



THE GENERAL CONTRACTORS ASSOCIATION OF NEW YORK, INC.

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February 10, 2010

US EPA Science Advisory Board
Ronald Regan Building
1300 Pennsylvania Avenue, NW
Suite 31150
Washington, DC 20004

Re: Science Advisory Board Staff Office; Notification of a Public Meeting of the Science Advisory Board Clean Air Scientific Advisory Committee, Air Monitoring and Methods Subcommittee.

As the representative for the New York City heavy civil construction industry, the General Contractors Association of New York is providing comments on our members' behalf concerning the EPA's proposals to further regulate NOx standards.

According to the EPA's own data, NOx levels have declined 35% since 1990, with a 4 million ton decrease in emissions solely from motor vehicles. These decreases are attributable to greater fuel efficiency, cleaner fuel, and improved vehicle emissions control systems. As recently as 2008, EPA's reports declared that "all recorded concentrations were well below the level of the annual standard." Clearly, the existing regulations are working.

One area, however, lags in improvement. A major source of emissions is idling traffic and traffic congestion. The number of vehicles on the nation's highways has increased by 58% by 1980, but highway capacity has only grown by six percent in that same period. Congestion on the nation's roadways continues to get worse, and neither highway construction nor public transit is keeping pace. At a time when the economy is struggling to recover its lost momentum, any proposed new regulation that would inhibit investment in our aging transportation infrastructure must be balanced against the loss of needed construction jobs and the production of the tangible asset that would yield the regulations' desired goal of reducing NOx emissions.

The General Contractors Association urges the EPA to reconsider promulgating NOx reduction regulations that would adversely impact road and highway construction. The present NOx regulations are achieving their desired goals. The health of our economy depends on maintaining the current appropriate balance between regulations that inhibit economic activity and those that support it. We ask that you consider all aspects of the issue before implementing any new regulations that would adversely affect the nation's economic recovery.

Sincerely,

Denise M. Richardson
Managing Director