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ON

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ON

BUDGET

REGIONAL WHIP

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-4608**

January 28, 2003

**JAMES P. MORAN**

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The Honorable Mark R. Warner  
Governor  
Commonwealth of Virginia  
Third Floor - State Capitol  
Richmond, VA 23219

Dear Governor Warner:

Thank you for your response to my September 24, 2002 letter concerning the Washington Metropolitan Area's non-attainment problem.

While I appreciate your response, recent developments reinforce my belief that this issue merits direct gubernatorial intervention. First, the Environmental Protection Agency has elevated, from serious to severe, the non-attainment status of the Washington, D.C. area under the "one-hour" ozone standard. Second, EPA has indicated that in April 2004 it will most likely designate the Washington area as out of attainment with the more stringent "eight-hour" standard. Third, the Metropolitan Washington Council of Governments has discovered that the amount of ozone forming pollution entering the area's air shed each day is forty-five tons higher than previously thought.

On account of these developments, Virginia, Maryland, and the District must quickly find a way to achieve significant new reductions in the amount of ozone-forming pollution emitted within and upwind of the Washington, D.C. non-attainment area. Because residents of this region are unlikely to accept dramatic constraints on their ability to drive, the bulk of the additional emissions reductions will need to come from existing stationary sources. Virginia has taken an important first step by reducing the amount of ozone-forming nitrogen oxides that the Potomac River and Possum Point plants are permitted to emit during the summer ozone season. But those plants will still be allowed to emit sixty-five tons-per-day of nitrogen oxides during the ozone season. That amount represents more than twenty percent of the total daily emissions of nitrogen oxides from point sources - over ten percent of the total daily nitrogen oxides emissions from all man-made sources - in the non-attainment area during the 1999 ozone season (the last season for which such data has been published). Much more must be done, and not just by Virginia. After all, the Morgantown, Chalk Point, and Dickerson coal-fired plants in Maryland and the Benning Road and Buzzard's Point oil-fired plants in the District of Columbia contribute significantly to the Washington area's ozone problem. Clearly, attainment will require a coordinated regional effort that includes the District of Columbia and the State of Maryland.

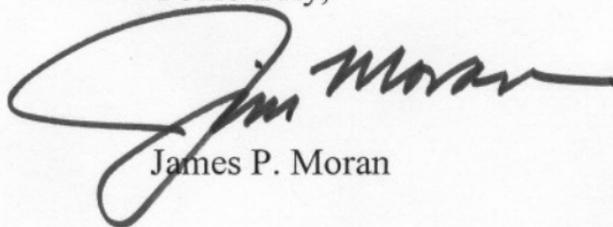
Given the current and pressing situation, I ask that you convene a summit with the Governor of Maryland and the Mayor of the District of Columbia for the purpose of developing a coordinated action

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response plan. As part of this plan, I would encourage you to seek a tough negotiating position toward this region's electric power generators. The time has long since passed for the antiquated coal- and oil-fired power plants surrounding Washington to bring their emissions into line with modern standards. Such an outcome would not only improve this region's air quality, it would also improve the general health of our citizenry and even create opportunities for economic development that might offset some of the cost of the upgrades.

I look forward to your response.

Yours truly,

A handwritten signature in black ink, appearing to read "Jim Moran". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

James P. Moran

JPM/tba

cc: The Honorable Robert H. Ehrlich, Jr.  
The Honorable Anthony A. Williams