



## Senators Feinstein and Boxer Urge EPA to Approve California's Request to Adopt Stringent Small Engine Emissions Rules

*- Tough California air quality standards need EPA approval under the Clean Air Act -*

May 11, 2006

**Washington, DC** – U.S. Senators Dianne Feinstein and Barbara Boxer (both D-Calif.) today urged the Environmental Protection Agency (EPA) to quickly authorize California's stringent emission standards for lawnmowers and other small engines.

In a letter to EPA Administrator Stephen Johnson, Senators Feinstein and Boxer urged him to approve, under the Clean Air Act, California's emissions standards for small engines. The California measure is scheduled to go into effect in January 2007.

**"Each year, tens of millions of Californians are exposed to the health risks of emissions from lawnmowers and other small engines. We now know that catalytic converters – which lower emissions – can be added to small engines without causing any increased safety risk to consumers. Four of the leading industry manufacturers have publicly agreed that this is safe. The time has for the EPA to allow California to adopt these tougher emissions standards for small engines,"** Senator Feinstein said. **"Continued delay by the EPA is unacceptable."**

Senator Boxer said, **"While EPA delays approval of California's groundbreaking rules to reduce pollutants from extremely dirty small engines, close to 10,000 Californians a year die from air pollutants and state officials estimate the number may be 2-3 times higher based on recent studies. EPA should stop slow-walking these protections and immediately allow our state to improve the air we breathe."**

In March, a report released by the EPA found that placing catalytic converters on lawnmowers and other small engines to limit emissions has no detrimental impact on the safety of these devices. The report was requested by Congress last summer as part of a negotiated agreement between Senator Dianne Feinstein (D-Calif.) and Christopher Bond (R-Mo) that headed off efforts by the Missouri Senator to prevent California from moving ahead with new limits on emissions from these small engines.

In addition, a number of small engine manufacturers themselves – including Tecumseh, Honda, Kawasaki, and Kohler – have publicly stated that no safety problems for consumers would be caused by the proposed air quality rule.

*Following is the text of the letter sent today by Senators Feinstein and Boxer to EPA Administrator Johnson. Copies of Senator Feinstein's April 12 letter are available upon request:*

May 11, 2006

The Honorable Stephen Johnson  
Administrator, Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Johnson,

We are writing to request your immediate attention to California's request for an authorization for the state's small engine regulations scheduled to go into effect in January 2007. The uncertainty about EPA's plans to act on this request must not continue given the critical need for this rule.

The Environmental Protection Agency (EPA) must use the best science in determining how to protect Americans' health from air pollution. The science is clear. Independent peer reviews, the Consumer Products Safety Commission, a detailed Failure Mode and Effects Analysis performed by private experts, and extensive field testing have all supported the EPA's finding that the proposed small engines regulations present no safety concerns for consumers and in fact may improve the safety of lawnmowers and other small engines.

The need for EPA action is clear. The American Lung Association estimates that 7,100 Californians die each year from illnesses related to unhealthy air. Small engines are highly polluting: mowing grass with a gasoline powered lawnmower causes as much pollution as operating a car for 13 hours, according to the California Air Resources Board. California's small engine regulations would achieve reductions of small engine emissions that are the equivalent of taking 800,000 cars off the road.

The Clean Air Act is likewise clear on this situation. EPA "shall" grant California authorization to move forward with needed air pollution regulations for off-road engines if the rules are consistent with section 209 of the Act. 42 U.S.C. 7543(e)(2). Following EPA's completion of the peer-reviewed safety study on California's rules, the time to act is now. In addition, EPA is already 17 months overdue on its December 2004 statutory deadline for completing national rules on small engines which has an adverse impact throughout the country, and EPA also missed a statutory deadline in completing the safety study on California's rules.

Despite the clarity of the science, the health need, and the law, EPA appears completely frozen in place, unwilling to authorize California's rules. EPA has not yet even announced any schedule for reviewing the rules, nearly two months after EPA issued the safety study on March 17, 2006 and nearly month after Senator Feinstein sent you the attached letter asking for EPA's schedule on April 12. Time is critical here, because California's rules are due to go into effect in

January 2007, and EPA needs to hold a public hearing and public comment period and then respond to comments.

We deeply hope that EPA will follow the science and the law and quickly approve California's small engine rules.

We ask that you provide us with your proposed schedule for completion of review of California's authorization request by May 17, 2006.

Sincerely,

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Dianne Feinstein  
United States Senator

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Barbara Boxer  
United States Senator

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