



To: Interested Parties

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RE: EPA Must Accelerate Rulemakings to Leave Transportation Pollution in the Dust

Cars and trucks are the greatest contributors to greenhouse gas emissions in the U.S. But vehicle emissions are just as much of a threat to public health as they are to the climate. Cars and trucks produce significant carbon dioxide emissions, and also emit co-pollutants like [particulate matter](#) (PM) and [nitrogen oxides](#) (NOx) that create smog and cause respiratory irritation and exacerbate illnesses such as asthma. Diesel trucks are so dangerous to public health that areas with heavy truck traffic are literally called “diesel death zones” because exposure to truck soot pollution causes lung diseases and death.

By tackling pollution in the transportation sector, President Biden has the power to fight climate change and deliver significant public health benefits to the communities hit hardest by death and illness caused by transportation pollution. The Biden administration set a goal to reduce greenhouse gas pollution economy-wide by 50-52 percent by 2030; transportation pollution makes up nearly a third of all greenhouse gas pollution in the country. With only two years left in the President’s first term, strong standards must be put in place to reduce vehicle pollution by accelerating the transition to electric vehicles.

To live up to the President’s climate target and protect communities impacted by vehicle pollution, the administration must develop more aggressive timelines for vehicle emission standards by:

1. Accelerating the rulemaking timeline for clean cars standards,
2. Finalizing NOx heavy-duty vehicle regulations and starting the rulemaking for heavy-duty vehicle greenhouse gas emission standards by December 2022, and
3. Immediately approving California’s vehicle waiver

There is no time to wait, communities are suffering.

EPA Delays Harm Communities of Color the Most

The communities suffering the most from vehicle pollution tend to be the ones creating the [least pollution](#) overall. Communities of color are exposed to greater amounts of tailpipe pollution than white communities, which contributes to health disparities. Latino communities are hit especially hard, breathing in [39-75 percent](#) more vehicle pollution than their white counterparts. And Latino



children are particularly vulnerable as they are [three times more likely](#) than white children to live in a county where air pollution levels exceed federal air quality standards. This puts Latino children in the emergency room more often and makes them [40 percent more likely](#) to die from asthma. The Environmental Protection Agency (EPA) must move faster on vehicle regulations to limit the disproportionate impact that tailpipe pollution has on communities of color. This is an urgent environmental justice issue.

New Standards to Guide New Investments

Luckily, EPA has a number of tools to reduce vehicle pollution through clean car and truck standards. Using its Clean Air Act authorities, EPA can increase the number of zero-emissions cars and trucks on the road to drive down vehicle pollution to meet Biden's goal of 50-52 percent greenhouse gas pollution reduction by 2030. And with the new funds from the Inflation Reduction Act (IRA), cities across the country can invest in clean vehicles and infrastructure that will curb tailpipe pollution and allow communities to breathe easier.

Millions of dollars are already flowing to communities from the Infrastructure Investment and Jobs Act (IIJA), and funds from the IRA are expected to reach communities in the coming months. The infrastructure investments community leaders make will shape our nation for the next generation. By leading with strong standards for light-duty vehicles the administration can help guide investments in charging infrastructure that will be needed in the coming years. And by accelerating the timeline for heavy-duty vehicle standards truck manufacturers will have enough time to get cleaner trucks on the road by the time the rules take effect.

During the Obama administration, climate advocates watched as the EPA worked too slowly to enact critical regulations, leaving those rules vulnerable to being [immediately wiped out](#) at the start of the Trump era. Impacted communities cannot afford for this to happen again. To prevent this scenario from repeating itself, EPA must take action now on clean car standards, strong clean truck regulations, and approval of California's vehicle waiver to ensure that the benefits are felt in all communities.

Strong Standards to Protect Communities and the Planet

Clean Car Standards

EPA regulates vehicle emissions by requiring new cars to produce less pollution each year, and then automakers decide which technologies will meet the new standards. The next round of light-duty vehicle emissions regulations will be for cars made from 2027-2030. EPA [plans](#) to start this rulemaking process in spring 2023, with a final rule expected in spring 2024, just months before the end of President Biden's first term. That means any delay in the process could make the rule vulnerable to not being finalized before Biden's first term ends.



