

ILLINOIS STATE SENATE



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BARACK OBAMA
SENATOR • 13TH DISTRICT

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- Public Health
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May 28, 1997

The Honorable William J. Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

As a member of the Illinois Senate, I am writing to express my concerns about the proposed EPA Clean Air regulations concerning ozone and particulate matter (PM).

Last year, Illinois passed Senate Resolution 190 and House Resolution 95, which urged the USEPA to consider potential negative health impacts and economic consequences to Illinois. It also asked USEPA to identify any unfunded mandates and other administrative burdens on state and local governments prior to final proposal and adoption of the new regulations.

In its comments on the proposals, Illinois EPA stated that the proposed regulations will have a "significant economic impact" and likely result in an unfunded mandate on the State, thereby triggering the Unfunded Mandates Reform Act of 1995. The Unfunded Mandates Act requires the USEPA to estimate the aggregate economic impact of the revised standards and publish a comprehensive analysis including anticipated costs and benefits, future compliance costs, and additional regulatory, fiscal and economic impact analyses. USEPA has not complied with the Unfunded Mandate Act's requirements and has disregarded the economic impact on Illinois businesses, and the costs to state and local governments.

Furthermore, USEPA has neither provided adequate resources nor flexibility in implementing the proposed standards. In an era of tight budgets, state and

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local governments cannot afford the millions in additional spending required to comply with the new regulations.

Even USEPA's own Clean Air Scientific Advisory Committee (CASAC) has questioned the technical basis and scientific justification for the proposed regulations. CASAC could not reach consensus on which new ozone and particulate matter standards, if any, would result in improved public health. It is contrary to sound public policy for USEPA to rush to implement these regulations and potentially harm the economy of Illinois and our nation until the scientific community has a better opportunity to reach consensus on the best balance of costs and benefits.

In comments submitted to Congress, the City of Chicago opposes the proposed regulations because they will cause significant job losses, negative public health effects and more pollution, not less. The City believes the "EPA has relied on a flawed definition of what it means to 'protect public health'. The definition...harms urban populations already at risk."

As the Chicago Tribune suggested in two recent editorials, "Upon review, the EPA was wrong" (April 14, 1997) and "Of roaches, asthma and clean air" (May 19, 1997), "At the least, the EPA should back off on its determination to implement the new regulations in July. It clearly needs more time to develop a strategy, make sure it is the best strategy and get the science right."

Even other Departments and Agencies in your own Administration either outright oppose or at least question the merits of the proposed regulations. These include: US Department of Transportation, US Department of the Treasury, US Department of Agriculture, US Department of Commerce, US Department of Energy, US Small Business Administration, Office of Management and Budget, President's Council on Economic Advisors, Office of Science and Technology Policy.

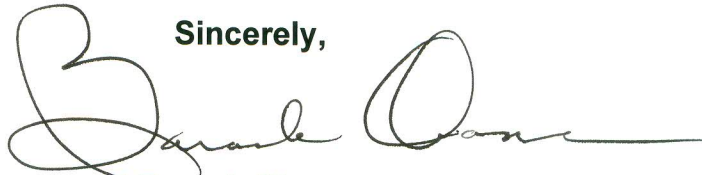
Frank Kruesi, Assistant Secretary of Transportation, probably said it best. "It is incomprehensible that the Administration would commit to new standards and new efforts to meet such standards without a much greater understanding of the problem and its solutions."

In light of all of the questions concerning the benefits of this regulation and EPA's own estimates of \$2-14 Billion in regulatory impact analysis. I respectfully request that your Administration maintain current regulations until further scientific research can be performed.

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Thank you for your attention to this critical matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Barack Obama", with a long horizontal flourish extending to the right.

Barack Obama
Senator - 13th District