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**Subject: Leaf blowers and California's zero emissions rule**

**Date:**December 16, 2022

**To:**[linda.foley@house.state.md](mailto:linda.foley@house.state.md)

**Cc:**[will.smith@senate.state.md.us](mailto:will.smith@senate.state.md.us), KIT GAGE <[kgage@verizon.net](mailto:kgage@verizon.net)>

Dear Delegate Foley,

State Senator Will Smith referred me to you earlier this week in a meeting organized by Kit Gage, Interim President of Friends of Sligo Creek. [Friends of Sligo Creek](https://www.friendsofsligocreek.org/)is a non-profit community organization dedicated to protecting, improving, and appreciating the ecological health of Sligo Creek Park and its surrounding watershed. I am writing on my own behalf and also for Friends of Sligo Creek's Advocacy Committee. I reside in Silver Spring.

I understand that you supported [legislation](https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0934?ys=2022RS) last year to ban leaf blowers statewide. I encourage you to consider legislation to adopt state-level standards for newly manufactured small off-road engines (including leaf blowers and lawn mowers) that mimic the regulations that [California adopted](https://ww2.arb.ca.gov/news/carb-approves-updated-regulations-requiring-most-new-small-road-engines-be-zero-emission-2024) in 2021. To help attain the Clean Air Act's air quality standards, the California Air Resources Board is requiring that, starting in 2024, most new small off-road engine (SORE) equipment must be emissions free. California is helping small businesses with that transition by providing financial help.

The detailed assessment that backs up California's action indicates that, in California, small off-road engines emit more oxides of nitrogen and reactive organic gases than do the state's light-duty passenger cars. (See p. ES-3 here: <https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2021/sore21/isor.pdf>).

The federal Clean Air Act lets other states adopt California's non-road engine emissions standards, under [Section 209(e)(2)(B)](https://www.epa.gov/state-and-local-transportation/vehicle-emissions-california-waivers-and-authorizations#:~:text=The%20Clean%20Air%20Act%20also,an%20authorization%20has%20been%20granted.) ("State Adoption of California Standards").

Adopting California's new SORE rules would help Maryland with its greenhouse gas reduction goals and could hasten the state's [compliance](https://storymaps.arcgis.com/stories/142652cce2db4327ae40f7e348877d61) with the Clean Air Act's ozone standards. Further, reducing nitrogen oxides air pollution is important to the health of the Bay's watershed. An [estimated 1/3](https://www.epa.gov/chesapeake-bay-tmdl/air-pollution-chesapeake-bay-watershed)of the watershed's nitrogen load comes from the air.

I am following the proposal in Montgomery County to ban the sale and use of combustion engine-powered leaf blowers and vacuums. In thinking about the phase-out of such equipment, we must ensure that it does not simply end up in landfills. And we should adopt measures that will close the loop for lithium batteries used in zero emissions equipment.

Although I am a newcomer to Maryland, I bring considerable experience to bear on these issues. Until 2017, when I took early retirement, I was [Professor](https://evsc.as.virginia.edu/people/profile/vet4y) of environmental policy at the University of Virginia in Charlottesville. Between 2002 and 2010, while on U.Va.'s faculty, I was member and vice chair of the Virginia State Air Pollution Control Board, the state's air pollution regulatory body. I was appointed to the Board by (then) Governors Mark Warner and Tim Kaine. I wrote about my experiences on the Air Board in a 2017 book published by MIT Press called [*Climate of Capitulation*](https://mitpress.mit.edu/9780262036344/climate-of-capitulation/). My other two books are about climate change policy and garbage transport. Now I produce a podcast called [The Meaning of Green](https://meaningofgreen.com/)that's about solving environmental problems. My podcast has attracted listeners in almost every US state and in more than 60 countries.

Thank you for your attention.

Yours,

Dr. Vivian Thomson

Silver Spring, MD