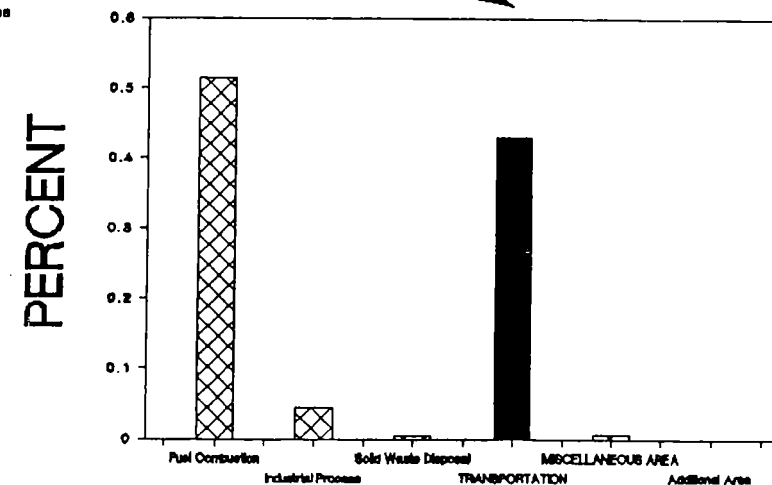
HYDROCARBONS



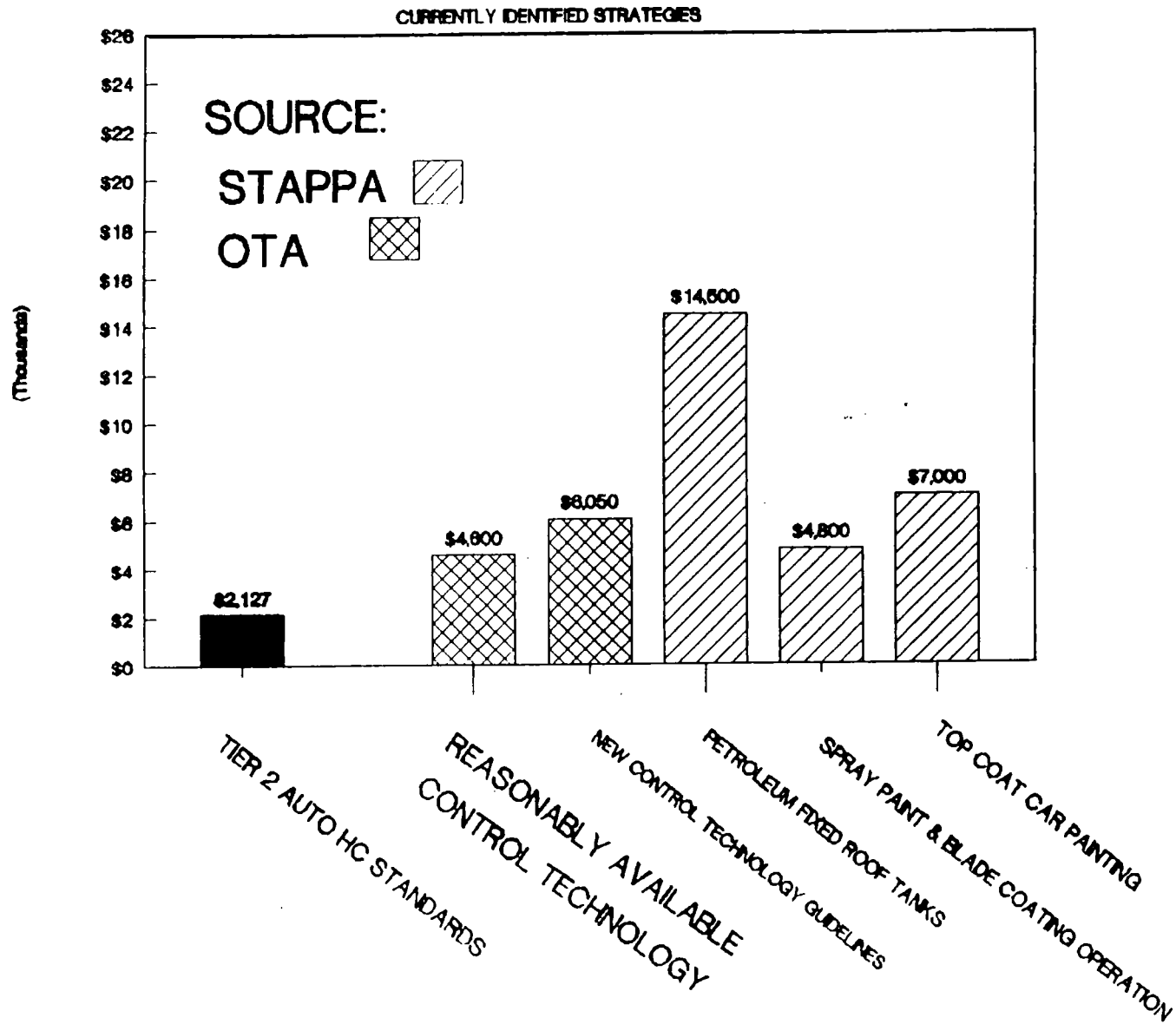
OXIDES OF NITROGEN



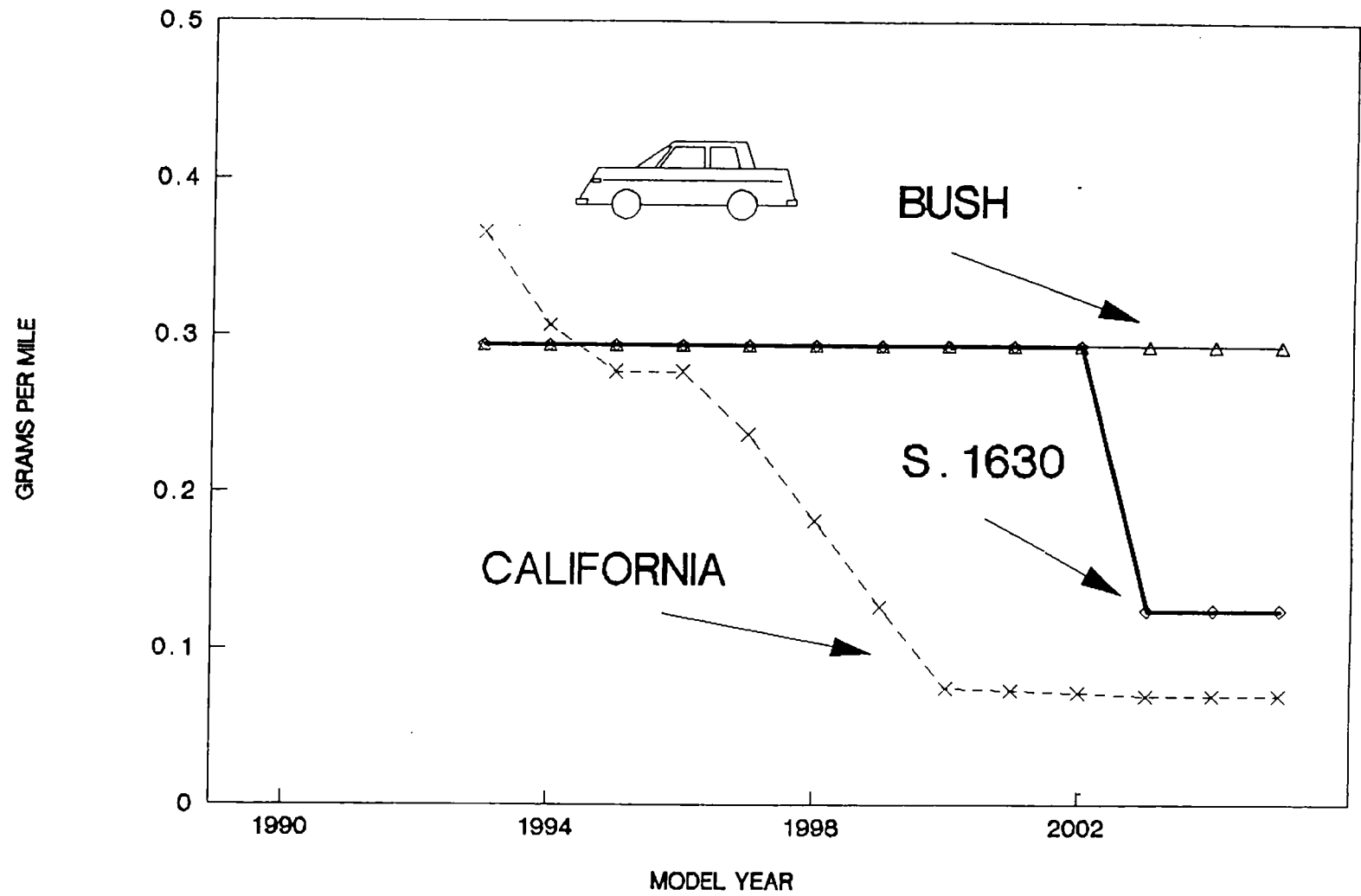
MOTOR VEHICLES
REMAIN THE
DOMINANT SOURCE
OF POLLUTION



COST PER TON OF HC REMOVAL



AUTO STANDARDS PROPOSALS - HC



1969 FEB -5 PM 3:39

Barbara Bennett - Alaska Envtl Concern

Wish process to exist w/ good

Anchorage + Fairbanks + Co
problem
+ military stations

only to their I/AI
out of state vehicles not

Stevens - receipts of how stickers
Go there I/AI
but $\Rightarrow$ only every 3 yrs. $\Rightarrow$
when stickers need to be renewed.

will offer an amendment.

TN - same idea

bill

~~II~~ M only in amendment

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BRIEFING SHEET

SUBJECT: FEDERAL FACILITY COMPLIANCE

PHOTOCOPY
PRESERVATION

Background:

Currently, federal facilities in Alaska, including military facilities, comply with ADEC's stationary source requirements, as well as the local I/M programs operated in Fairbanks and Anchorage. However, military compliance with the I/M programs is a result of a substantial effort, including the involvement of Senator Stevens' office, to facilitate the cooperation of the military.

An additional issue in military compliance are the vehicles which belong to military personnel stationed in an I/M program area but which are registered in other jurisdictions. With a registration-based compliance system, these vehicles do not become subject to the I/M program. After considerable effort in Alaska, we reached a 'gentlemen's agreement' with the base commanders that has resulted in emissions testing, either on-base or elsewhere, as a prerequisite for a base sticker.

To our knowledge, this arrangement is unique to Alaska. There are a number of other nonattainment areas that have large numbers of either Federal or out-of-state vehicles that contribute to their air quality problems. Federal law does not require that the out-of-state vehicles operated by military personnel and their families conform to the same requirements as must other vehicles. Current compliance has been achieved because the present facility commanders have personally agreed to such. With the ongoing turnover in military personnel, there is no guarantee that future commanders will be so inclined.

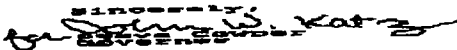
Added to this is the reluctance of the military authorities, in Alaska and elsewhere, to comply with other aspects of Clean Air Act activities (e.g., the furnishing of emissions data to local agencies) and with other federal laws. Therefore, it is our position that additional language is needed in section 118 of the Clean Air Act to ensure specifically that such compliance is required.

other jurisdictions, they were not subject to the State's I&M program. After considerable effort, we reached a "gentlemen's agreement" with the base commanders that has resulted in on-base emissions testing as a prerequisite for a base sticker.

While we are pleased with the accommodation we have reached with our military neighbors, we wish to point out that to our knowledge, our arrangement is unique. A number of other nonattainment areas have large numbers of either federal or out-of-state vehicles that contribute to their air quality problems. In addition, we recognize that our arrangement is just that -- federal law does not require that the out-of-state vehicles operated by military personnel and their families conform to the same requirements as must other vehicles. Thus, we ask that you consider amending the Clean Air Act to provide for testing of these vehicles in nonattainment areas. Toward that end, the Alaska Department of Environmental Conservation will be pleased to provide further information concerning the emissions testing program we have developed in cooperation with the local base commanders.

