Congress of the United States
Washington, DC 20515

July 13, 2023

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

Dear Administrator Regan:

Protecting public health and fighting climate change demand that the Environmental Protection Agency (EPA) put in place the strongest feasible vehicle emissions standards. We commend the EPA for proposing the rule entitled the Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles (the "LDV rule") and urge the EPA to finalize robust standards before the end of this year that achieve climate and air quality benefits at least as great as those of the most protective option offered by the EPA for consideration. The strongest feasible LDV rule will produce meaningful and important climate, public health and welfare, and economic benefits.

Federal clean vehicle standards protect public health by addressing air pollution and our national impact on climate change. Under the U.S. Nationally Determined Contribution to the Paris Agreement, the United States committed to cut economy-wide greenhouse gas (GHG) emissions by 50 to 52 percent in 2030, compared to 2005 levels. Meeting that commitment is more important than ever—the Intergovernmental Panel on Climate Change's recently released Sixth Assessment Report warns that we are on course to exceed a 1.5° Celsius increase in global average temperature above pre-industrial levels within coming decades, the effects of which would be catastrophic for public health and welfare and for our planet.[1]

The EPA must finalize an LDV rule that meets the Clean Air Act's requirements to address air pollution that endangers public health. In 2021, the transportation sector contributed 29 percent of total GHG emissions in the United States—more than any other single sector.[2] And within the transportation sector, passenger cars and light-duty trucks are responsible for 57 percent of GHG emissions.[3]

The proposed LDV rule would result in an industry-wide light-duty fleet average GHG emissions target of 82 grams per mile in Model Year (MY) 2032, a 56 percent reduction in projected fleet average emissions compared to MY2026. The proposed rule would also reduce criteria air pollutants, cutting particulate matter by 35 percent, nitrogen oxides by 41 percent, and volatile organic compounds by 50 percent. The EPA projects that the proposed rule would be achieved in part by increased market share for zero-emission vehicles, which could, under one of many technological pathways, account for an estimated 67 percent of new light-duty vehicle sales in 2032. The proposed rule could avoid 7.3 billion tons of GHG emissions, and provide net economic benefits of up to $1.6 trillion, through 2055.

We believe the United States should be on a path to eliminating harmful tailpipe pollution from new light-duty and medium-duty vehicles by 2035. A transition to a 100-percent zero-emission vehicles transportation sector is critical to reducing not only GHG emissions, but smog-forming pollution and particulate matter as well. Passenger vehicles produce more than one million tons of nitrogen oxide emissions and 33,400 tons of particulate matter pollution every year.[4] These

1 *Climate change widespread, rapid, and intensifying – IPCC*, Intergovernmental Panel on Climate Change (Aug. 9, 2023), https://www.ipcc.ch/2021/08/09/ar6-wg1-20210809-pr/.
2 *Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2021*, U.S. Envtl. Prot. Agency, https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks (last updated Apr. 19, 2023).
3 *Id*.

emissions disproportionately harm people in low-income communities and communities of color.[5] A 2021 study found that light-duty gasoline vehicles were among the most significant emission sources contributing to the racial-ethnic disparity in exposure to dangerous particulate matter.[6]

The final rule should reduce GHG emissions and protect public health and welfare to at least the extent proposed by the most protective option put forward by the EPA. To do so, the final LDV rule should:

- result in standards that achieve a 61 percent reduction of carbon dioxide in MY 2032 compared to existing MY 2026 standards, a reduction in criteria air pollutants including 37 percent reduction in particulate matter, 44 percent reduction in nitrogen oxides, and 55 percent in volatile organic compounds—a standard which is projected to increase the market share for zero-emission vehicles to an estimated 69 percent of new light-duty vehicle sales in 2032;

- close loopholes in how compliance is calculated, including by phasing-out off-cycle carbon dioxide and air conditioning credits, which weaken the proposed rule; and

- further strengthen durability and warranty requirements for zero-emission vehicles, which will provide benefits to drivers and enhance the likelihood that expected emissions reductions will be achieved.

