



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 23 2001

THE ADMINISTRATOR

Mr. Kevin L. Fast
Hunton & Williams
1900 K Street, N.W.
Washington, D.C. 20006-1109

Dear Mr. Fast:

Please find the Environmental Protection Agency's (EPA) response to three petitions to reconsider EPA regulations submitted by Hunton & Williams on behalf of the Ethyl Corporation ("Ethyl"). The first petition requests reconsideration of EPA's rule regarding emission compliance procedures for new motor vehicles, known as "CAP 2000". The second petition requests reconsideration of EPA's rule regarding emission standards and compliance procedures for 2004 and later model year heavy-duty gasoline engines. The third petition pertains to a regulation specifying the use of on-board diagnostics for vehicle inspection and maintenance programs.

After careful consideration of Ethyl's petitions and the comments received during the public comment period on the petition for reconsideration of the CAP 2000 rule, I am denying your requests for reconsideration of these three rules. The enclosed document explains in detail why the three rulemakings at issue reflect a proper exercise of EPA's legal authority, and therefore, why reconsideration is not appropriate. EPA continues to believe that these rulemakings are fully consistent with applicable legal requirements and will further our efforts to protect public health and the environment.

I recognize that Ethyl has a legitimate interest in developing the information it needs to seek a fuel additive waiver. The enclosure provides information regarding the process for fuel additive waiver testing. As our technical staff has said in the past, we are also willing to work with Ethyl and any other fuel additive manufacturer to develop appropriate testing protocols to evaluate the potential effects of a fuel additive on the emission control systems of motor vehicles for the purpose of obtaining a fuel additive waiver.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Christine Todd Whitman".

Christine Todd Whitman

Enclosure

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