Enclosed with this letter is a summary of specific comments on provisions of S.1530 that directly affect carbon monoxide nonattainment areas. We ask that you take these comments into account as you develop amendments to the Clean Air Act.

Again, thank you for spearheading this important bipartisan effort to reduce motor vehicle emissions. We look forward to continuing to work with you and your committee to achieve a clean, healthy, and safe environment for all.

Sincerely,

 Governor

Enclosure
 1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31
 32
 33
 34
 35
 36
 37
 38
 39
 40
 41
 42
 43
 44
 45
 46
 47
 48
 49
 50
 51
 52
 53
 54
 55
 56
 57
 58
 59
 60
 61
 62
 63
 64
 65
 66
 67
 68
 69
 70
 71
 72
 73
 74
 75
 76
 77
 78
 79
 80
 81
 82
 83
 84
 85
 86
 87
 88
 89
 90
 91
 92
 93
 94
 95
 96
 97
 98
 99
 100

XEROX TELECOPIER 295 : 1-30-90; 3:27 PM; 2023472416 56 + 3122241867573 : # 3
 01. 01. 90 02:43 PM - JUSOF WASH D. C. 1
 03



STATE OF ALASKA

PHOTOCOPY
 PRESERVATION

October 16, 1989

The Honorable Max Baucus
Chairman
Senate Subcommittee on
Environmental Protection
458 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

We wish to express our appreciation for your introduction of the Clean Air Restoration and Standards Attainment Act of 1989 (S.1630). If enacted, this legislation will greatly aid the efforts of our communities to reach attainment of the National Ambient Air Quality Standards.

We are very pleased to see the strong cold temperature carbon monoxide certification program that is contained in S.1630. As you know, the State of Alaska has consistently maintained that until cars and trucks can reduce emissions under normal operating conditions, many communities will be unable to meet standards for carbon monoxide. This is especially true for areas with colder climates. The program specified in S.1630 will provide substantial long-term CO reductions for communities across the nation.

It is reassuring to hear that you and a number of your subcommittee colleagues voiced strong concerns about the motor vehicle averaging provisions contained in the President's clean air bill (S.1490) to Administrator Reilly during your September 26 hearing. We strongly endorse the approach you have taken in S.1630 by specifically forbidding averaging, as we believe that all new vehicles should be equipped with the best available pollution controls.

We also wish to bring to your attention another problem we have faced in combatting our carbon monoxide problem. Several years ago, we recognized that the operation of some 6,000 vehicles in the State of Alaska -- vehicles that were not subject to our inspection and maintenance (I&M) program -- were contributing greatly to our carbon monoxide emissions, particularly during the months of November through March. Since these vehicles -- which belong to military personnel stationed in Alaska -- are registered in

PHOTOCOPY
PRESERVATION

JSCF

JELLINEK, SCHWARTZ,
CONNOLLY & FRESHMAN, INC.

1015 15th Street, N.W., Suite 500
Washington, D.C. 20005

Telephone (202) 789-8181
Fax (202) 789-8243 / 789-8244
Telex S106001897 Cable JSCF USA

TELECOPIER TRANSMITTAL

TO: (Individual) Katy McGinty
(Company) Senator Gore's Office
(Phone #) _____
(Telefax #) 224-0580

FROM: Barbara Bennison

DATE: January 31, 1990

NO. OF PAGES (including cover sheet): 4

IF COPY IS ILLEGIBLE OR INCOMPLETE, PLEASE CALL (202) 789-8181.

OPERATOR: Barbara

COMMENTS:

**PHOTOCOPY
PRESERVATION**

Katy

Per our conversation, I am sending you Governor Cowper's clean air letter of October 16, 1989, to Senator Baucus and a brief description of the I&M/military compliance issue.

Thanks much for your help.

Barbara

je H. Smith, Director
on 8 UAW

Jim Danley, Representative
UAW CAP & Education Dept.

