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This Week in Review

(1) NACAA Comments on EPA's Supplemental "Science Transparency" Proposal (May 18, 2020) – NACAA submitted comments on EPA's Supplemental Notice of Proposed Rulemaking (SNPRM), "Strengthening Transparency in Regulatory Science," which was published in the *Federal Register* on March 18, 2020 (85 Fed. Reg. 15,396). In the SNPRM, EPA amends its original Science Transparency proposal, which was published in April 2018. The goal of the rulemaking package, according to EPA, is to "ensure that the regulatory science underlying its actions is publicly available in a manner sufficient for independent validation." NACAA emphasized in its comments that the SNPRM does little to allay the association's concerns with the original proposal. In NACAA's view, the proposal package wrongly conflates two distinct and separate issues: transparency and scientific rigor. EPA is obligated to consider the complete range of published, peer-reviewed scientific research that is relevant to its regulatory decisions, and it is inappropriate to limit the universe of scientific studies that the agency may consider based on the public availability of their underlying data and

models, the association opined. NACAA observed that the SNPRM's two new alternative approaches to the public availability provisions for underlying data and models represent a marginal improvement over the original proposal, in that they would appear to restrict fewer scientific studies from EPA's consideration. However, they both rest on a premise with which the association fundamentally disagrees: that more "transparent" science is more worthy of EPA's consideration than studies based on confidential data that cannot be made publicly available. Further, NACAA does not support EPA's proposal to expand the scope of the rule to cover not just "significant regulatory actions," but also "influential scientific information," nor does NACAA support the expansion of the applicability of certain provisions from "dose-response" data and "dose-response" models to all types of data and models. Finally, NACAA opined that the SNPRM's addition of criteria that would govern the EPA Administrator's exemption authority under the proposed rule does not allay the association's fundamental concern with the exemption provision, which in NACAA's view, is not appropriately wielded by a political appointee and would tend to undermine public trust in agency decision-making. NACAA urged EPA to withdraw the proposed rule and the SNPRM. For further information: <http://www.4cleanair.org/sites/default/files/Documents/FINAL-NACAA-Science-Transparency-SNPRM-Comments-051820.pdf>

(2) President Orders Broader Deregulatory Action (May 19, 2020) – President Donald Trump signed an Executive Order on Regulatory Relief to Support Economic Recovery in which he directs federal agencies to formulate plans to expand deregulatory action to remove impediments to economic recovery from the economic crisis caused by the ongoing COVID-19 pandemic. "Agencies should address this economic emergency by rescinding, modifying, waiving, or providing exemptions from regulations and other requirements that may inhibit economic recovery, consistent with applicable law and with protection of the public health and safety, with national and homeland security, and with budgetary priorities and operational feasibility," the President states in his order. The Executive Order comes in the wake of recommendations made by several groups, including the Heritage Foundation, the National Association of Manufacturers and the Competitive Enterprise Institute, which included, among others, using the tax code to incentivize domestic manufacturing, overriding state energy mandates, preempting bans on hydraulic fracturing, taking actions to expedite energy facility permitting and reexamining Endangered Species Act critical habitat designations (see related article in the April 25-May 1, 2020 *Washington Update*). Though the Executive Order, the President also seeks to afford agencies broad discretion in enforcing regulations, including environmental regulations, ordering that "[t]he heads of all agencies shall consider whether to formulate, and make public, policies of enforcement discretion that, as permitted by law and as appropriate in the context of particular statutory and regulatory programs and the policy considerations identified in section 1 of this order, decline enforcement against persons and entities that have attempted in reasonable good faith to comply with applicable statutory and regulatory standards." On March 26, 2020, EPA issued guidance on enforcement discretion that largely addressed reporting and monitoring requirements during the COVID-19 pandemic, which has been

criticized as being effectively indefinite (see related article in the March 21-27, 2020 *Washington Update*). For further information: <https://www.whitehouse.gov/presidential-actions/executive-order-regulatory-relief-support-economic-recovery/>