EPA's worrying [track record](#) of moving slowly and missing self-imposed deadlines only raises the stakes. EPA must accelerate the rulemaking process for light-duty vehicle emission standards by putting out the notice of proposed rulemaking by December 2022.

Clean Truck Standards

In March, [EPA proposed](#) a rule to reduce both NOx pollution and greenhouse gas emissions by regulating heavy-duty vehicles, which would take effect in 2027. EPA proposed two options for reducing pollution from trucks; there was overwhelming support for option 1 which would reduce NOx pollution by [60 percent by 2045](#). This would particularly benefit [communities of color](#) because cleaner air leads to better health outcomes.

But seven months later EPA still hasn't approved the rule. And now they will only be addressing NOx pollution with [plans to](#) tackle greenhouse gas pollution in a separate rulemaking. This slow progress only reinforces concerns that future vehicle regulations will move at this pace.

The good news is, [slight amendments](#) that Congress made to the Clean Air Act in the IRA may allow EPA to set more aggressive greenhouse gas pollution reduction standards for heavy-duty vehicles. But creating a separate rulemaking to address greenhouse gas pollution will likely delay future rules for heavy duty vehicles. While impacted communities will theoretically see (and breathe) the benefits of reduced NOx emissions beginning in 2027, these same pollution-burdened communities will continue to suffer from the impacts of climate change as rulemaking timelines are pushed back.

Unfortunately, communities of color often [shoulder the burden of pollution](#), which fits into a larger pattern of environmental racism. Communities of color historically receive [fewer investments in infrastructure](#) and [less disaster aid](#). This causes more vulnerability to climate change impacts like severe storms and deadly heat. Delaying emissions reduction rules for heavy-duty vehicles means communities of color will continue to suffer from high pollution burdens and pollution impacts of climate change. EPA must protect these communities by finalizing option 1 and proposing a stronger greenhouse gas pollution rule by December 2022.

Advanced Standards for Ambitious States

Under the Clean Air Act, the state of California can set more aggressive vehicle emission standards than the EPA through a waiver. Earlier this year California asked for a waiver for new heavy-duty truck regulations that would greatly reduce tailpipe pollution—the Advanced Clean Truck Rule, and the Omnibus Low NOx regulations. These rules would go into effect beginning in 2024 and will jump-start the transition to electric heavy-duty vehicles while reducing pollution in communities.



If EPA approves California's waiver then other states can sign on to the advanced emissions reduction plans. Five [states](#) have already committed to the Advanced Clean Trucks rule. And even states who have yet to sign on to California's advanced truck standards [are encouraging](#) EPA to approve California's vehicle waiver because they understand the climate and public health benefits of the new regulations.

To date, EPA has not approved California's vehicle waiver for these necessary and life saving heavy-duty vehicles regulations, despite the flood of [testimony](#) and written comments in support of the waiver. While some vehicle manufacturers sued to slow down the approval process, the lawsuit was [dropped in August](#), and still no decision has come from EPA. This is another example of unacceptably slow movement on vehicle regulations.

Manufacturers, investors, and local governments need time to prepare for the transition to clean heavy-duty vehicles and cannot afford any further delays. Communities of color stand to benefit most from California's vehicle waiver, and EPA knows it. California's vehicle 1 waiver must immediately be approved to ensure that fewer Latino children, along with other vulnerable populations, don't continue to be choked by pollution.

In June [President Biden said](#), "I will do everything in my power to clean our air and water, protect our people's health, to win the clean energy future." Living up to this promise means using every available tool EPA has to reduce vehicle pollution at the pace the climate crisis and suffering communities demand.

Tell EPA to take these important steps: 1) approve the California heavy-duty vehicle waiver immediately, 2) finalize the NOx heavy-duty vehicle rule and begin the rulemaking for heavy-duty vehicle greenhouse gas emissions regulations by December 2022, and 3) begin the rulemaking process for light duty vehicle standards by December 2022.

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