Tennessee State UAW Community Action Program (CAP) Council

INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

5214 Maryland Way, Suite 305 • Brentwood, Tennessee 37027
Phone (615) 371-9360

PRESTON W. LOVELESS
CHAIRMAN

HOMER DANIELS
VICE CHAIRMAN

ROBERT PRUITTE
FINANCIAL SECRETARY

DEBRA LASSITER
RECORDING SECRETARY

ESSENTING
ED AUTO WORKERS

January 25, 1990

ICT 85
PHIS

L 342
NON

AL 737
VILL

AL 903
PHIS

AL 1004
PHIS

AL 1066
PHIS

AL 1303
IVAR

AL 1407
KEVILLE

AL 1479
KEVILLE

AL 1817
RISTOWN

AL 1678
EVELAND

AL 1832
DIBON

AL 1853
RING HILL

AL 1856
LMER

AL 1988
FAYETTE

AL 1989
EMPHIS

AL 2116
DANON

AL 2168
MUNSON CITY

AL 2181
ASHVILLE

AL 2229
ASHVILLE

AL 2240
ANKLIN

The Honorable
Albert Gore, Jr.
United States Senate
393 Russell Senate Office Bldg.
Washington, DC 20510

Dear Senator Gore:

The UAW supported the Clean Air Act when it was originally passed in 1970, and again when it was re-authorized in 1977.

However, in our judgment, tailpipe standards in S-1630 would be impossible to meet with current technology. We feel if these standards were enacted it would force the automobile companies to discontinue the production of large and mid-sized vehicles, which would result in massive layoffs in the automobile and parts industries.

IT IS WITH THIS IN MIND THAT I URGE YOU TO SUPPORT THE LEVIN-NICKLES SUBSTITUTE PROPOSAL WHEN IT IS CONSIDERED ON THE SENATE FLOOR.

Sincerely yours,

Preston W. Loveless
Preston W. Loveless, Chairman
Tennessee UAW CAP-PAC Council

PHOTOCOPY
PRESERVATION

PWL/jb
opeiu494

Jerry

QUENTIN N. BURDICK, NORTH DAKOTA, CHAIRMAN

DANIEL PATRICK MOYNIHAN, NEW YORK
GEORGE J. MITCHELL, MAINE
MAX BAUCUS, MONTANA
FRANK R. LAUTENBERG, NEW JERSEY
JOHN B. BREAU, LOUISIANA
HARRY REID, NEVADA
BOB GRAHAM, FLORIDA
JOSEPH I. LIEBERMAN, CONNECTICUT

JOHN H. CHAFEE, RHODE ISLAND
ALAN K. SIMPSON, WYOMING
STEVE SYMMS, IDAHO
DAVE DURENBERGER, MINNESOTA
JOHN W. WARNER, VIRGINIA
JAMES M. JEFFORDS, VERMONT
GORDON J. HUMPHREY, NEW HAMPSHIRE

DAVID M. STRAUSS, STAFF DIRECTOR
ROBERT F. HURLEY, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510-8175

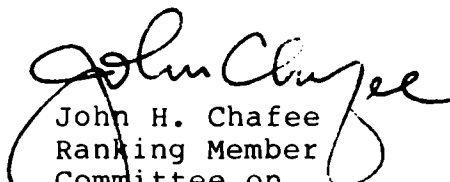
June 15, 1989

Dear Colleague:

This week's issue of Clearing The Air focuses on carbon monoxide (CO) pollution, its health impacts, and potential control options.

Carbon monoxide pollution is largely a mobile source pollution problem. Cars and trucks account for between 70% and 90% of all CO emissions. As a result, most of the control options target tighter tailpipe standards and other automotive-related solution. This is in contrast to ozone pollution, where approximately 50% of the pollution is from mobile sources, the other 50% from stationary sources.

Sincerely,



John H. Chafee
Ranking Member
Committee on
Environment and Public Works



Max Baucus
Chairman
Subcommittee on
Environmental Protection

CLEARING THE AIR

Briefings on the Clean Air Act

ISSUE NO. 5

June 15, 1989

CARBON MONOXIDE

It is estimated that nearly 90 million Americans live in areas where carbon monoxide pollution exceeds federal standards. This fact sheet describes carbon monoxide pollution and its health effects.

SOURCES OF CARBON MONOXIDE EMISSIONS

Automobiles and other motor vehicles are the major source of carbon monoxide (CO). Carbon monoxide is a product of incomplete fuel combustion in the motor vehicle engine. Mobile sources account for between 70 and 90 percent of the carbon monoxide emissions in urban areas.

Carbon monoxide is a colorless, odorless gas. Unlike some air pollutants which are emitted from tall stacks, carbon monoxide is emitted at ground level, or breathing level. Carbon monoxide emissions are not transported to other areas downwind as are certain ozone precursors.

The 1970 Clean Air Act required that automobiles achieve 90 percent reduction in automobile emissions by 1975-1976. While the required reductions were not achieved during that timeframe, tailpipe standards and other automobile pollution control strategies have had a substantial impact on reducing carbon monoxide emissions. As the motor vehicle fleet turns over and a larger percent of new cars with pollution control devices are on the road, carbon monoxide emissions from mobile sources will continue to decrease.

However, by the mid-1990s it is estimated that carbon monoxide emissions from automobiles and other mobile sources will increase due to the increase in vehicle miles traveled (VMT) each year.

AREAS IN NONATTAINMENT

During the early legislative efforts to control air pollution, carbon monoxide was recognized as one of the pervasive pollutants in urban air. Under the Clean Air Act of 1970, the Environmental Protection Agency was directed to set National Ambient Air Quality Standards (NAAQS) for six criteria pollutants, one of which was carbon monoxide. The Clean Air Act directed EPA to set standards to protect the public health with an adequate margin of safety. The current national standard for carbon monoxide is 9 ppm (parts per million) averaged over 8 hours, and 35 ppm maximum over a one-hour period.

Each state was required to prepare, for EPA approval, a State Implementation Plan (SIP) which sets forth a strategy to enable the state to meet the NAAQS by 1977. The 1977 amendments to the Clean Air Act extended the deadlines for state attainment of NAAQS to 1982, and for states with severe air pollution problems, until 1987. These deadlines were further extended until August of 1988.

The 1988 deadlines have passed, and EPA's figures indicate that at least 52 areas of the nation are not in attainment with the national health-based standard for carbon monoxide emissions. The estimated population living in these areas is over 89 million.

HEALTH EFFECTS

Inhalation of carbon monoxide poses a threat to human health because it reduces the body's ability to carry oxygen to body tissues. Carbon monoxide binds more easily than oxygen does with certain proteins, like hemoglobin, in blood. The more easily-bonded carbon monoxide thus prevents oxygen from bonding with blood proteins, and less oxygen is delivered through the blood stream. Oxygen is replaced by carbon monoxide, which does not perform the essential functions that oxygen does in the body. By depriving the body of needed oxygen, carbon monoxide is potentially lethal. At extremely high exposure levels, death by asphyxiation results.

Carbon monoxide pollution is especially hazardous to fetuses. Because the fetus does not breathe on its own, it is totally dependent on the mother's blood stream for its oxygen supply. The blood stream passing through the placenta to the fetus is already low in oxygen because some of the oxygen has been used by the mother. Any further reduction of oxygen in the blood stream caused by carbon monoxide displacement of oxygen poses a threat to fetal development. The fetal brain has high oxygen requirements and is susceptible to damage from carbon monoxide. Health studies conducted on animals suggest that even modest levels of carbon monoxide pollution pose risks to fetal brain development and possible irreversible neural damages. The American Lung Association estimates that nearly 40 percent of the nation's pregnant women live in areas which have failed to attain the carbon monoxide standards.

Another major segment of the American population which is especially vulnerable to carbon monoxide pollution are persons suffering from heart disease. Again, it is estimated that nearly 40 percent of these heart disease victims live in areas where carbon monoxide levels exceed national standards. The heart already weakened by disease is particularly sensitive to the displacement of oxygen from the bloodstream by carbon monoxide because the circulatory system has limited capacity to transport oxygen throughout the body. Even with mild exertion, angina patients will feel pain from carbon monoxide pollution. Some experts believe carbon monoxide pollution may trigger heart attacks.

Healthy Americans may also experience adverse effects from modest carbon monoxide exposure. As oxygen levels in the bloodstream decline and carbon monoxide levels rise, persons may suffer reduced aerobic capacity. As the oxygen levels in the brain are reduced, individuals may experience loss of visual perception, manual dexterity, and learning abilities.