Additionally, the EPA should continue to take into account the market growth for zero-emission vehicles expected from investments made by the recently enacted *Infrastructure Investment and Jobs Act* and *Inflation Reduction Act* (which is projected to surpass existing zero-emission vehicles goals outlined in Executive Order 14,037[7]), as well as the growth in zero-emission vehicle deployment associated with state clean car standards adopted under state authority granted by the Clean Air Act.

Recent legislation provides extensive financial resources, making further pollution reductions more viable and cost effective, and adopting robust vehicle standards will provide manufacturers the certainty needed to make long-term investments that take full advantage of these resources. Together, the *Infrastructure Investment and Jobs Act* and the *Inflation Reduction Act* are expected to reduce zero-emission vehicle adoption costs by providing at least $245 billion in federal funds—through tax credits, loans, and grants—to support zero-emission vehicles infrastructure, manufacturing, purchasing, and charging.[8] Already, the cost of zero-emission vehicles has come down, and consumer interest in purchasing them has gone up.[9] For example, it is estimated that demand for zero-emission vehicles has increased by 350

4 *Zeroing in on Healthy Air*, American Lung Ass'n, https://www.lung.org/getmedia/13248145-06f0-4e35-b79b-6dfacfd29a71/zeroing-in-on-healthy-air-report-2022.

5 Uarporn Nopmongcol et al., *Air Quality Impacts of Electrifying Vehicles and Equipment Across the United States*, Envtl Sci. & Tech. (Feb. 21, 2017), https://pubs.acs.org/doi/10.1021/acs.est.6b04868; Haley Lane et al., Historical Redlining Is Associated with Present-Day Air Pollution Disparities in U.S. Cities," Envtl Sci. & Tech. Ltrs. (Mar. 9, 2022), https://pubs.acs.org/doi/10.1021/acs.estlett.1c01012.

6 C.W. Tessum et al*., PM$_{2.5}$ polluters disproportionately and systemically affect people of color in the United States*, Sci. Advances (Apr. 8, 2021), https://doi.org/10.1126/sciadv.abf4491.

7 Exec. Order No. 14,037, Strengthening American Leadership in Clean Cars and Trucks, 86 Fed. Reg. 43,853 (Aug. 5, 2021), https://www.federalregister.gov/documents/2021/08/10/2021-17121/strengthening-american-leadership-in-clean-cars-and-trucks.

8 Noah Gabriel, *$210 Billion of Announced Investments in Electric Vehicle Manufacturing Headed for the U.S.*, EV Hub (Jan. 12, 2023), https://www.atlasevhub.com/data_story/210-billion-of-announced-investments-in-electric-vehicle-manufacturing-headed-for-the-u-s/.

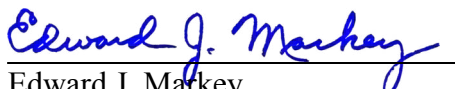9 Peter Slowik et al., *Analyzing the impact of the Inflation Reduction Act on electric vehicle uptake in the United States*, Int'l Council on Clean Transp. (Jan. 2023), https://theicct.org/wp-content/uploads/2023/01/ira-impact-evs-us-jan23.pdf.

percent over the past two years, and will continue increasing rapidly in the years to come.[10] Indeed, there are already roughly 45 battery electric vehicle ready buyers for every battery electric vehicle being manufactured.[11]
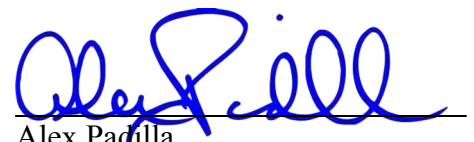
Providing regulatory certainty, through setting ambitious federal clean car standards, will allow domestic manufacturers to make long-range business plans and private-sector investments to achieve those standards, taking full advantage of the federal resources available and spurring innovations in zero-emission vehicles. Strong standards can supercharge the progress from polluting internal combustion engines to zero-emission technology, building on progress that is well underway already, reducing pollution and saving families money on transportation costs. This continued progress towards cleaner vehicles and healthier air will deliver the results that Congress envisioned when it first enacted the Clean Air Act's vehicle provisions more than five decades ago.