(3) EPA Proposes Additional Time for Retailers to Sell Step 1 Residential Wood Heaters to “Recover Sales That Have Been Lost Due to Coronavirus Health Crisis”; Comments Due July 6 (May 22, 2015) – EPA published in the *Federal Register* (85 Fed. Reg. 31,124) a proposed rule entitled, “Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces” – an action the agency says is to help make up for “significant losses in retail sales” of residential wood heaters (RWHs) due to COVID-19. If the proposal is promulgated, RWH retailers would be allowed to sell Step 1 units from the date of *Federal Register* publication of the final rule until November 30, 2020. Between now and the date on which EPA publishes a final action on this proposal the agency will place a low priority on enforcement of the May 15, 2020 deadline for selling Step 1 units. The agency writes in the proposal, “...to ensure retailers will regain the sales opportunities lost as a result of the closures, shut-down orders, and other precautions taken due to the pandemic during the last 60 days leading up to May 15, 2020, the EPA is proposing to allow retailers to sell Step 1 certified wood heating devices from the date of promulgation, if this proposal is promulgated, until November 30, 2020. In addition, in light of the above, during the period between May 15, 2020, and publication of EPA’s final action on this proposal, EPA will treat the sale of Step 1 devices as a low enforcement priority.” EPA will accept comments on the proposal for 45 days – until July 6, 2020. If a public hearing is requested by May 27, 2020 EPA will hold a virtual public hearing on June 8, 2020. If finalized, the rule would take effect upon publication. In a press release announcing the proposal, EPA Administrator Andrew Wheeler states, “More than 90 percent of manufacturers and retailers of wood heaters are small businesses, many of which have experienced significant losses in retail sales. This action will provide economic relief to these employers as America begins to reopen its businesses.” On April 2, 2020, EPA published a final rule making amendments to the April 2015 RWH New Source Performance Standards. In that final rule, EPA announced its decision to not finalize its November 2018 proposal to provide for a two-year sell-through for Step 1 units. After an intense years’-long lobbying effort by industry to gain more time to manufacture and sell Step 1 units, manufacturers and retailers provided “insufficient” data to justify the need for a sell-through, according to EPA. Under the current proposal, retailers would be given until November 30, 2020 – about six additional months (and more for those that did not shut down), including at least two prime RWH selling months during the very busiest sales season – to sell Step 1 units, to compensate for two months of claimed lost sales during the slowest sales season of the year. EPA will accept public comments on this proposal until July 6, 2020. If a public hearing is requested by May 27, 2020, EPA will hold a virtual public hearing on June 8, 2020. For further information: <https://www.govinfo.gov/content/pkg/FR-2020-05-22/pdf/2020-11096.pdf> and

<https://www.epa.gov/newsreleases/epa-proposes-relief-small-businesses-restoring-wood-heater-sales-opportunities-lost>