CO "HOTSPOTS"

The highest levels of carbon monoxide pollution are in areas where automobile and motor vehicle traffic is heaviest. Engines emit higher levels of carbon monoxide when traveling at low speeds and under stop and go conditions. Busy intersections, tunnels, and other areas which are congested with traffic become carbon monoxide "hotspots." In many urban areas, excessive carbon monoxide pollution is found across a broad portion of the urban area and not just in "hotspots."

COLD WEATHER

Carbon monoxide emissions are generally greatest in cold temperatures, unlike ozone emissions, which are largely a warm weather problem. High altitudes also exacerbate carbon monoxide pollution. Areas of the country like Denver, Colorado suffer especially aggravated carbon monoxide pollution in the winter months with the combination of high altitude and cold temperatures.

Carbon monoxide emissions are high during "cold starts" because the motor vehicle engine is not burning the fuel as efficiently as it does after the engine warms up. Therefore, carbon monoxide emissions in winter months in downtown areas, or other dense employment areas, in late afternoon when people are leaving work, can be of special concern.

CARBON MONOXIDE CONTROLS

Efforts to control carbon monoxide pollution focus on motor vehicles as they are overwhelmingly the primary source of carbon monoxide emissions. The current standard for carbon monoxide emissions from an automobile tailpipe is 3.4 grams per mile.

Some legislative proposals would tighten tailpipe standards for automobiles as well as for other motor vehicles such as trucks and buses.

The federal test procedure (FTP) which determines compliance with the tailpipe standard measures emissions under warm weather conditions. To more accurately reflect real-world emissions, some proposals would revise federal test procedures to include cold temperatures (20 degrees Fahrenheit) and varying driving conditions, such as low speeds and acceleration/deceleration.

Tests have shown that properly maintained vehicles exceed the tailpipe standard for carbon monoxide after 30,000 miles. Proposals to control carbon monoxide include extension of the "useful-life" of the pollution control equipment on motor vehicles, as well as more effective inspection and maintenance programs to ensure properly functioning pollution control equipment.

Alternative fuels such as methanol or ethanol blends, which have higher oxygen content than gasoline, combust more efficiently, producing lower carbon monoxide emissions. Tests in Denver have shown decreased carbon monoxide emissions from use of "oxygenated" fuels, and some proposals would set a minimum standard for the oxygen content of motor vehicle fuel.

Other proposals for areas with severe carbon monoxide pollution problems include transportation control measures to reduce the number of vehicle miles traveled.



National Audubon Society

NATIONAL CAPITAL OFFICE

801 PENNSYLVANIA AVENUE, S.E.

WASHINGTON, D.C. 20003

(202) 547-9009

January 30, 1990

Dear Senator Gore:

As the Senate moves to consider the clean air act this week, you will undoubtedly be faced with more than one important vote on issues critical to the strength and effectiveness of America's clean air program. No single vote will be more important, however, than your decision whether to support the Environment Committee's forward-looking provisions on emissions and fuel economy standards for America's auto fleet, or to go along with the automobile industry's announced intent to gut those provisions. As you know, Majority Leader Mitchell has made passing S 1630, the Environment and Public Works clean air bill, a top priority and we strongly support that goal.

We urge you to oppose any amendment to weaken or remove the second round of auto emissions reductions and the fuel economy standards from S 1630. These weakening amendments are expected to be offered by Senators Levin and Nickles.

Without the second round of tailpipe reductions contained in S 1630, our efforts to clean our cities' skies will inevitably be offset by increased vehicle traffic. Without the fuel economy/CO₂ standard contained in S 1630, we have no realistic way to get necessary reductions in America's automobile CO₂ emissions to the atmosphere.

It is no secret that the auto manufacturers don't like these provisions. As reported in a recent Detroit News front page story (copy enclosed), the Big Three auto manufacturers have committed \$1 to \$3 million to a priority campaign to gut the key provisions of S 1630.

Representatives of the auto industry continue to make the *same* arguments they promoted over a decade ago. Yankee ingenuity has been replaced with a "no can do" attitude. We believe the arguments are invalid and these tactics are socially irresponsible. Had Congress listened to these same arguments over a decade ago, US autos would still be getting 13/mpg and our urban smog crisis would be much worse than it is today.

After years of delay, and enormous and expensive health-related air pollution problems, it is time to act on a clean air bill that meets the needs of American citizens and the environment.

We urge you to reject the Levin-Nickles amendments and to oppose any other attempts to weaken S 1630.

Sincerely,

Brooks Yeager
Vice President,
Government Relations

FRONT PAGE

A DETROIT NEWS EXCLUSIVE

Levin goes to bat for Big 3

Plans to help automakers fight emission rules

By Bryan Gruley
Detroit News Washington Bureau

WASHINGTON — Michigan Sen. Carl Levin and an unlikely ally — a Republican senator from Oklahoma — are preparing a legislative one-two punch aimed at protecting the auto industry from the toughest measures of a proposed Senate anti-pollution bill.

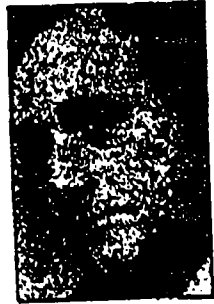
At the urging of the Big Three automakers, liberal Democrat Levin and conservative Don Nickles plan to offer legislation that would gut key provisions of a clean-air bill written by Sen. Max Baucus, D-Mont., and

passed by a Senate environmental panel last month. They face a difficult fight.

The Levin-Nickles proposal is to be the centerpiece of an industry offensive taking shape as Congress prepares for the final battle over the Clean Air Act. After a decade of stalemate, Congress is ready to complete revisions to the law, which seeks to reduce acid rain, airborne toxic chemicals and air pollution from automobiles.

THE AUTO industry has been quietly assembling a national grass-roots lobbying effort to overhaul the

Levin: Facing difficult battle.



Baucus bill, which the automakers consider unnecessary, costly and not feasible.

General Motors Corp., Ford Motor Co., Chrysler Corp. and importers from Japan and Europe plan to spend more than \$1 million on newspaper ads listing cars they say will not be available if the more-demanding gas-mileage standards in the Baucus bill are passed, industry sources said.

The automakers are also urging

Please see Levin/4A.

Levin

He leads fight against tougher car emission rules

From Page 1A

the United Auto Workers union, auto dealers, suppliers, fleet operators and plant managers to contact senators.

"This is a call to arms," said Elliott Hall, vice-president in charge of Ford's Washington office.

LAST WEEK, GM Chairman Roger Smith, Ford Vice-Chairman Harold Poling and Bennett Bidwell, chairman of Chrysler's automaking unit, met with White House Chief of Staff John Sununu.

The executives contended that Congress threatens to overload the industry with clean-air and fuel-economy rules just as slumping auto sales are sapping the companies' resources to meet new requirements.

The Senate clean air fight is crucial because the bill's impact on the auto industry has been largely decided in the House.

Congressional sources said Levin and Nickles plan to introduce an amendment that would:

- Eliminate the certainty of a second round of toughened tailpipe emission standards being imposed in 2003.

The Baucus bill would impose two rounds of toughened limits on smog-forming tailpipe emissions over the next 14 years. Levin and Nickles either would eliminate the second round or make it contingent upon approval by the Environmental Protection Agency (EPA).

The provision would be similar to one the House is likely to pass.

- Eliminate the Baucus bill's first-of-a-kind limit on emissions of carbon dioxide.

The provision amounts to a new fuel economy rule, because carbon-dioxide emissions can be cut significantly only by increasing gas mileage. The Senate panel that approved the provision said automakers would need to boost their corporate average fuel economy (CAFE) to 33 miles per gallon by 1996 and 40 mpg by 2000.

The CAFE standard for 1990 is 27.5 mpg.

The automakers are most concerned about the CAFE provision. They say it would force them to discontinue all but their smallest models, while low gas prices have boosted demand for bigger, more powerful cars.

Production halts would mean

closed factories and lost jobs, they say.

"THIS THING is really scary," said Timothy MacCarthy, a lobbyist for the Motor Vehicle Manufacturers Association.

Environmentalists say the industry made similar complaints in the 1970s but has since doubled gas mileage. They argue that automakers will not develop technology to improve fuel economy unless forced.

