

**Testimony of  
S. William Becker  
Executive Director of the  
State and Territorial Air Pollution Program Administrators  
and the  
Association of Local Air Pollution Control Officials  
on the U.S. Environmental Protection Agency's  
June 2, 2000  
Notice of Proposed Rulemaking on  
Heavy-Duty Engine and Vehicle Standards and  
Highway Diesel Fuel Sulfur Control Requirements  
(65 *Federal Register* 35429)**

**June 19, 2000  
New York, New York**

Good morning. My name is Bill Becker and I am the Executive Director of STAPPA – the State and Territorial Air Pollution Program Administrators – and ALAPCO – the Association of Local Air Pollution Control Officials – the two national associations of air quality officials in the states and territories and more than 165 major metropolitan areas across the country. I am pleased to be here this morning to provide the associations' testimony on EPA's recent proposal to set more stringent emission standards for onroad heavy-duty engines and vehicles and to reduce levels of sulfur in onroad diesel fuel.

On behalf of STAPPA and ALAPCO, I would like to commend EPA for its continued leadership in reducing air pollution from the mobile source sector. Your final promulgation last December of Tier 2 motor vehicle emission standards and a national low-sulfur gasoline program was a remarkable accomplishment that will benefit the entire country. This month's heavy-duty engine and low-sulfur diesel proposal is further demonstration of the agency's commitment to efficiently and cost-effectively reducing a wide variety of mobile source-related emissions to achieve meaningful improvements in air quality across the nation; we applaud this initiative and the "systems approach" – which addresses both the engine and its fuel – upon which it is based.

We are especially pleased that the proposed heavy-duty engine and diesel sulfur program reflects the key recommendations made by STAPPA and ALAPCO over the past year and a half. This program is of vital importance to our memberships. For this reason, our associations adopted, with overwhelming support, a resolution calling upon EPA to establish a stringent low-sulfur diesel fuel cap to enable the introduction and effective operation of advanced technologies, such as lean-NO<sub>x</sub> catalysts and adsorbers and particulate filters; a copy of the resolution is attached to my statement. We have placed the highest priority on participating in the rule development process and are proud that EPA has concluded that the most appropriate strategy so closely mirrors that which we have advocated.

As the officials with primary responsibility for achieving and maintaining clean, healthful air across the country, state and local air agencies are keenly aware of the need to aggressively pursue emission reductions from the heavy-duty mobile source sector, which contributes substantially to a variety of air quality problems. As EPA acknowledges in this proposal, by 2007, when the proposed engine standards would take effect, onroad heavy-duty engines and vehicles will account for 29 percent of mobile source NO<sub>x</sub> emissions and 14 percent of mobile source PM emissions. Under the control strategy EPA has proposed, however, by 2030, onroad heavy-duty vehicle NO<sub>x</sub> emissions would be reduced by 2.8 million tons and PM emissions by approximately 110,000 tons. These emission reductions, as well as others that the proposed rule would affect, will play a pivotal role in addressing an array of significant environmental problems that continue to pose health and welfare risks nationwide, including those associated with ground-level ozone; coarse and fine particulate matter; sulfur oxides; air toxics; visibility impairment; the acidification, nitrification and eutrophication of water bodies; and global warming.

Based on the substantial contribution of heavy-duty vehicle emissions to air pollution and very serious public health and environmental problems, we have no alternative *but* to impose greater controls on these sources and their fuels, and to do so in a truly meaningful way. Further, because many of these vehicles constantly travel back and forth across the country, their emissions are ubiquitous. For this reason, regulation of the heavy-duty mobile source sector, and of the fuels used by these sources, must be done on a national basis, as EPA has proposed.

In the coming weeks, STAPPA and ALAPCO will be providing comprehensive written comments on the complete proposal. Today, however, I would like to focus my comments on a few fundamental issues related to heavy-duty diesels and their fuel.

The air pollution that comes from big diesel buses and trucks is not only among the most visible there is, it is also among the most offensive. What is worse, however, is that the noxious exhaust from heavy-duty diesels brings with it adverse health impacts that can be dire, posing a serious threat to public health nationwide. Perhaps the greatest risk posed by heavy-duty diesels comes from their toxic emissions. Diesel exhaust contains over 40 chemicals that are listed by EPA and California as toxic air contaminants, known human carcinogens, probable human carcinogens, reproductive toxicants or endocrine disrupters. In 1998, California declared particulate emissions from diesel-fueled engines a toxic air contaminant, based on data that supported links between diesel exposure and human cancer.

Further, last fall, the South Coast Air Quality Management District in Los Angeles, California released a draft final report, the *Multiple Air Toxics Exposure Study in the South Coast Air Basin* (MATES-II), which included an analysis of the cancer risk in the region from exposure to diesel particulate. Based on this analysis – which estimated diesel particulate levels by using elemental carbon as a surrogate and applied a cancer potency factor determined by the state of California – South Coast concluded that of the cancer risk posed by air pollution, 70 percent is attributable to diesel particulate emissions, with mobile sources being the dominant contributor.