(4) EPA Proposes Rule on “Guidance Document Transparency” (May 23, 2020) – EPA published a proposed rule (85 Fed. Reg. 31,104) to govern how it manages the issuance of guidance documents consistent with the requirements of President Trump’s Executive Order (EO) 13891, “Promoting the Rule of Law Through Improved Agency Guidance Documents” (issued on October 9, 2019). According to EPA, the proposed rule’s purposes are to 1) ensure that guidance documents are developed with appropriate review; 2) ensure that they are accessible and transparent to the public; and 3) provide for public participation in the development of significant guidance documents. Accordingly, the proposal contains the following key components. First, it would establish internal EPA policies and procedures for the issuance of future guidance documents and codify a requirement for the agency to maintain an online portal with all active and effective agency guidance documents. The proposal includes definitions of “guidance document” and “significant guidance document.” In accordance with an EO 12891 requirement, EPA made publicly available an online “Guidance Portal” on February 28, 2020; the proposed rule would codify the requirement to maintain this portal and the information it is required to contain with respect to each guidance document. In addition, the proposal would require certain standard elements for all guidance documents issued after the rule is finalized. Among them is a disclaimer stating that the contents of the guidance do not have the force and effect of law, and that EPA does not intend to bind the public in any way and intends only to provide clarity to the public regarding existing requirements under the law or agency policies. In addition, for “significant guidance documents,” EPA is proposing to require an opportunity for public review and comment, as well as a requirement for the agency to respond to “major public comments.” Finally, EPA is proposing procedures to allow the public to petition the agency for the modification or withdrawal of an active guidance document, including format and content requirements for such petitions. In a press release announcing the issuance of the proposed rule (which was signed on May 19, 2020), EPA Administrator Andrew Wheeler stated, “Historically, EPA has issued many more guidance documents than most federal agencies. Today’s action is a major step toward increasing transparency in EPA processes and ensuring that EPA is not creating new regulatory obligations through guidance.” EPA’s 30-day comment period for this proposal closes on June 22, 2020. For further information: <https://www.govinfo.gov/content/pkg/FR-2020-05-22/pdf/2020-11079.pdf> and <https://www.epa.gov/laws-regulations/proposed-rulemaking-epa-guidance-administrative-procedures-issuance-and-public>

(5) EPA Inspector General Finds “Further Efforts Needed” to Uphold Agency’s Scientific Integrity Policy (May 20, 2020) – Reporting on the results of an audit of EPA’s implementation of its Scientific Integrity (SI) Policy, EPA’s Office of Inspector General (OIG) identified several areas in which implementation could be improved. Issued in 2012, the intent of EPA’s SI Policy is to “ensure scientific integrity throughout the EPA and promote scientific and ethical standards,

including quality standards; communications with the public; the use of peer review and advisory committees; and professional development.” In conducting its audit, OIG performed an agencywide survey of EPA staff from November to December 2018 and compared it to the results of a similar survey conducted in 2016. The survey examined awareness and familiarity with the SI policy, experience with its four focus areas, and awareness and experience with the process for reporting SI violations as well as reasons for not reporting. The results showed an overall increase in awareness of the SI policy among survey respondents, but a decline in perceived leadership support of SI and knowledge of the review and clearance procedures for the public release of scientific documents. Among respondents with a basis to judge, 56 percent were satisfied with the overall implementation of EPA’s SI policy, but 59 percent expressed dissatisfaction with EPA’s culture of SI and 57 percent were concerned about its release of scientific information to the public. OIG recommended that EPA’s Deputy Administrator lead an effort to examine the causes associated with the concerns identified in the survey and communicate the results to agency employees. It also made 11 recommendations to the EPA science advisor, including developing procedures for addressing and resolving allegations of SI violations, communicating the outcomes of reports of SI violations and improving the release of scientific information to the public. EPA agreed with the recommendations and has provided corrective actions that OIG deemed acceptable. For further information: <https://www.epa.gov/office-inspector-general/report-further-efforts-needed-uphold-scientific-integrity-policy-epa>

(6) Wheeler Receives Praise, Criticism During Appearance Before Senate Environment and Public Works Committee (May 20, 2020) – At his first congressional oversight hearing since the beginning of the coronavirus pandemic EPA Administrator Andrew Wheeler defended the agency’s actions over the past several months and addressed the oversight questions of the Senate Committee on Environment and Public Works. Committee Chairman John Barrasso (R-WY) opened the full committee hearing, entitled “Oversight of the Environmental Protection Agency,” by highlighting the deregulatory and other actions taken since 2017 by EPA and welcomed the Administrator. Ranking Member Tom Carper (D-DE) decried the actions of the agency since stay-at-home orders were issued for the pandemic in March, noting that rather than establishing a research agenda and surging support to disadvantaged communities most vulnerable to air pollution and to COVID-19, the agency had focused on advancing deregulatory efforts and relaxing its enforcement. In his opening remarks, Administrator Wheeler described EPA’s pandemic response, noting disinfectant approvals, telework expansion, the publication of the Safer Affordable Fuel Efficient (“SAFE”) Vehicles Part 2 rule, the rescission of the Mercury and Air Toxics Appropriate and Necessary finding, the submittal to the Office of Management and Budget of a Cost-Benefit Analysis rule, the issuance of grants and the hiring of new employees. Administrator Wheeler highlighted that the agency had taken 60 deregulatory actions, “not at the expense of environmental laws enacted by congress.” Chairman Barrasso explored the renewable fuel standard (RFS) and EPA’s March 26, 2020 enforcement discretion memo and praised action to delegate Class 2 well permitting to state agencies that may support expansion of