"The auto industry's problem is they've been discredited by always saying no," said Daniel Weiss, a lobbyist for the Sierra Club, an environmental group. "Because they were so wrong, they have very little credibility with anyone outside there (Detroit)."

At least six other bills that would increase CAFE levels are pending.

The automakers think they can postpone a fuel-economy fight until 1991 if they can kill Baucus' CAFE provision.

"We want to convince the administration and Congress not to do a CAFE bill" until a new Congress convenes in 1991, Ford's Hall said.

THE INDUSTRY is banking on the Levin-Nickles alliance, cemented in a face-to-face meeting of the senators Dec. 15.

Levin, who has led the auto industry's Senate battle since last spring, decided he should join with a Republican who does not hail from a state with intense ties to the industry.

Nickles' home state of Oklahoma includes a GM assembly plant in Oklahoma City and a Ford glass plant in Tulsa.

"We need that kind of team," an auto lobbyist said. "We wouldn't want to have two strong auto-state senators."

Nickles, 41, is also chairman of the National Republican Senatorial Committee, which raises money for GOP races. His pairing with Levin could put Nickles in an awkward position. Levin will likely be challenged for re-election next year by Rep. Bill Schuette of Midland or Detroit attorney W. Clark Durant, Nickles' party colleagues.

Levin's mission in the clean air battle is to undo the Baucus bill's proposed second round of tailpipe limits.

IN SEPTEMBER, the senator told a subcommittee chaired by Baucus that the so-called "tier II" limits would cost \$6.5 billion for only 2 percent in pollution reductions.

"We ought to be spending that money on leap-ahead technologies for environmental cleanup," Levin said last month.

Nickles will focus on the proposed carbon-dioxide standard — which industry people refer to as a "backdoor CAFE program."

The Ponca City, Okla., businessman has criticized CAFE in the past.

"He's absolutely the best on fuel economy in the Senate," one auto lobbyist said. "We're absolutely delighted and grateful to have him."

The Senate historically has been hostile to the automakers on environmental issues. The Baucus package passed in committee by a lopsided 15-1 vote.

Even Sununu was not entirely sympathetic to the auto executives who visited him last week, sources familiar with the meeting said.

SUNUNU CHIDED Smith, Poling and Bidwell for not working hard enough to support Bush's clean-air proposals.

"The situation is not good," one congressional source said. "Together (Levin and Nickles) may have a fairly good chance, although there's going to be some pretty significant opposition."

The automakers aim to use the Levin-Nickles proposal in their national lobbying campaign, which will include newspaper advertising and mass mailings to groups such as retired auto workers.

As now planned, ads will run in

the Wall Street Journal, the Washington Post and other national papers, as well as newspapers in the home states of senators who are undecided on clean-air issues.

Ads in niche publications would seek to reach dealers, suppliers and others whose business or lifestyle could be affected by the bill.

FOR EXAMPLE, an ad in *Trailer World* would target people who use midsize or large cars to pull their trailers.

"This battle could be won or lost at the grass roots," a lobbyist said.

"The key is to get people to understand how severely altered their lifestyle is going to be (if the Baucus bill passes).

"When they're going on vacation, how are they going to fit all their kids and two adults into a Ford Escort wagon?"

The campaign budget is not finalized, but sources said it will probably total between \$1 million and \$3 million.

Industry lobbyists are seeking personal visits with all 100 senators.

Added lobbyist MacCarthy: "We've got to hit the ground running in January."

United States Senate

WASHINGTON, DC 20510

January 24, 1990

Dear Colleague:

The Senate is beginning consideration of S. 1630, the Clean Air Act Amendments. While the current Clean Air Act has improved air quality over the last twenty years, more needs to be done to protect public health and the environment.

For this reason, we commend the President, the Environmental Protection Agency Administrator William Reilly, and the Members of the Senate Committee on Environment and Public Works for the serious attention that they have given to this important matter, and their efforts to put it on the Congressional agenda.

In evaluating the various proposals that have been put forward, our goal must be to achieve both clean air and a healthy economy. The bill proposed by the President, the bill marked up by the House Environment and Health Subcommittee, and many of the elements of the bill passed by the Senate Committee, would make it possible for us to reach both of these goals. The historic Waxman-Dingell compromise on tailpipe emissions shows that it is possible to make real progress toward cleaner air without damaging the economy.

Unfortunately, several provisions of the Senate bill relating to automobile emissions go far beyond the President's proposal, the Waxman-Dingell compromise, and even beyond current California standards. These provisions would impose extraordinary costs on automobile manufacturers, workers, and consumers, for marginal pollution reductions.

- o The Phase II emissions requirements (beginning in 2003) in the Committee proposal fail to recognize something which the Waxman-Dingell approach does, that these standards may not be technologically or economically feasible.
- o The Phase I emissions standards in the Committee proposal draw on the 1993 California standards, the most stringent in the nation, but go beyond those standards for the same time period.

- o The carbon dioxide emissions standards in the bill target only the automobile industry, and leave all other sources untouched. This section has no place in this bill. This provision, which was not included in either the President's bill or the House bill, would cost the American consumer an estimated \$7 - 15 billion annually for a 1% reduction in man-made emissions of greenhouse gases.

S. 1630, as adopted by the Committee, goes well beyond the more balanced approaches taken by the Administration, Waxman-Dingell and even California, as promulgated to date. We should avoid provisions that needlessly jeopardize our economic health and squander resources which could be used for significant long term environmental and economic gains.

Sincerely,

Don Nihlen

Don Nickles

Carl Levin

Carl Levin

7
1
6
6
2
2
1

NISSAN R&D'S COMMENTS ON THE SENATE CLEAN AIR ACT AMENDMENTS

TAILPIPE STANDARDS: The standards proposed in S. 1630 are beyond Nissan's current technological capability. We know of no proven and reliable current technology that would permit us to achieve the first-tier standards (0.25 NMHC, 3.4 CO and 0.4 NOx) in use. The second-tier standards (0.125 THC, 1.7 CO and 0.2 NOx) are yet one more step beyond the feasibility of any technology we have projected. *EPA cost estimates for Tier II → 6 B.V. for 20.7*

ONBOARD REFUELING CONTROL: To develop the technology necessary for safe and acceptable onboard refueling controls will require considerable effort. The National Highway Traffic Safety Administration recently released a study conducted for them by A.D. Little which concludes: "There is adequate evidence to conclude there are indeed potential safety risks associated with onboard systems." The effect of onboard on feasibility of tailpipe standards also needs to be considered.

Stage II
DC
CA
mix is
disproportionate
820/1500 to eqv. reflects
EPA
Nissan believes that a minimum of four years lead time to begin the phase-in of onboard would be required. Nissan estimates that onboard controls will cost our customers about 100 dollars per vehicle, assuming adequate leadtime and a phase-in are permitted.

USEFUL LIFE: *1* *→ info. responsible - if not met → recall*
A 10 year/100,000 mile useful life for light-duty vehicles would render even less attainable the tailpipe standards contained in S. 1630, due to in-use deterioration. We have no data on 100,000 mile deterioration that would allow us to predict at what levels vehicles would have to certify in order to meet more stringent standards. As a vehicle ages and changes ownership, there are factors over which the manufacturer has no control that affect emissions performance, such as poor maintenance, tampering, and the cumulative effects of poor fuel quality.

LIGHT-DUTY TRUCK EMISSION STANDARDS: Current clean air law recognizes differences in the weight, operating conditions and performance requirements of passenger cars and light trucks. S. 1490 continues to recognize the inherent difference, whereas S. 1630 would establish identical emission standards for passenger cars and light trucks. The severe standards set in S. 1630 are thus even more infeasible for light trucks.

CARBON DIOXIDE STANDARDS: *we* We prefer the approach in S. 1630 for dealing with fuel economy to the approach in S. 1224 because S. 1630 establishes standards that are the same for all manufacturers. However, we know of no currently available or planned technology that would permit us to comply with the CO2 levels set forth in S. 1630, under any mix of vehicles that we envision selling. *rough SH. rather than 90 implementation →*

CONCLUSION: We believe the requirements of S. 1490 pose more realistic goals than those in S. 1630, and achieve the best balance between environmental and economic considerations. S. 1490 permits less hurried development and recognizes the critical differences between certification and in-use emission levels. Even though the emissions reductions in S. 1490 will require considerable effort and will be costly, we support its reductions as stringent yet realistic goals.

