

SUMMARY OF EPN SUPPLEMENTAL TECHNICAL COMMENTS AND SUPPORTING DATA FOR THE PROPOSAL TO ROLL BACK THE CLEAN CAR STANDARDS

June 4, 2019

On August 24, 2018, the Trump Administration presented a [proposal](#) to roll back clean car standards with the Safer Affordable Fuel Efficient (SAFE) Vehicles rule, which would freeze fuel standards at 37 miles per gallon for model years 2020 through 2026 as well as revoke California's waiver to set its own tougher standards. The [result](#) would be an increase in vehicle emissions of powerful greenhouse gases (GHG) that contribute to climate change and harmful air pollutants that endanger people's health.

Environmental Protection Agency (EPA) experts continue to release new technical assessments and other research related to light-duty vehicle emissions, which demonstrate important developments in greenhouse gas emission-reduction technology that must be brought to bear in the current rulemaking, and further demonstrate EPA's technical engineering expertise in evaluation and assessment of control of vehicle emissions and fuel efficiency. EPA's failure to docket its own assessments before the close of the comment period precluded meaningful public comment on these materials:

- Failure to docket these materials violates standard administrative law principles to consider all pertinent evidence.
- Failure to docket these assessments as soon as possible after their availability violates the Clean Air Act (CAA).
- To the extent any final rule fails to address, explain, analyze, and incorporate the findings of EPA's assessments, it would arbitrarily fail to address highly relevant information.
- It would also reflect an unlawful delegation to National Highway Transportation Safety Administration (NHTSA) of EPA's duty to rely on its own expertise in setting GHG vehicle emission standards.

The Environmental Protection Network (EPN) submitted relevant technology assessments conducted by EPA staff into the administrative record, plus the underlying supporting data. These studies refute a number of inaccurate statements and positions taken on important technology issues in the Notice of Proposed Rulemaking (NPRM), and they provide important technical support for retaining the current level of the GHG and Corporate Average Fuel Economy (CAFE) standards and rejecting their proposed relaxation. These studies must be comprehensively addressed, explained, analyzed, and incorporated as part of the analysis for this proposal, and the agencies must fully justify and explain whether and how they rely on these studies in a final rule.

The [Environmental Protection Network](#) (EPN) is an organization comprised of over 400 EPA alumni (including scientists, policy specialists and others) volunteering their time to protect the integrity of EPA, human health and the environment. We harness the expertise of former EPA career staff and confirmation-level appointees to provide an informed and rigorous defense against current administration efforts to undermine public health and environmental protections.