carbon capture, use and storage. Senator Carper's questions explored the link between air pollution and COVID-19 impacts. Questions from Senators James Inhofe (R-OK), Sheldon Whitehouse (D-RI), Ben Cardin (D-MD) and Joni Ernst (R-IA) touched on mobile source issues, the RFS, and the "SAFE" Vehicles rule. Senator Shelley Moore Capito (R-WV) asked about the sell-through provisions proposed by EPA for wood heaters. In an exchange with Senator Kevin Cramer (R-ND) on regional haze, the Administrator discussed the 15 federal plans that had been converted to state plans. Responding to Senator Jeff Merkley (D-OR), Administrator Wheeler noted that a new proposed rule on the carbon neutrality of biomass is undergoing interagency review with planned publication in the *Federal Register* in June 2020. Senators Tammy Duckworth (D-IL), Kirsten Gillibrand (D-NY) and Ed Markey (D-MA) offered sharp criticisms of EPA's deregulatory and enforcement efforts both before and during the pandemic. Administrator Wheeler responded that EPA had opened 52 new enforcement cases, filed 10 criminal charges and taken 122 civil actions since mid-March 2020. Senators Markey and Whitehouse also harshly criticized EPA's proposals on transparency in regulatory science. Finally, in discussion with Senator Dan Sullivan (R-AK), Administrator Wheeler pledged to continue working on PM_{2.5} issues "in a way that doesn't disproportionately impact your industry.... in the air bowl of that community." A number of the Senators participated remotely from their offices, a break from usual Senate norms reflecting social distancing during the pandemic. For further information: <https://www.epw.senate.gov/public/index.cfm/2020/5/oversight-of-the-environmental-protection-agency>

(7) Respondent Intervenors Submit Opening Briefs Supporting EPA and NHTSA's Defense of Regulatory Requirements for Heavy-Duty Truck Trailers (May 12, 2020) – Intervenors supporting respondents EPA and the National Highway Traffic Safety Administration (NHTSA) filed their opening briefs in the U.S. Court of Appeals for the District of Columbia Circuit in litigation in which the Truck Trailer Manufacturers Association (TTMA) is challenging provisions of the federal agencies' 2016 joint "Phase 2 Rule" (setting greenhouse gas and fuel efficiency standards for heavy-duty trucks) which, for the first time, make heavy-duty truck emission and fuel economy standards applicable to trailers. In their opening brief, state respondent intervenors argue that the Energy Independence and Security Act "unambiguously" requires NHTSA to regulate trailers' fuel economy and that NHTSA's standards remain effective even if EPA does not have independent authority to regulate trailers. Public health and environmental intervenors argue in their brief that a tractor-trailer is a motor vehicle subject to regulation under the Clean Air Act and that a trailer manufacturer is a "manufacturer" of a motor vehicle subject to regulation under the Act. The state intervenors are the Attorneys General of California, Connecticut, Iowa, Massachusetts, Oregon, Rhode Island, Vermont and Washington. The public health and environmental intervenors are the Environmental Defense Fund, Natural Resources Defense Council, Center for Biological Diversity, Sierra Club and Union of Concerned Scientists. TTMA filed its opening brief in this case on February 10, 2020; EPA and NHTSA filed their opening brief on April 21, 2020. For further information:

http://www.4cleanair.org/sites/default/files/Documents/Litigation-Trailers-TTMAvEPA-State_Respodent_Intervenors_Brief-051220.pdf

and

http://www.4cleanair.org/sites/default/files/Documents/Litigation-Trailers-TTMAvEPA-Pub_Health_Respodent_Intervenors_Brief-051220.pdf