**PRESS
RELEASE**

FOR IMMEDIATE RELEASE October 17, 1989

CONTACT

Claudia Barker (916) 324-3298

PUBLIC INFORMATION OFFICE / 916-324-3298

NISSAN JOINS STATE'S PARTNERSHIP TO TEST CLEAN FUELS

Nissan Research and Development, Inc. today joined California's public/private partnership program to test clean burning motor vehicles and fuels. Nissan now becomes the first foreign auto manufacturer to loan a flexible fuel vehicle (FFV) to the state's demonstration program.

A 1989 flexible fuel Nissan Stanza was unveiled today at the California Museum of Science and Industry in Los Angeles, making it the first foreign FFV in the state's seven-year-old alternative fuels demonstration program.
7. Q 1485

The Stanza and other FFVs could be the key to widespread commercialization of alternative transportation fuels, since they can run on methanol, gasoline, or any combination of the two in a single fuel tank. Methanol is a clean burning fuel that can be produced domestically from remote natural gas or biomass.

A recent study by the U.S. Environmental Protection Agency indicates that methanol can reduce smog-forming emissions on a per vehicle basis by up to 50 percent. but CO₂ from coal or oil is much more

Energy Commission Chairman Charles R. Imbrecht praised Nissan for being the first Japanese auto manufacturer to join in the state's efforts to clean up the air and strengthen domestic production of transportation fuels.

"Alternative fuels will provide improvements in air quality beyond what is achievable from conventionally-fueled vehicles -- even those using the most advanced emission controls," Imbrecht said. "It is definitely in the state's best interest to pursue the use of clean fuels."

The Nissan FFV is based upon a regular production 1989 Stanza with a standard CA20, 4-cylinder fuel injected engine. Modifications have been made to the fuel system and an electrostatic sensor detects the amount of methanol in the fuel mixture and adjusts the fuel injection system accordingly.

"We at Nissan believe that it is important for California and the U.S. to identify ways to improve air quality and reduce this country's dependence on foreign sources of energy," said Thomas Mignanelli, Executive Vice-President of Nissan Motor Corporation in the U.S.A. "The California Energy Commission's alternative fuels demonstration program is a vital part of achieving that goal."

"We are happy to join U.S. manufacturers in seeking solutions to these problems by donating the test vehicles that will provide key research in these areas," Mr. Mignanelli said.

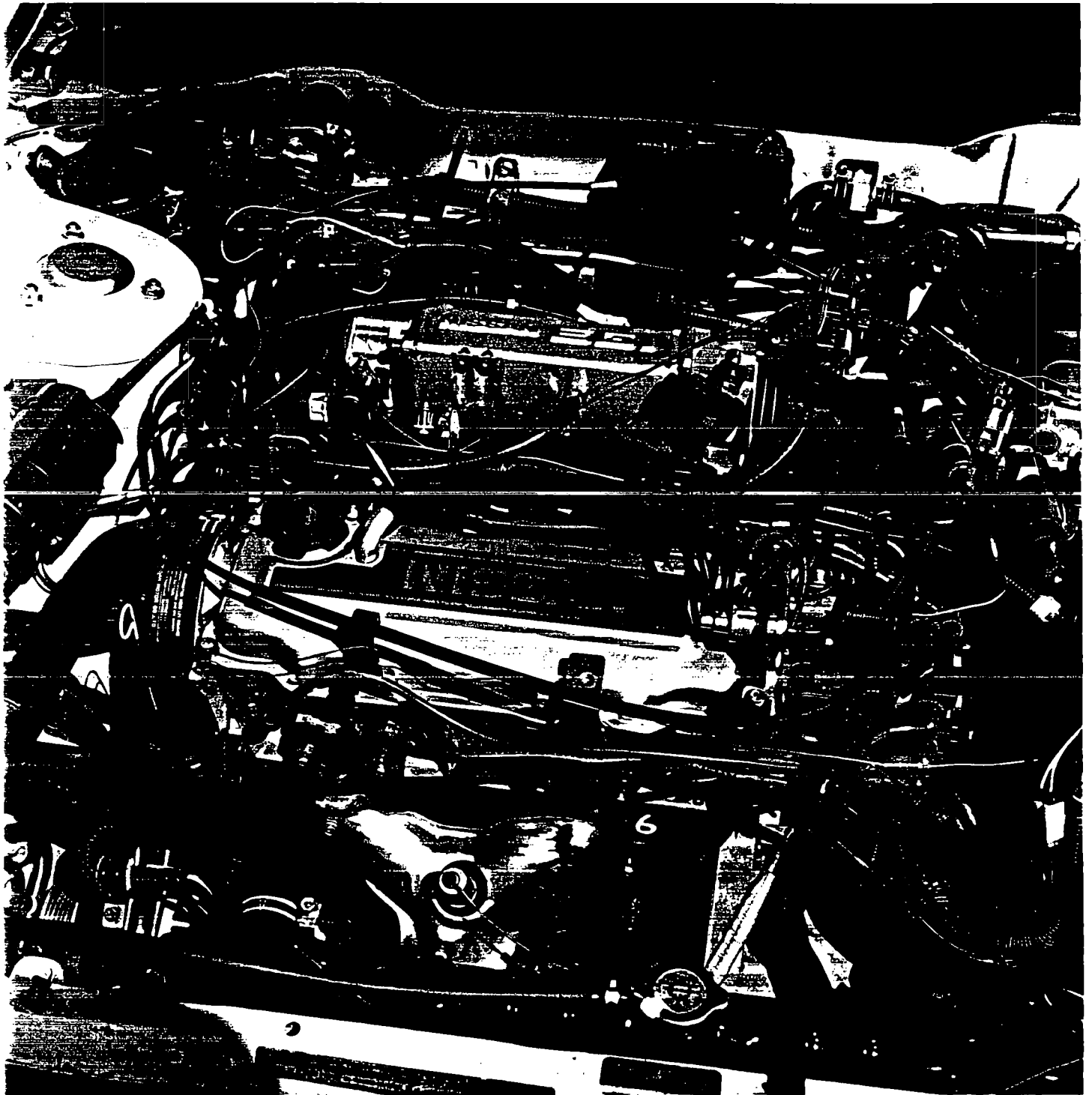
California, with help from its public/private partnerships, has a goal of putting 5,000 FFVs on the road by 1992. President Bush last June announced plans to have more than one million cars that use clean burning fuels on America's roads by 1996.