Finally, we, urge the EPA to work with environmental justice communities to ensure they are included in the LDV rule decision-making process. Incorporating a robust and responsive stakeholder engagement process and mitigating the negative health and climate outcomes associated with vehicle pollution will help improve the equity of our primary mode of transportation while we work to shift the transportation system to more accessible, sustainable, and just modes.
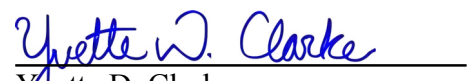
 In closing, given the urgency of and benefits from addressing threats to public health, including climate change, the unprecedented resources supporting zero-emission vehicle purchases, manufacturing and infrastructure, and the dramatic advances in clean vehicle adoption, we urge the EPA to adopt the strongest vehicle emission standards supported by the technical record, as necessary to protect public health and the environment, before the end of the year. We thank the EPA for its tremendous work over the decades to improve our nation's air quality, and we look forward to your swift completion of this critical next step for cleaner vehicles and a safer climate.

Sincerely,

Edward J. Markey
United States Senator

Alex Padilla
United States Senator

Doris Matsui
Member of Congress

Yvette D. Clarke
Member of Congress

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10 Chris Harto, *Excess Demand, The Looming EV Shortage*, Consumer Reports (Mar. 2023),
https://advocacy.consumerreports.org/wp-content/uploads/2023/03/Excess-Demand-The-Looming-EV-Shortage.pdf.
11 Chris Harto, *Excess Demand, The Looming EV Shortage*, Consumer Reports (Mar. 2023),
https://advocacy.consumerreports.org/wp-content/uploads/2023/03/Excess-Demand-The-Looming-EV-Shortage.pdf.

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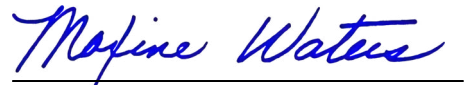
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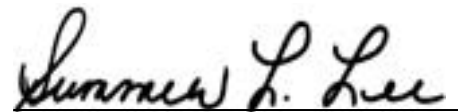
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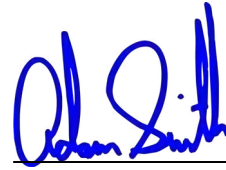
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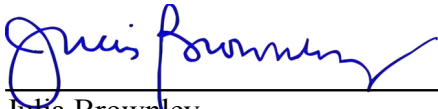
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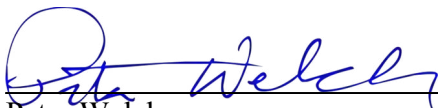
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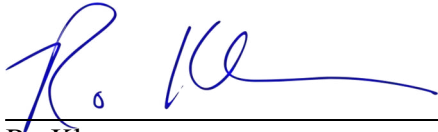
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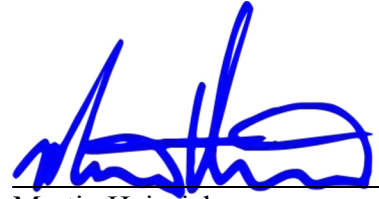
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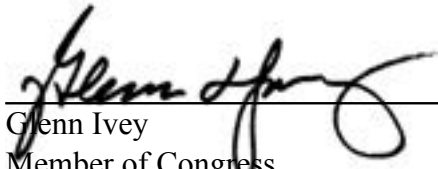
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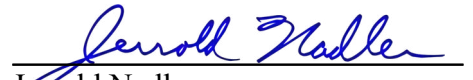
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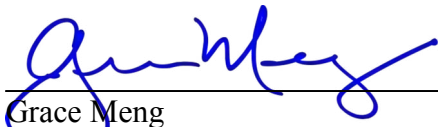
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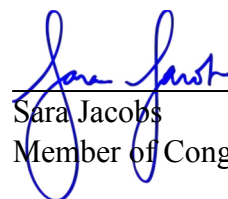
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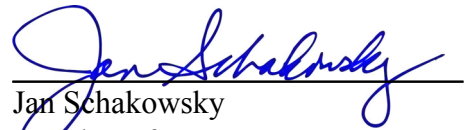
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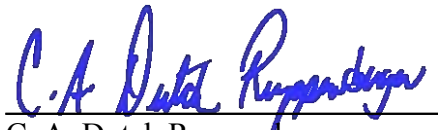
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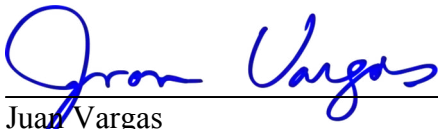
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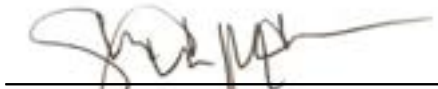
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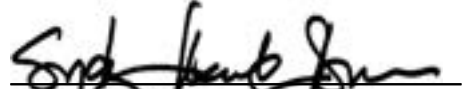
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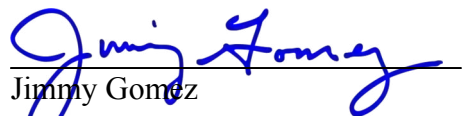
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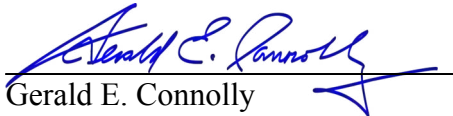
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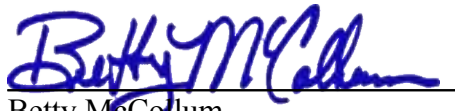
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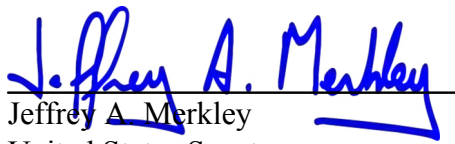
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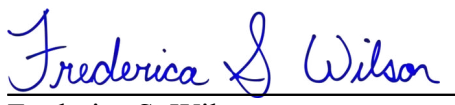
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United States Senator