STAPPA and ALAPCO were alarmed by South Coast's findings. So, this past spring – based on a tailored, more conservative version of the MATES-II methodology – we sought to extrapolate the evaluation of cancer risk from diesel particulate to other cities across the country and to estimate how many cancers nationwide are the result of exposure to diesel particulate. By applying a MATES-II-based methodology we found that, on a nationwide basis, diesel particulate may be responsible for 125,000 cancers over a lifetime.

Let me be clear – this is not a precise number. Instead, it is an approximation of a potential national impact of exposure to diesel particulate that highlights the need for swift and certain regulatory action. Further, it allows us to estimate that EPA's proposal – which includes a 90-percent reduction in particulate emissions from onroad heavy-duty diesels – could prevent 35,000 of these cancers. We cannot afford to forego this opportunity. And EPA, much to its credit, has issued a proposal that ensures that we will not.

STAPPA and ALAPCO congratulate EPA for responding to a serious environmental problem with an equally serious strategy that establishes rigorous emission standards for onroad heavy-duty diesels and a commensurately low cap on sulfur in diesel fuel, all within a timeframe that will allow us to reap the benefits of this program beginning with the 2007 model year. Although there are several aspects of the proposal with which we have concerns – and we will offer recommendations to address these in our written comments – the fact remains that the key components of this proposal are rock solid and we support them.

With respect to the emission standards, we strongly endorse the levels EPA has proposed: a particulate matter standard of 0.01 grams per brake horsepower-hour (g/bhp-hr) and a NO<sub>x</sub> standard of 0.2 g/bhp-hr, which are 90 and 95 percent cleaner than today's standards, respectively. However, although we are very pleased that the PM standard will take full effect in 2007, we have concerns regarding the four-year phase-in period proposed for the NO<sub>x</sub> standard and will offer further discussion of this in our written comments.

Inextricably linked to the proposed engine standards is the issue of low-sulfur diesel fuel. The ability of heavy-duty diesels to comply with the stringent engine standards that EPA has appropriately proposed is directly dependent on the timely, nationwide availability of diesel fuel with ultra-low levels of sulfur. Without such fuel, the technologies capable of achieving such low emission standards will be rendered inoperable. For this reason, STAPPA and ALAPCO vigorously support the proposed 15-parts-per-million (ppm) cap on sulfur in diesel fuel, to take full effect across the country in mid-2006, with no phase in. This provision of the proposal is absolutely essential; while an even lower cap may prove to be necessary, it is crucial that the final rule include a fully effective, nationwide cap of no higher than 15 ppm by mid-2006.

Finally, while nonroad diesel engines are not addressed by this proposal, STAPPA and ALAPCO view the control of nonroad diesels to be as critical as the control of onroad diesels. Further, we firmly believe that the technological advances that will occur in order to meet future, more stringent onroad heavy-duty diesel standards will

carry over to nonroad equipment, but only if very-low-sulfur diesel fuel is available for this sector as well. We are extremely concerned, however, that EPA may not be proceeding as quickly or aggressively as necessary to develop nonroad diesel engine and fuel programs that are commensurate with the enormous contribution nonroad diesels make to air pollution; more must be done.

To this end, STAPPA and ALAPCO urge EPA to accelerate its program development strategies for nonroad diesel engines and fuels, so that we can more effectively reduce the huge air quality and public health problems posed by these sources, as well. We recommend that EPA adopt engine standards and a sulfur cap for nonroad heavy-duty diesels and fuel that are equivalent to those for onroad heavy-duty diesels, and in the same timeframe. We urge the agency to use the 2001 nonroad technology review as an opportunity to significantly strengthen the nonroad diesel control program.

In conclusion, I thank you for this opportunity to provide the associations' preliminary perspectives on this important proposed rulemaking. STAPPA and ALAPCO applaud EPA for seizing the opportunity to take another enormous step toward cleaning up the mobile source sector and achieving our nation's clean air goals. We commend your leadership in developing a technologically, economically and environmentally credible approach for addressing onroad heavy-duty diesel engines and fuels. Preserving the integrity of the framework that you have proposed is imperative to the viability of this program and, moreover, to the efforts of states and localities across the country to achieve and sustain clean, healthful air; without it, we cannot succeed.

In the coming weeks, we will be more thoroughly analyzing the complete proposal and developing comprehensive written comments on the many issues raised. STAPPA and ALAPCO look forward to working closely with the agency as it continues to refine this extremely important program. On behalf of our associations, I offer to you our continued cooperation and partnership as you move ahead.