

ASSEMBLY RESOLUTION No. 65

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1996

By Assemblyman GREGG, Assemblywoman J. SMITH, Assemblyman Carroll, Assemblywoman Myers, Assemblymen Corodemus, Garrett, Bodine, Assemblywoman Bark, Assemblymen O'Toole, DeCroce, Bucco and Assemblywoman Murphy

1 **AN ASSEMBLY RESOLUTION** urging the United States Environmental
2 Protection Agency to comply with the requirements of federal law and
3 issue the economic impact reports required pursuant to the federal "Clean
4 Air Act Amendments of 1990."

5
6 **WHEREAS**, New Jersey, because of its population density and location in the
7 heart of the northeastern seaboard, has been burdened with the effort to
8 develop and implement costly programs required by the federal "Clean Air
9 Act Amendments of 1990," 42 U.S.C.A. §7403 et seq., including the
10 costly enhanced inspection and maintenance program for motor vehicles
11 that must be implemented statewide, and the overhaul of the State
12 operating permits program that has resulted in an increase in operating
13 costs for many State businesses and industries that provide jobs and fuel
14 the State's economy; and

15 **WHEREAS**, The federal law clearly requires that, pursuant to 42
16 U.S.C.A. §7612, the United States Environmental Protection Agency not
17 "later than 12 months after November 15, 1990 . . . shall submit a report
18 to the Congress" that reports "all costs incurred previous to November 15,
19 1990 in the effort to comply" with the standards set forth in the federal
20 Clean Air Act and its amendments, and "all benefits that have accrued to
21 the United States as a result of such costs;" and

22 **WHEREAS**, No such report has been produced, provided or submitted to the
23 United States Congress by the United States Environmental Protection
24 Agency before or after, November 15, 1991, the deadline set forth by the
25 federal law; and

26 **WHEREAS**, The federal law further requires biennial updates of the initial
27 report not "later than 24 months after November 15, 1990, and every 24
28 months thereafter," that would provide, in addition to updating the original
29 report, "projections into the future regarding expected costs, benefits and
30 other effects of compliance," but, in the absense of an initial report, no
31 such biennial updates have been produced, provided or submitted; and

32 **WHEREAS**, The United States Environmental Protection Agency requires

1 states to comply with the requirements of the federal law in a timely and
2 complete manner and, since the enactment of the federal law, has
3 repeatedly threatened states with stringent sanctions when they have been
4 delayed in complying with the federal requirements; and

5 **WHEREAS**, Despite the recent policy of "maximum flexibility," the United
6 States Environmental Protection Agency has not allowed states flexibility
7 with meeting deadlines that are clearly set forth in the federal law; now,
8 therefore

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10 **BE IT RESOLVED** by the General Assembly of the State of New Jersey:

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12 1. The United States Environmental Protection Agency is urged to comply
13 with the requirements of federal law and issue the economic impact reports
14 required pursuant to the federal "Clean Air Act Amendments of 1990," 42
15 U.S.C.A. §7612.

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17 2. Duly authenticated copies of this resolution, signed by the Speaker of the
18 General Assembly and attested to by the Clerk thereof, shall be transmitted
19 to the President and the Vice President of the United States, the members of
20 the Congress of the United States, the Administrator of the United States
21 Environmental Protection Agency and the Administrator of Region II of that
22 agency, the Governor of the State, and the Commissioners of Environmental
23 Protection and Transportation.

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26 STATEMENT

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28 This resolution urges the United States Environmental Protection Agency
29 to comply with the requirements of federal law and issue the economic impact
30 reports required pursuant to the federal "Clean Air Act Amendments of 1990,"
31 42 U.S.C.A. §7612.

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36 Urges the EPA to issue economic impact reports required pursuant to the
37 federal Clean Air Act Amendments of 1990.