

March 9, 2009

The Honorable Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Mail Code 1101A
Washington, DC 20460

Dear Administrator Jackson:

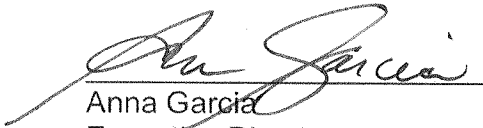
On behalf of 18 States in the eastern half of the U.S., we wish to transmit to you the enclosed "Framework for the States in the CAIR Region to Develop a Multi-Pollutant Strategy to Achieve the Public Health Goals of the New Ozone and Particulate Matter (PM_{2.5}) Standards". The U.S. Court of Appeals for the D.C. Circuit's December 23, 2008 decision to remand the Clean Air Interstate Rule (CAIR) to EPA without vacatur provides a necessary measure of public health protection. However, these States believe it is imperative to develop a multi-pollutant strategy to achieve levels of NO_x and SO₂ reductions from the electric utility sector in the 28-state CAIR region as expeditiously as possible that will remedy CAIR's flaws in accordance with the Court's July 11, 2008 opinion and satisfy the requirements of the Clean Air Act to attain the 1997 national ambient air quality standards (NAAQS) for ozone and PM_{2.5}.

The framework sets forth a commitment by the undersigned states to work together on technical analyses to address the transport requirements under Section 110 (a)(2)(D) of the Clean Air Act, and attainment and maintenance with respect to the 1997 NAAQS. Consistent with this commitment, the States wish to pursue the development of a long-term multi-pollutant strategy (beyond 2010) to achieve additional reductions that address both the transport requirements under Section 110 (a)(2)(D), and attainment and maintenance of the new ozone and PM_{2.5} NAAQS. In addition to the states who are signatories to this framework, other States will be providing funding and technical support to the effort, including the southeastern States.

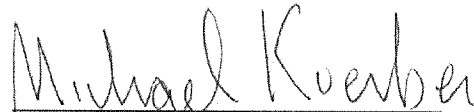
In a November 15, 2007 letter from Indiana and a June 11, 2008 letter signed by 16 OTC and LADCO states, both to Robert Meyers, they requested that EPA enter into a dialogue to address the multi-pollutant air quality problems in the U.S.; in particular, nonattainment for ozone and PM_{2.5}, and visibility impairment due to regional haze. The states wish to renew this request and express the hope that we can work in partnership with EPA to address our air quality problems.

Please contact Anna Garcia, 202-508-3840 or agarcia@otcair.org for additional information.

Sincerely,



Anna Garcia
Executive Director
Ozone Transport Commission (OTC)



Michael Koerber
Executive Director
Lake Michigan Air Directors
Consortium (LADCO)

cc: Elizabeth Craig, Acting Assistant Administrator, Office of Air and Radiation
Stephen Page, Director, Office of Air Quality Planning and Standards
Bill Harnett, Director, Air Quality Policy Division
Sam Napolitano, Director, Clean Air Markets Division
EPA Regional Administrators, Regions I - V