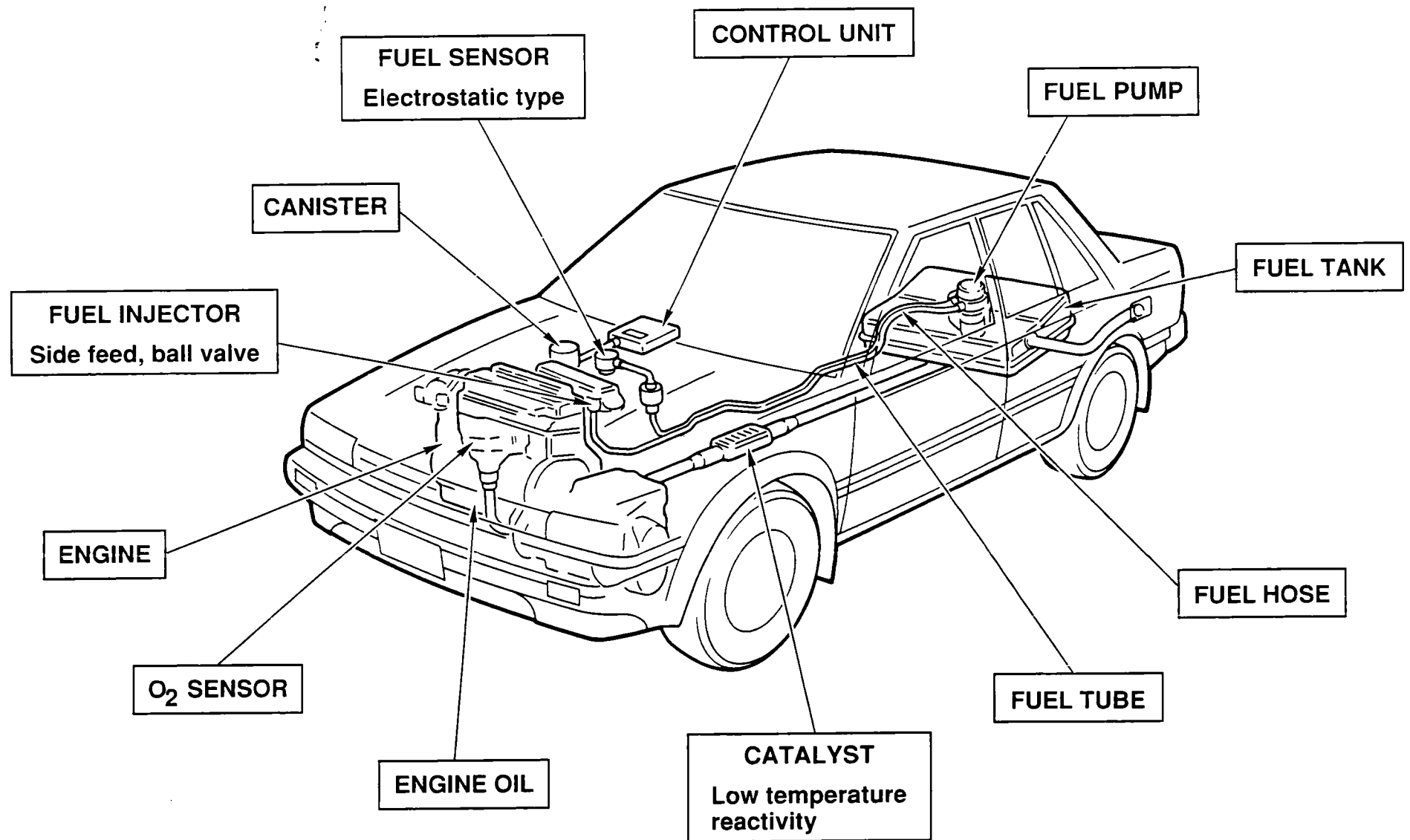
#



CALIFORNIA ENERGY COMMISSION 1516 Ninth Street · Sacramento CA · 95814





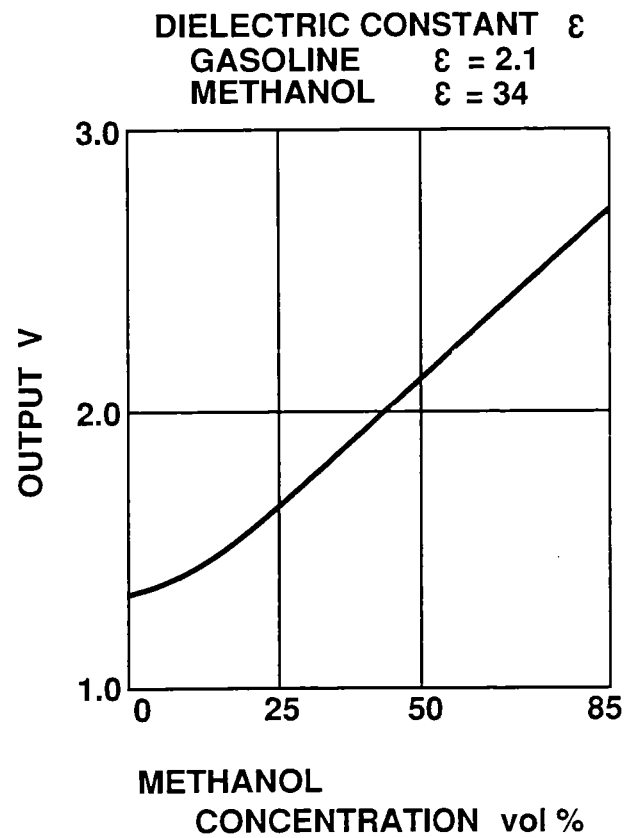
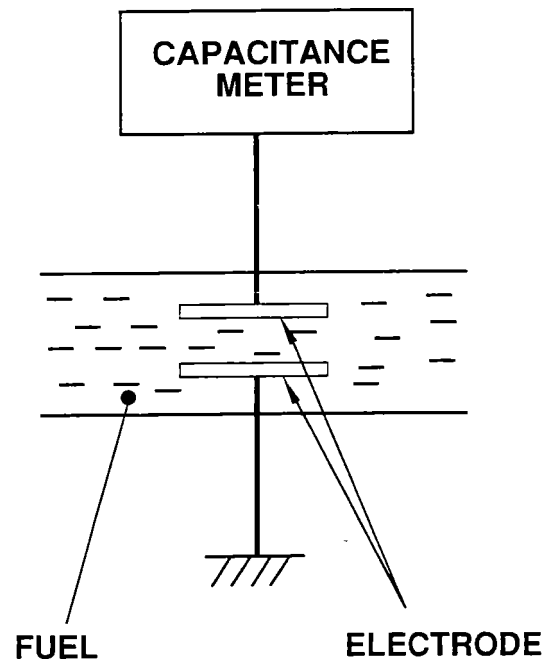


NISSAN FFV STANZA

NISSAN FLEXIBLE FUEL VEHICLE SPECIFICATIONS

VEHICLE	1989 STANZA 4-DOOR SEDAN (CALIF. MODEL)
TRANSMISSION	4-SPEED AUTOMATIC TRANSMISSION
ENGINE	4-CYLINDER, IN-LINE (MODIFIED CA20E)
BORE x STROKE	84.5 mm x 88.0 mm
DISPLACEMENT	1974 cubic centimeters
COMPRESSION RATIO	8.5 to 1
FUEL SUPPLY	MULTI-POINT FUEL INJECTION
IGNITION SYSTEM	2-PLUG-PER-CYLINDER, FULLY TRANSISTORIZED
EXHAUST GAS RECIRCULATION	OPERATES WITH 100% GASOLINE TO 30% METHANOL
CATALYST	UNDERFLOOR TYPE (1-LITER MONOLITH)
FUEL SENSOR	ELECTROSTATIC TYPE
ENGINE OIL	10W-30 WITH SPECIAL ADDITIVES
FUEL	GASOLINE WITH UP TO 85% METHANOL (M85)

ELECTROSTATIC FUEL SENSOR



NISSAN R&D'S POSITION ON S. 1224, THE MOTOR VEHICLE FUEL EFFICIENCY ACT OF 1989

- **Nissan has been a leader in the implementation of advanced automotive technology to improve fuel efficiency** (see Attachment). We plan to continue to aggressively pursue such efficiency improvements in the future, regardless of any action taken by Congress with regard to future standards.
- Nissan's concern with S. 1224 lies in the implementation technique of manufacturer-specific percentage improvement. **Requiring all manufacturers to improve their CAFE by a certain percentage above their 1988 baseline, as proposed in S. 1224, would discriminate against manufacturers with CAFE's above the existing standard, such as Nissan.**
- If low-mileage manufacturers are allowed to meet lower targets, we face a competitive disadvantage which may in effect freeze us out of markets in which we currently compete.
 - **Nissan has already implemented available fuel-efficient technology to a greater-than-average degree than the industry overall.** Nissan has less options to improve fuel economy than do low-mileage manufacturers. Further significant downsizing for our line of vehicles is not an available option without sacrificing the space and comfort needs of our customers. Nissan's primary option for substantial fuel economy improvement would thus be unproven and/or very costly new technology. Our cars could become unacceptably small or costly in comparison to vehicles offered by low-mileage manufacturers, since they can adopt the fuel-efficient technologies already used to a greater degree by Nissan, and use downsizing to a greater degree.
 - The percentage-improvement approach **could also fail to result in the intended fuel-savings** if high-mileage competitors are shut out of the markets in which they currently compete at the expense of low mileage manufacturers who are required to make less fuel-efficient vehicles.
- The Office of Technology Assessment and others have proposed alternative approaches, based on size or weight classes of vehicles. **A class-based approach would maintain competition, and require an even application of technology by all manufacturers.**
- **Congress should consider ways to encourage the purchase of fuel-efficient vehicles by consumers as an alternative to a regulatory program which would establish fuel economy standards which may discriminate against some manufacturers and could prove to be counterproductive in achieving fuel savings..**

