

**JOINT RESOLUTION ENDORSING TIER III STANDARDS
FOR AIR QUALITY**

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature urges the Utah Department of Environmental Quality and the Utah Air Quality Board to expedite measures and work collaboratively with various private and public entities to bring Tier III-compliant motor vehicles and low-sulfur fuels to Utah.

Highlighted Provisions:

This resolution:

- ▶ recognizes that the low-sulfur fuels and vehicle emissions standards in the Environmental Protection Agency's proposed Tier III Motor Vehicle Emission and Fuel Standards are crucial to improving the safety, health, and welfare of Utah's citizens and the beauty of the state;
- ▶ urges the Utah Department of Environmental Quality and the Utah Air Quality Board to expedite measures to bring Tier III-compliant motor vehicles and low-sulfur fuels to the state of Utah as soon as feasibly possible;
- ▶ urges the Department of Environmental Quality and the Air Quality Board to work with federal regulatory agencies to avoid the negative effects on Utah of the "one size fits all" national standard that would lead to delays in implementing Tier III low-sulfur fuel standards by refineries serving Utah and result in Utah-serving refineries not producing or selling low-sulfur fuels in Utah due to national



28 averaging, banking, and trading provisions;

29 ▶ expresses support for measures that will encourage and entice refineries, automotive
30 dealerships, and private and public entities to produce and sell low-sulfur fuels and
31 acquire and sell Tier III-compliant vehicles in Utah as soon as reasonably possible;
32 and

33 ▶ urges that the Department of Environmental Quality and the Air Quality Board, in
34 pursuing expeditious implementation of Tier III standards in Utah, work closely
35 with refineries, automobile dealerships, and private and public entities, including
36 federal agencies, to accommodate needed facility upgrades and minimize impacts
37 on consumer prices and product supplies.

38 **Special Clauses:**

39 None



41 *Be it resolved by the Legislature of the state of Utah:*

42 WHEREAS, the Legislature of the state of Utah is charged with protecting and
43 enhancing the safety, health, and welfare of its citizens and protecting and preserving the
44 beauty of Utah;

45 WHEREAS, the safety, health, and welfare of the citizens of the state of Utah are
46 profoundly affected by its air quality;

47 WHEREAS, communities along the Wasatch Front and other areas in the state of Utah
48 experience episodic and sustained periods of time where air pollutants are elevated to levels
49 that are known to cause serious short- and long-term health problems in humans;

50 WHEREAS, because of air quality's impact on the ability to recruit and retain
51 businesses and a high quality labor force, as well as the cost of negative health impacts and the
52 loss of tourism and recreational revenue, air quality significantly impacts the economy of the
53 state of Utah;

54 WHEREAS, vehicle emissions account for over 50% of total emissions and contribute
55 significantly to the buildup of air pollutants during wintertime inversions;

56 WHEREAS, the United States Environmental Protection Agency (EPA) is proposing
57 national standards for improved vehicle emissions and fuels, called Tier III standards;

58 WHEREAS, these proposed standards will significantly reduce vehicle emissions of

59 nitrogen oxides (NOx) and volatile organic compounds (VOC) -- pollutants that are significant
60 contributors to poor air quality in the state of Utah;

61 WHEREAS, combining proposed Tier III low-sulfur fuel standards with
62 implementation of proposed Tier III vehicle emission standards for new vehicles will, over
63 time, reduce VOC and NOx emissions per vehicle-mile traveled by as much as 80% compared
64 to current Tier II standards, and result in significant reductions in ozone and secondary PM 2.5
65 -- pollutants of great concern in the state of Utah;

66 WHEREAS, the emission controls in the vehicles required under the proposed Tier III
67 standards do not function properly without Tier III low-sulfur fuels;

68 WHEREAS, use of low-sulfur fuels will result in immediate and significant
69 improvements in the efficiencies of catalytic converter function in the majority of Utah's
70 current pre-Tier III gasoline vehicle fleet and result in immediate and significant reductions in
71 tailpipe emissions from vehicles currently being driven in Utah;

72 WHEREAS, the EPA's proposed Tier III fuel standards allow for three additional years
73 to phase in the production of low-sulfur fuels by small refineries similar to those in Utah;

74 WHEREAS, due to the relatively small size of Utah's refineries, current provisions that
75 allow averaging, trading, and banking of low-sulfur fuel production will likely result in cleaner
76 low-sulfur fuels being produced and sold in states other than Utah;

77 WHEREAS, current nonattainment counties in Utah stand to benefit more than any
78 other multicounty area in the United States from proposed national Tier III standards; and

79 WHEREAS, allowing the EPA's proposed national Tier III standards to go into effect
80 without taking independent action to assure that low-sulfur fuels are produced and sold in Utah
81 will result in significant lost opportunities, in both the short- and long-term, to improve Utah's
82 air quality:

83 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
84 recognizes that the low-sulfur fuels and vehicle emission standards in the Environmental
85 Protection Agency's proposed Tier III Motor Vehicle Emission and Fuel Standards are crucial
86 for improving the safety, health, and welfare of Utah's citizens and the beauty of the state.

87 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges the Utah
88 Department of Environmental Quality and the Utah Air Quality Board to expedite measures to
89 bring Tier III-compliant motor vehicles and low-sulfur fuels to the state of Utah as soon as

90 feasibly possible.

91 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges the
92 Department of Environmental Quality and the Air Quality Board to work with federal
93 regulatory agencies to avoid the negative effects of the "one size fits all" national standard that
94 would lead to delays in implementing Tier III low-sulfur fuel standards for Utah by refineries
95 serving Utah and result in Utah-serving refineries not producing or selling low-sulfur fuels in
96 Utah due to national averaging, banking, and trading provisions.

97 BE IT FURTHER RESOLVED that the Legislature of the state of Utah expresses
98 strong support for measures that will encourage and entice refineries, automotive dealerships,
99 and private and public entities to produce and sell low-sulfur fuels and acquire and sell Tier
100 III-compliant vehicles in Utah as soon as reasonably possible.

101 BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges that the
102 Department of Environmental Quality and the Air Quality Board, in pursuing expeditious
103 implementation of Tier III standards in Utah, work closely with refineries, automobile
104 dealerships, and private and public entities, including federal agencies, to accommodate needed
105 facility upgrades and minimize impacts on consumer prices and product supplies.

106 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the United
107 States Environmental Protection Agency, the Utah Department of Environmental Quality, the
108 Utah Air Quality Board, and the members of Utah's congressional delegation.

Legislative Review Note
as of 2-21-14 7:43 AM

Office of Legislative Research and General Counsel