(8) D.C. Circuit Largely Upholds EPA’s Denial of Maryland and Delaware Petitions Seeking Controls on Upwind Emissions (May 19, 2020)

– The U.S. Court of Appeals for the District of Columbia Circuit issued an opinion that mostly upholds EPA’s denial of “Good Neighbor” petitions filed in 2016 by Maryland and Delaware under Section 126(b) of the Clean Air Act (CAA). In their petitions – one submitted by Maryland and four by Delaware – the states requested that EPA make findings that emissions from specific out-of-state sources contribute significantly to their nonattainment of the National Ambient Air Quality Standards for ozone, and that EPA impose additional limitations on those upwind facilities. The court found that, although EPA erred in some of its reasoning, the agency was justified in denying the petitions on grounds of lack of cost-effective controls – except it found EPA’s explanation was inadequate with respect to non-catalytic controls. Maryland had contended that the four electric generating units in its petition that do not have catalytic controls should be required to operate their non-catalytic controls. The court agreed with the state’s argument that EPA cannot rely on the Cross-State Air Pollution Update Rule’s conclusion that such controls are not cost-effective, in light of the court’s decision in *Wisconsin v. EPA* remanding the Update Rule. It therefore granted Maryland’s petition for review in part and remanded that issue to EPA to adequately explain the reasoning for its conclusion on the lack of cost-effectiveness of these controls. Also of note, the court found that EPA reasonably interpreted Section 126(b) to require petitioning states to bear the burden of proof as to whether there was any violation of the CAA Good Neighbor Provision. However, in assessing EPA’s evaluation of the petitions, the court did agree with petitioners that EPA erred in its decision not to consider air quality data from nonattaining receptors outside of Delaware. It also found that EPA was required to measure air quality in the year that corresponds with the next applicable downwind attainment deadline. With the exception of the partial remand concerning the catalytic controls issue, the court otherwise denied the petitions for review. For further information:

<http://www.4cleanair.org/sites/default/files/Documents/Maryland-v-EPA-DC-Cir-Opinion-5-19-20.pdf>

(9) Carper Releases Report on How Recent EPA Actions Could Add to COVID Risks (May 20, 2020)

– Senator Tom Carper (D-DE), Ranking Member of the Senate Environment and Public Works Committee, released a staff report entitled, *A Pandemic of Pollution: How EPA Air Pollution Actions Taken Since March 1, 2020 Will Harm Public Health and Potentially Add To COVID-19 Risks*. In the report, the staff provides an overview of the correlation between air pollution and mortality from COVID-19, highlighting a recent study by Harvard researchers, who found that even small increases in particulate matter lead to increases in the likelihood of death from COVID-19; discusses the connections among climate change, air pollution and pandemics, noting that climate change contributes to the

