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**From:** Miles Keogh [mkeogh@4cleanair.org]  
**Sent:** 7/20/2018 6:58:48 PM  
**To:** Wheeler, Andrew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=17a1669ef5b54fba8cb457845308787e-Wheeler, An]  
**CC:** Johnson, Laura-S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dea46edadaa04f2c847d3245f8f5847c-LJohns06]; Wehrum, Bill [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=33d96ae800cf43a3911d94a7130b6c41-Wehrum, Wil]  
**Subject:** Congratulations!

Dear Mr. Wheeler,

On behalf of the National Association of Clean Air Agencies (NACAA, the non-profit, non-partisan national association of 156 local and state air pollution control agencies across the country) let me offer my congratulations on being named Acting Administrator of the United States Environmental Protection Agency (EPA). I know this isn't the role you signed up for, and while the agency and our country face tremendous challenges, I have confidence that your experience, character, and smarts are more than up to the task ahead. Like you, I'm relatively new here, having been at the helm of NACAA for nine months, and I think that opens the opportunity for both of our organizations for a fresh start with a shared vision: making life better for Americans.

NACAA's family of agencies, and the federal agency you've taken the wheel of, have a long history of working together to produce incredible improvements in air quality that are well documented. Our cars and trucks are cleaner, our power plants bring the unalloyed good of electricity to every remote corner of the country without the same harms they once caused, and all this has all come coincident with leaps forward for our country's economic prosperity. More than any improvement measurable by money is the avoided anguish of a father watching an asthmatic child gasp for breath, or the struggle of coping with a stroke or heart ailment suffered by an elderly parent. Our work saves lives and creates opportunities in the lives of people across our nation to pursue their happiness.

A line I admire from the Talmud reads, "You are not obligated to complete the work, but neither are you free to abandon it". While we have made great strides at reducing pollution that harms Americans, today 40% of our citizens live in counties that exceed standards the EPA has established based on the best science, which shows that air pollution still harms and kills Americans. We've become aware of new toxics like PFAS that may have an air pollution aspect. And while there remains great uncertainty around the changing climate of our planet, it's my firm conviction that this uncertainty has only to do with the wisest course for preventing the worst outcomes. Each of these problems is real, urgent, and solvable if we work together.

As a Virginian, I'm drawn to the ideas of Thomas Jefferson, who thought that governance was best done with as little insulation as possible from the shouting voices of the citizens affected by government. The state and local agencies have their boots on the ground, close to the affected public, and have great expertise not thanks to more virtue, intelligence, or resources, but because they're closer to the yelling. I'm encouraged by the things you've said that reflect your awareness of the value of state and local capabilities and authorities, and take in good faith your stated interest in cooperative federalism.

I'm also compelled by the wisdom of another great Virginian, James Madison, whose instincts about human nature made him insist on the inclusion of checks and balances and the Bill of Rights in our Constitution. He was the original champion of the idea of "trust but verify". There is a role for the federal government to set performance requirements and enforce them, and EPA cannot abdicate its responsibilities. The regulated community of companies are interested in making products and services, not pollution, but there are many issues for which a strong national structure of clear and well-conceived rules and standards is essential, especially in the arena of air pollution, which is less apt to respect the authority of any individual state. We need a smart agency that uses its experts, resources, and authority effectively. We

can't accomplish our mission if our federal partner is crippled and I've been a vocal admirer of your early actions to restore the institutional health of EPA and the morale of your agency's best asset, its people.

The last year has seen encouraging steps – Assistant Administrator Bill Wehrum in the Office of Air and Radiation has generously and unflinchingly made EPA staff available to brief our members, and he has also come to our meetings in Washington DC and Tennessee in the last year to meet with our leadership. We hope the spirit of cooperative federalism will open the flow of communication even wider so that we can jointly identify problems and develop the best solutions for America.

Our agencies are funded through a host of different avenues, but an important part of this resourcing is the federal grants that come via EPA to fund their implementation of the Clean Air Act. Your expressed interest in seeing more authority and discretion for states needs to be coupled with sufficient resources to do the job – the grants in question have remained steady for years and are at the same levels as 2004, despite nearly 15 years of inflation. Training and capacity building have fallen off hard in recent years as well, and we need your help to get the state and local agencies what they need to succeed.

We're always happy to cheer the ways that EPA continues to do an admirable job of cleaning up the air – a prime example being the recent National Ambient Air Quality Standards for sulfur dioxide, which we support in a July 2018 letter. We also look forward to working together on new ultra-low NOx standards for heavy duty vehicles in the coming months. A number of proposals from the agency appear to be headed in the wrong direction, however. We urge EPA to withdraw a number of these proposals, including the exemption on gliders from the heavy truck rule and the science transparency proposal. We hope you will work with the fourteen Section 177 states and California to find commonly acceptable outcomes on the mid-term evaluation of greenhouse gas standards for cars and trucks, and respect state authorities on motor vehicle issues. Finally, with reforms to permitting, air toxics, and enforcement issues, we enjoin you to uphold the agency's historic commitment to using both science and also compassion for Americans to drive its policies. Sometimes our work affects people's lives invisibly, but always incredibly profoundly.

Mr. Wheeler, I hope above all that you will consider this letter a sincere offer of friendship from me and my organization, durable even where we find ourselves on opposing sides of an issue. It is natural that the starting points for policies we prefer may be at odds and in those cases I hope our goal will be engagement between the state, federal, and local levels with a presumption of partnership and good intent so that we can arrive at a shared, best place. We're all working for Americans, and I recognize and thank you for the service you're rendering to your country as Acting Administrator. I'm rooting for your success, and if there is any way that I can help you find it, please count on it. Again, congratulations.

With my best wishes, I am yours, sincerely,

Miles

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