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United States Senate

September 27, 2019

The Honorable Charles Sheehan
Deputy Inspector General
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Deputy Inspector General Sheehan,

I write to ask that you investigate whether there was inappropriate political interference in the recent threat from the Environmental Protection Agency (EPA) to withhold transportation funding from California.

On September 24th, EPA Administrator Andrew Wheeler sent a letter to the California Air Resources Board citing 130 open state implementation plans as justification for statutory triggers that would cut federal highway funding to the State of California, require new source review permitting sanctions, and impose a federal implementation plan deadline.

I ask that you investigate whether these reports are, in fact, backlogged as a result of inaction on the part of California jurisdictions. For example, the letter cites a 1997 state implementation plan from Coachella Valley regarding key ozone National Ambient Air Quality Standards. However, the report was previously submitted to EPA and is awaiting EPA approval, not additional county action.

Another example is the letter's citation of an incomplete state implementation plan in Ventura County. The Ventura County Air Pollution Control District had made the necessary changes to meet the 1997 standards and still has one year left to comply with the 2008 standards cited in Administrator Wheeler's letter.


I also ask that you investigate whether there are other states that have open reports but have not been similarly threatened with sanctions. Notably, EPA's Green Book lists counties in three dozen other states that do not meet air standards

as of August 31. Yet, there are no reports suggesting that any of those other states received a threat like the one sent to California to their transportation funding. For example, Texas has 40 violations of federal air quality standards in 25 counties.

I am concerned that California is being unfairly targeted, and that this issue of backlogged state implementation plans is nothing more than a pretext to attack California, rather than a good-faith effort to help improve California's air quality. I am particularly concerned by this latest action in light of the fact that during the same month, EPA has moved to block California from regulating tailpipe emissions, one of the largest sources of air pollution in California. It would be certainly seem counter-intuitive for EPA to sanction California for poor air quality while at the same time attempting to remove one of California's biggest tools to improve its air quality.

Thank you for your attention to this request. If you have any questions, please do not hesitate to contact me or have your staff contact Rishi Sahgal in my office at rishi_sahgal@feinstein.senate.gov.

Sincerely,



Dianne Feinstein
United States Senator

DF/rs