Attachment I**COMPARISON OF DIFFERENT CAFE STANDARDS REQUIRED UNDER S. 1224**

MANUFACTURER	'88 Model Year CAFE* (St'd = 26.0 mpg)	CAFE Standard under S.1224	
		1995 -2000 MY	2001 MY -
NISSAN	30.8**	37.0	43.1
MERCEDES	21.3	27.5	29.8
BMW	21.6	27.5	30.2
JAGUAR	22.0	27.5	30.8
PEUGEOT	23.4	28.1	32.8
PORSCHE	24.7	29.6	34.6
VOLVO	26.0	31.2	36.4
FORD (Domestic)	26.4	31.7	37.0
SAAB	26.5	31.8	37.1
GM (Domestic)	27.6	33.1	38.6
CHRYSLER (Domestic)	28.4	34.1	39.8
MAZDA	28.7	34.4	40.2
MITSUBISHI	29.8	35.8	41.7
VW	30.3	36.4	42.4
SUBARU	31.8	38.2	44.5
HONDA	32.0	38.4	44.8
ISUZU	32.6	39.1	45.0
TOYOTA	32.6	39.1	45.0
HYUNDAI	35.0	40.0	45.0

*Source: NHTSA Automotive Fuel Economy Program 13th Annual Report to Congress (Federal Register, July 19, 1989, pp. 30310-20)

**Source: NISSAN (1988 Final CAFE)

Attachment II: FUEL ECONOMY IMPROVEMENT TECHNOLOGIES BY NISSAN

TECHNOLOGY TO IMPROVE FUEL ECONOMY	% PENETRATION			
	'87MY MARKET (OTA)	'87MY NISSAN	'88MY NISSAN	'89 MY NISSAN
Front -wheel Drive	78.0	91.1	91.3	81.0
4-cylinder/4-valve	5.0	2.2	3.7	72.0*1
Four-speed Automatic*2 [Automatic Transmission market share]	35.0 (40.1) [87.3*3]	32.2 (59.1) [54.5]	23.6 (46.3) [50.9]	30 (57.3) [52.4]
Electronic Transmission Control	2.0	3.8	4.4	25.0
Aerodynamics (Cd from 0.37 to 0.32) --(Average Cd)	N/A	N/A (0.36)	N/A (0.36)	N/A (0.35)
Tires	N/A	N/A	N/A	N/A
Accessories	N/A	N/A	N/A	N/A
Engine Improvements:				
-Overhead Cam Engines	40.0	100.0	100.0	100.0
-Roller Cams	40.0	0.0	0.0	0.0
-Low Friction Rings/Pistons	N/A	N/A	N/A	N/A
Non-carbureted:	76.0	59.7	99.4	100
-Throttle Body Fuel Injection (TBI)	31.0	12.3	63.9	54.0
-Multipoint Fuel Injection (MPI)	45.0	45.0	35.5	46.0*4

- NOTES:**
- *1 Includes 3-valve engines
 - *2 Figures in parentheses shows 4-speed penetration within A/T class
 - *3 This figure is MVMA, not OTA, data
 - *4 In '91MY, Multipoint Fuel Injection will reach 100% penetration

EPA Sees Cheap Way to Clean Air

Enlarging Autos' Charcoal Canisters Would Trap More Gas Fumes

By Michael Weisskopf
Washington Post Staff Writer

The Environmental Protection Agency yesterday proposed a \$10 remedy for the largest source of pollution from automobiles.

The proposal calls on automakers to increase the size of charcoal canisters that trap gasoline fumes from the fuel tank during hot weather and route them to the engine to burn.

Current canisters are not large enough to contain the fumes, which evaporate in the atmosphere, causing smog. According to the EPA, gasoline vapors released during the summer account for 5 percent of total hydrocarbons—a key ingredient of the smog contaminating more than 100 metropolitan areas, including Washington.

Environmentalists have pushed for larger canisters as the most effective measure by automakers to reduce smog.

By comparison, costlier proposals

in Congress to cut tailpipe emissions would reduce hydrocarbons 1 percent and long-debated measures to capture gasoline fumes released during refueling would cut hydrocarbons only 2 percent.

EPA Administrator William K. Reilly called the canister plan the "most important modification to motor vehicles this agency can require . . . to achieve a genuine air quality improvement."

Environmentalists and industry spokesmen concurred in a rare spirit of agreement.

According to the EPA, the costs of larger canisters and a stronger vacuum capacity to suck trapped vapors into the engine would add \$10 to the price of a new car. With 10 million new cars sold annually, consumers would spend \$100 million more a year.

But officials project fuel savings of \$600 million a year in fuel because engines can run on fumes.

Canisters were designed to absorb vapors released from the fuel

tank when gasoline expands in hot weather. Once the car is started, the fumes are supposed to be sucked into the engine and burned off.

But gasoline has become more evaporative in recent years because of new refining techniques. The larger volume of fumes now overtaxes the canister, which vents excess hydrocarbons into the atmosphere. The EPA discovered two years ago that vapors also are generated by a hot engine when the car is running.

Proposals in Congress would require the EPA to regulate both types of emissions.

The Bush administration had proposed to give the EPA discretion to require such regulations, but Congress has insisted on specific requirements because of the agency's record of inaction where discretion is permitted.

Reilly has promised to exercise any discretion in favor of environmental protection, and yesterday's



WILLIAM K. REILLY

... plan is major "modification"

proposal is being promoted as evidence.

But David Hawkins, of the National Clean Air Coalition, said the proposal may have been motivated by the intense attention Congress currently is focusing on the issue.

"It's like cadets who keep their shoes shined when they know there's an inspection," he said.

MAR 8 (LEG. DAY JAN 23) 1990

(Date)

Roll Call Vote

Legislative
Branch

NO. 34

SUBJECT MOTION TO TABLE

LAUTENBERG AMOT. NO. 1335

YEAS		NAYS
	Adams	
	Armstrong	
1	Baucus	
	Bentsen	
	Biden	
	Bingaman	
	Bond R	
	Boren	
	Boschwitz R	
	Bradley	
2	Breaux	
	Bryan	
3	Bumpers	
	Burdick	
	Burns R	
4	Byrd	
5	Chafee	
	Coats R	
	Cochran R	
	Cohen R	
	Conrad	
	Cranston R	
	D'Amato R	
	Danforth R	
	Daschle	
	DeConcini	
6	Dixon	
	Dodd	
	Dole	
7	Domenici R	
	Durenberger R	
	Exon	
8	Ford	
	Fowler	
9	Garn R	
	Glenn	
	Gore	2
	Gorton R	
	Graham, Florida	
	Gramm, Texas	
	Grassley	
	Harkin	
	Hatch	
	Hatfield	
	Heflin	
	Heinz	

PHOTOCOPY
PRESERVATION

	Heflin	
	Heinz	
	Helms	
	Hollings	
	Humphrey	
	Inouye	
	Jaffords	
10	Johnston	
	Kassebaum	
11	Kasten	
	Kennedy	
	Kerrey, Nebraska	
	Kerry, Massachusetts	
	Kohl	3
	Lautenberg	
12	Leahy	
	Levin	
	Lieberman	
	Lott	
	Lugar	
	Mack	+
	Matsunaga	
	McCain	
	McClure	
	McConnell	
	Metzenbaum	
	Mikuleki	
13	Mitchell	
	Moynihan	
	Murkowski	
	Nickles	AAA
	Nunn	+
	Packwood	
	Pell	
	Pressler	
	Pryor	
	Reid	
	Riegle	
14	Robb	
	Rockefeller	
	Roth	
	Rudman	AAA
	Sanford	
	Sarbanes	
	Sasser	
	Shelby	
	Simon	
	Simpson	
	Specter	
	Stevens	
	Symms	
	Thurmond	
	Wallop	
	Warner	
	Wilson	
	Wirth	

OTOCOPY
SERVATION

65

33

GPO : 1989 97-484 (M)