

February 1, 2009

Bryan Hansel, CEO  
Smith Electric Vehicles US  
141616 Carter Road  
Overland Park, KS 66221

Dear Mr. Hansel:

Thank you for your comments regarding the Houston-Galveston-Brazoria 8-Hour Ozone State Implementation Plan (SIP). Your comment focused on Draft Short List Control Measure #7, regarding the replacement of internal combustion engine vehicles with electric vehicles. H-GAC agrees with your assessment that by adjusting the measure to focus on replacing all weight and duty vehicles with electric versions would provide greater emission reductions than simply focusing on light-duty vehicles.

While refining the Draft Short List, it was determined that this measure did not meet the Clean Air Act (CAA) standards for SIP control measures. According to the CAA, control measures must meet four criteria and be: permanent, quantifiable, surplus, and enforceable. This measure meets all of the criteria except that it is not enforceable and, as a result, cannot be considered for the Final Short List. As a result, it has been removed.

Thank you again for your feedback on this control measure. You can follow the progress and see a more detailed summary of the SIP process, the timetable for the rest of the process and the on- and non-road control measures at the H-GAC SIP website: <http://www.h-gac.com/taq/airquality/sip/mobile/default.aspx>

Sincerely,

Shelley Whitworth  
Air Quality Program Manager