spread of vector-borne diseases; and identifies rules that EPA has proposed or finalized since March 1, 2020 that will increase air pollution. With respect to the latter, the staff focuses on the March 3 Strengthening Transparency in Regulatory Science supplemental proposed rule; the March 25 New Source Review “Begin Actual Construction” guidance; the March 31 Safer Affordable Fuel-Efficient (“SAFE”) Vehicles rule; the April 4 Mercury and Air Toxics Standards; the April 10 Ozone Depleting Refrigerants rule; the April 14 Particulate Matter National Ambient Air Quality Standards proposal; and the May 15 Standards of Performance for New Residential Wood Heaters proposal. The staff provides recommendations in the report, including reversing EPA’s deregulatory actions; conducting research on exposure to air pollution and impacts of COVID-19; factoring into future rules and policies any links between air pollution and COVID-19; focusing enforcement and monitoring to prioritize early detection in areas at greatest risk; and enhancing environmental justice to address disproportionate risks from COVID-19. EPA issued a news release responding to the Senate report in which Administrator Andrew Wheeler states, “This staff report is nothing more than a pandemic of political propaganda.” The agency’s rebuttal includes a list of measures EPA has taken in the fight against COVID-19, including expanding the list of disinfectants, calling on governors to consider water and wastewater workers as “essential”, initiating research and providing additional grant funding for environmental justice communities. For further information: <https://www.epw.senate.gov/public/cache/files/1/d/1d7a81eb-2042-425b-b23d-ad91ad642fce/99ED701B6DC74677CDEB56888497D96C.051820-epw-as.pdf> and <https://www.epa.gov/newsreleases/correcting-record-epa-administrator-responds-inaccurate-staff-report>

(10) States Request Extension of Comment Period for PM NAAQS Proposal (May 15, 2020) – In a letter submitted to the docket, the Attorneys General (AGs) of eight states ask EPA Administrator Andrew Wheeler to extend, by 60 days, the comment deadline for his April 30, 2020 (85 Fed. Reg. 24,094) proposed decision to retain the current National Ambient Air Quality Standards (NAAQS) for particulate matter (PM) without revision (see related article in the April 25-May 1, 2020 *Washington Update*). The current deadline of June 29, 2020 provides 45 days for public comment. The AGs note in their letter that more time is necessary for several reasons. One reason is to allow for a thorough review of the “voluminous” record supporting the 51-page proposal, including the 2,000-page Integrated Science Assessment (ISA) and the 534-page Policy Assessment (PA). However, the AGs explain that there are also several circumstances unique to this particular proposal, any one of which would justify an extension: 1) the COVID-19 national emergency; 2) the truncated review cycle that EPA established, which “has impeded meaningful public input on the ISA and PA” and 3) two recent court decisions (finding EPA’s 2017 directive entitled, “Strengthening and Improving Membership in the EPA Federal Advisor Committees,” to be arbitrary and capricious) that highlight the importance of outside review of this EPA proposal and the PM NAAQS review process. For further information: http://www.4cleanair.org/sites/default/files/Documents/PM_NAAQS-States_Request_for_Comment_Period_Extension-051520.pdf

(11) Final Ozone Policy Assessment Announced in *Federal Register* (May 22, 2020) – EPA announced in the *Federal Register* (85 Fed. Reg. 31,182) that the final document, “Policy Assessment for the Ozone National Ambient Air Quality Standards,” will be made available on or about May 29, 2020. This document was prepared as part of the ongoing review of the ozone NAAQS. EPA describes the Policy Assessment as serving “to ‘bridge the gap’ between the currently available scientific and technical information and the judgments required of the Administrator in determining whether to retain or revise the existing O₃ NAAQS.” Administrator Wheeler is expected to propose his decision on the NAAQS review this spring and to issue a final decision by the end of this year. For further information: <https://www.govinfo.gov/content/pkg/FR-2020-05-22/pdf/2020-11121.pdf> and <https://www.epa.gov/naaqs/ozone-o3-air-quality-standards>

