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June 26, 2020

U.S. Environmental Protection Agency
EPA Docket Center
Air and Radiation Docket
Docket ID No. EPA-HQ-OAR-2019-0307
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

To Whom It May Concern:

The National Association of Clean Air Agencies (NACAA) offers the following comments on the U.S. Environmental Protection Agency's (EPA's) Notice of Proposed Rulemaking (NPRM), "Improvements for Heavy-Duty Engine and Vehicle Test Procedures, and Other Technical Amendments," which was published in the *Federal Register* on May 12, 2020 (85 Fed. Reg. 28,140). NACAA is the national, nonpartisan, non-profit association of air pollution control agencies in 41 states, including 115 local air agencies, the District of Columbia and four territories. The air quality professionals in our member agencies have vast experience dedicated to improving air quality in the U.S. These comments are based upon that experience. The views expressed in these comments do not represent the positions of every state and local air pollution control agency in the country.

In this NPRM, EPA proposes revisions to existing rules that implement federal air pollution emission standards for engines, vehicles and mobile equipment and that the agency describes as "a significant variety of small changes for multiple types of engines and equipment" that are "generally technical amendments that include corrections, clarifications and flexibilities." The majority of the proposed amendments focus on the existing test procedures for heavy-duty highway engines and vehicles measuring criteria pollutant and greenhouse gas emissions (primarily carbon dioxide), with the intent of improving accuracy and, "in some cases," reducing testing burden in a way that has "neither significant environmental impacts nor significant economic impacts for any sector," according to EPA.

NACAA supports EPA's intent to improve the accuracy and reduce the testing burden of heavy-duty test procedures but only to the extent that the protection of public health and the environment are not compromised.

Therefore, NACAA is compelled to oppose EPA's proposed amendment to revise its confirmatory testing protocols so that the agency would "not replace a manufacturer's fuel maps during confirmatory testing if the EPA-measured fuel maps were within 2.0 percent of the manufacturer's maps." EPA says, "We are proposing this as an interim provision but are not including an end date at this time. We would intend to reevaluate this provision as we learn more about the impact of measurement variability during fuel mapping, including the full impact of the proposed test procedure improvements that are intended to reduce measurement variability." (See Section II(B)(2) of the preamble (85 Fed. Reg. 28,146) and Section 1036.150(q) of the regulatory text (85 Fed. Reg. 28,192), Confirmatory Testing of Engines and Measurement Variability)

The current Phase 2 engine standards provide a 5-percent CO₂ benefit. Under this proposal, a manufacturer could exceed the standards by 40 percent and still be considered to comply, thereby sacrificing much of the 5-percent CO₂ benefit and seriously weakening the stringency of the standards for an indeterminant amount of time. This is a significant degradation of stringency and clearly contrary to EPA's stated intent. NACAA opposes this proposed amendment and EPA should remove it before finalizing this rulemaking.

In addition, NACAA cautions EPA to not finalize any changes to the proposal that would erode the stringency of any existing standards or programs or have any adverse impact on air quality, public health or the environment.

Thank you for the opportunity to comment on this proposal. If you have questions or would like further information, please do not hesitate to contact either of us or Nancy Kruger, NACAA's Deputy Director.

Sincerely,



Steven E. Flint
(New York)
Co-Chair
NACAA Mobile Sources and Fuels Committee



Eric C. White
(Placer County, CA)
Co-Chair
NACAA Mobile Sources and Fuels Committee