

# United States Senate

November 17, 2022

The Honorable Michael S. Regan  
Administrator  
U. S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator Regan,

In March, the Environmental Protection Agency (EPA) proposed a rule entitled “Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards.” This proposed rule provides two options for reducing the remaining 1-2% of tailpipe nitrogen oxide (NOx) emissions from medium- and heavy-duty commercial motor vehicles (CMVs) for model years (MY) 2027 and later. The proposal also discusses reopening EPA’s Phase 2 CMV greenhouse gas (GHG) rule. Of the two proposed options, “Option 1” aims to reduce NOx emissions 90% by 2031, and “Option 2” aims to reduce NOx emissions 75% overall for CMVs MY 2027 and later. We urge EPA to utilize the achievable and customer acceptable “Option 2” and to consider any new CMV GHG mandates in a separate Phase 3 rulemaking.

“Option 1” is a burdensome proposal that would impose excessive costs on new CMVs and lead to a decrease in truck sales, ultimately diminishing fleet turnover and increasing the age of the on-road fleet. Estimates show that “Option 1” would raise the price of heavy-duty diesel trucks by an average of \$42,000, as well as increase operating costs and likely cause a “pre-buy, no-buy” scenario that would harm the market. The trucking industry has already prioritized healthier communities by deploying newer, cleaner, and safer CMVs. “Option 1” would place that priority at risk, along with thousands of well-paying jobs in Iowa and across the nation.

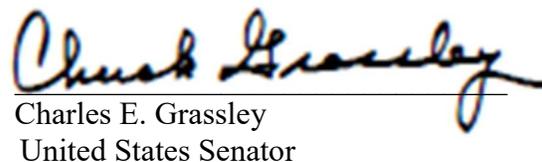
In addition, reopening EPA’s very aggressive Phase 2 CMV GHG rule, jointly issued with the National Highway Traffic Safety Administration, would be inappropriate, given that EPA is already developing a new Phase 3 CMV GHG program for rollout as early as MY 2030. In addition to raising serious lead-time and regulatory certainty concerns, reopening the Phase 2 CMV GHG rule would place an unsustainable burden on CMV manufacturers, suppliers, and dealers who together are devoting tens of billions of dollars to comply with Phase 2’s already very challenging targets and the NOx standards discussed above.

We know EPA is committed to issuing a new CMV NOx rule by year’s end. We urge you to finalize a rule that is technologically achievable, acceptable, and affordable to American customers who haul freight and work from these trucks. “Option 2” would assist CMV fleet turnover which would help achieve drastic NOx emissions reductions. Additionally, we do not support undermining regulatory compliance and revising the existing Phase 2 CMV GHG rules that were jointly issued by EPA and DOT. Thank you for your consideration.

Sincerely,



Joni K. Ernst  
United States Senator



Charles E. Grassley  
United States Senator



Shelly Moore Capito  
United States Senator



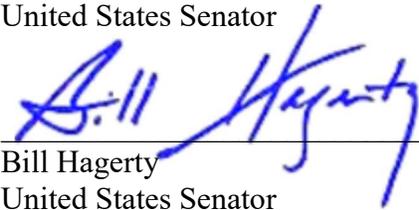
John Boozman  
United States Senator



Marsha Blackburn  
United States Senator



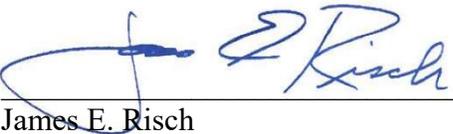
Kevin Cramer  
United States Senator



Bill Hagerty  
United States Senator



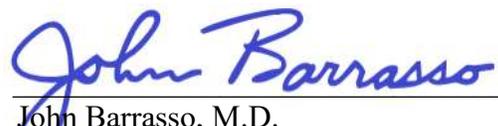
James Lankford  
United States Senator



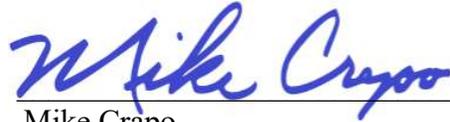
James E. Risch  
United States Senator



Todd Young  
United States Senator



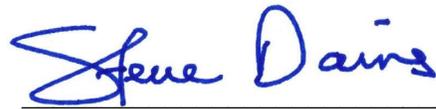
John Barrasso, M.D.  
United States Senator



Mike Crapo  
United States Senator



Mike Braun  
United States Senator



Steve Daines  
United States Senator



John Hoeven  
United States Senator



Cynthia M. Lummis  
United States Senator



Thom Tillis  
United States Senator