

EPA Rulemaking: “Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards”

The U.S. Environmental Protection Agency (EPA) recently [released a new proposed rule](#) entitled “Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards” as part of the Clean Trucks Plan.

The proposed rule presents two potential paths to reduce the remaining 1-2% of tailpipe NOx emissions:

- **Option 1:** A two-phased approach to achieve 90% reduction in NOx emissions by 2031 (cutting NOx emissions from 0.2 to 0.035 by 2027 and from 0.035 to .02 by 2031), with an 84% increase in the useful life period (from 435,000 to 800,000 miles) and a 500% increase in the emission warranty period (from 100,000 to 600,000 miles) by 2031.
- **Option 2:** A single-step, 75% reduction in remaining NOx emissions (from 0.2 to .05) by 2027, with a 49% increase in the useful life period (from 435,000 to 650,000 miles) and a 250% increase in the emission warranty period (from 100,000 to 350,000 miles).
- Both options will require new low load standards, and more frequent and stringent in-use testing.

EPA must not finalize the California-like Option 1. Such a rule would:

- **Be technologically infeasible** because it would not provide needed design margin. No one has demonstrated the feasibility of Option 1.
- **Impose excessive costs** (by an [estimated](#) \$31,000 per truck by 2031) due primarily to the extended emission warranty and useful life provisions.
- **Fail to achieve environmental goals** because customers will keep their older, higher emitting trucks longer.
- **Delay progress on zero-emissions vehicles (ZEVs)** by forcing manufacturers to divert critical R&D resources away from further development of zero-emissions technology.
- **Result in significant job losses** because fleet owners will avoid or delay purchasing new vehicles due to cost or reliability concerns.
- **Constrain Greenhouse Gas (GHG) Phase 3 rule** opportunities by prioritizing 2031 NOx reductions over GHG and fuel efficiency improvements.

EPA should focus on Option 2, which is stringent and challenging, but with needed modifications could form the basis for a workable national rule.

EPA has also proposed reopening the GHG Phase 2 rule. EPA must not do so.

Reopening the Phase 2 GHG rule will:

- **Undermine regulatory certainty and stability.**
- **Penalize manufacturers for their efforts to assure compliance with the existing 2024 and 2027 GHG standards.**
- **Exacerbate the challenge of complying with the existing GHG standards** because of the need to simultaneously comply with new, more stringent NOx standards.

EPA has an important opportunity to craft a single, one-step workable rule that will reduce harmful emissions while also laying the groundwork for a broader transition to zero emission vehicles. A rule that is technologically infeasible, cost-prohibitive, misaligned with customers’ needs, and delays fleet turnover will lead to higher costs, job losses and market disruptions, delay progress toward ZEVs, and ultimately limit progress toward shared environment and clean air goals.