(12) Senator Carper Expands Request Urging EPA IG to Investigate Whether EPA Political Officials Circumvented Rulemaking Requirements for “SAFE” Vehicles Rule (May 18, 2020) – In follow up to a February 26, 2020 letter to EPA Inspector General (IG) Sean O’Donnell (see related article in the February 29-March 6, 2020 *Washington Update*), asking him to investigate – relative to the Safer Affordable Fuel-Efficient (“SAFE”) Vehicles Rule that was subsequently finalized and published in the *Federal Register* on April 30, 2020 – “troubling and seemingly purposeful efforts to avoid the standard processes associated with proposing and finalizing rules, some of which may be unlawful,” Senator Tom Carper (D-DE) wrote again to the IG asking that he expand the investigation based on new information obtained by the Senator. In February, Carper, who is the Ranking Member of the Senate Environment and Public Work Committee, reported to the IG that he had been informed by multiple sources that “EPA political officials appear to be trying to conceal EPA [career staff] comments that are critical” of the draft final “SAFE” Vehicles Rule and that “[i]nstead of transmitting these materials to OIRA as part of the interagency review process, which is standard and lawful process that would also result in their public release once the rule is finalized, hard copies of these materials are being shared only with the Department of Transportation.” In this week’s letter, Carper writes that he now has additional information and documents that “confirm such wrongdoing.” The Senator also identifies in the letter several new concerns related to finalization of the “SAFE” Vehicles Rule, including that the Department of Transportation (DOT) “was the sole author of most, if not all” of the draft final rule sent to the Office of Management and Budget for Review in January and that EPA career staff briefed EPA Acting Assistant Administrator Anne Ildal on their concerns with the draft rule and made her aware that EPA had not co-authored the document. Carper also reports that four hard copies of the concerns were sent to DOT on February 5, 2020, “but EPA political officials apparently purposefully and potentially illegally withheld these documents from being placed into the rulemaking docket and made available to the public.” In addition, Carper says, the concerns that were transmitted to DOT on February 5 “catalogued numerous errors and inaccuracies in the draft final rule, but DOT did not incorporate most of EPA’s feedback. In fact, EPA reviewed a second draft of the rule on March 25 and observed internally that

the continued failure to correct many of these errors would leave the rule legally vulnerable.” Finally, Carper tells the IG that after the final rule was signed, EPA and DOT “made significant changes to it before it was published in the Federal Register, raising transparency and potential legal questions associated with what appears to be an unprecedented process used to alter the materials.” In an attachment to the letter, Carper provides detailed descriptions of these concerns as well as the new documents to which he refers. For further information: https://www.epw.senate.gov/public/_cache/files/d/0/d097fdd0-0105-4a39-9604-f8a1ddd5aaa6/735111CEA8E5499130FD7DD880453FCF.05-18-20-tc-cars-letter-to-epa-ig-002-.pdf and <https://www.epw.senate.gov/public/index.cfm/press-releases-democratic?ID=D96DC0C7-3431-4B4C-B55C-15728C6CADAC>

(13) EPA Seeks Nominations for 2020 Clean Air Excellence Awards; Entries Due by July 31, 2020 (May 19, 2020) – EPA announced in the *Federal Register* (85 Fed. Reg. 29,943) the 2020 Clean Air Excellence Awards Program and issued a request for nominations of programs, projects or developments in the following five award categories: 1) Clean Air Technology, 2) Community Action, 3) Education/Outreach, 4) State/Tribal/Local Air Quality Policy Innovations and 5) Transportation Efficiency Innovations. Award-winning entries must directly or indirectly reduce pollutant emissions, demonstrate innovation, offer sustainable outcomes and provide a model for others to follow. Self-nominations are welcome. In addition to these five categories the Clean Air Excellence Awards include two special award categories: the Thomas W. Zosel Outstanding Individual Achievement Award and the Gregg Cooke Visionary Award. Nominations for these two awards must be by a third party. All entries must be submitted electronically or postmarked by Friday, July 31, 2020. The Clean Air Excellence Awards Program was established in February 2000 at the recommendation of the Clean Air Act Advisory Committee to recognize and honor outstanding innovative efforts to help make progress in achieving clean air. For further information: <https://www.govinfo.gov/content/pkg/FR-2020-05-19/pdf/2020-10640.pdf> and <https://www.epa.gov/caaac/clean-air-excellence-awards>

The Week Ahead

- Memorial Day – May 25, 2020
- Congress in Recess – May 25-29, 2020

NACAA
1530 Wilson Blvd., Suite 320
Arlington, VA 22209
(571) 970-6678
4cleanair@4cleanair.org