Salud Carbajal
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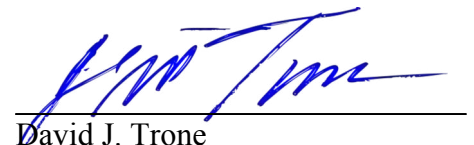
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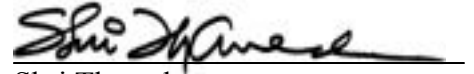
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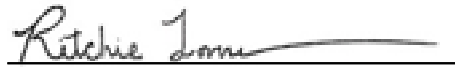
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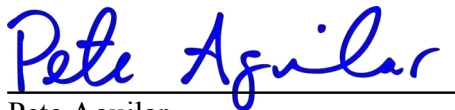Member of Congress

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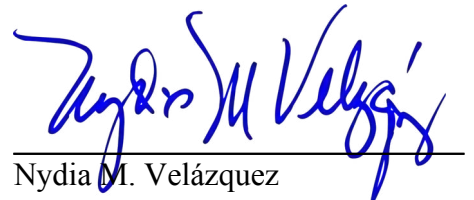
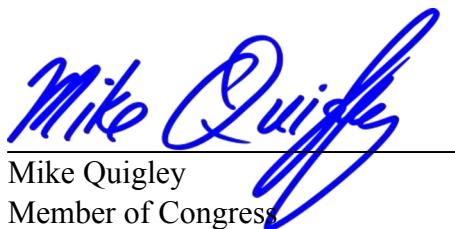Pete Aguilar
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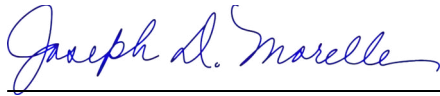
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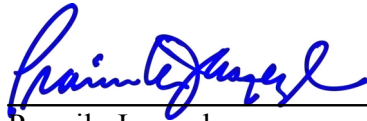Member of Congress

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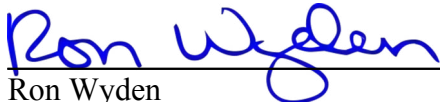Member of Congress

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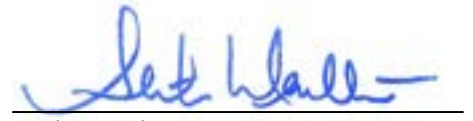
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