

**VIA ELECTRONIC FILING**

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Office of Transportation and Air Quality  
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U.S. Environmental Protection Agency  
2000 Traverwood Drive  
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May 16, 2022

**RE: Environmental Protection Agency Notice of Proposed Rulemaking on Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine Standards [Docket No. EPA-HQ-OAR-2019-0055]**

On behalf of the Pennsylvania Chamber of Business and Industry, the largest, broad-based business advocacy organization in the Commonwealth of Pennsylvania, thank you for the opportunity to comment on the EPA's Notice of Proposed Rulemaking on Control of Air Pollution from New Motor Vehicles (Clean Trucking Rule). The PA Chamber previously responded to EPA's request for comment following publication of an advanced notice of proposed rulemaking. Those comments were filed in February 2020, and this letter builds upon those.

We strongly encourage EPA to modernize and streamline effective and durable nitrogen oxide (NOx) emission standards for heavy-duty highway engines, and to work with states and stakeholders so as to recognize cost-effective, technology-based requirements to achieve reductions that will facilitate an improvement in air quality and continued economic expansion. The options outlined in the most recent Notice of Proposed Rulemaking, published in the Federal Register this past March, are simply unworkable and overly aggressive, as we will describe below.

The PA Chamber, which represents nearly 10,000 member companies of all sizes and across all commercial and industrial categories, believes that environmental excellence and economic growth are mutually-compatible objectives, and that environmental and natural resources laws and programs should be framed and implemented to concurrently meet these twin objectives. The PA Chamber advocates for environmental laws, regulations and policies that:

- are based on sound science and a careful assessment of environmental objectives, risks, alternatives, costs, and economic and other impacts;
- set environmental protection goals, while allowing and encouraging flexibility and creativity in their achievement;
- allow market-based approaches to seek attainment of environmental goals in the most cost-effective manner;
- measure success based on environmental health and quality metrics rather than fines and penalties;
- assess compliance based on clear, predictable and defined criteria established through stakeholder processes and with sound science;
- do not impose costs which are unjustified compared to actual benefits achieved;
- do not exceed federal requirements unless there is a clear, broadly accepted, scientifically-based need considering conditions particular to Pennsylvania;

- develop a private-public relationship which promotes working together to meet proper compliance; and
- ensure timely regulatory approvals and authorizations.

With respect to air quality, the PA Chamber advocates for cost effective air laws, regulations and policies based on sound principles that are reasonable and technologically and economically feasible to protect and enhance public health and the environment without placing in-state businesses at a competitive disadvantage. The PA Chamber supports regulatory policy which balance societal environmental, energy, and economic objectives, fit rationally within any finally adopted and applicable national or international strategy, and capitalize on the availability of Pennsylvania's diverse natural resources to facilitate economic development in the Commonwealth. It should be noted that this approach to economic growth and environmental stewardship is also written into the Clean Air Act itself, where Section 101(b) directs EPA to implement the provisions of the Act in a manner "to promote public health and welfare and the productive capacity of [the] population."

Pennsylvania is home to the 8<sup>th</sup> largest manufacturing base in the country and continues to see substantial development and investment into logistics and distribution infrastructure across the state. The state's proximity to several major interstate highways and ports afford companies across multiple industrial categories, such as consumer packaged goods, pharmaceuticals and medical devices, automotive components, and electronics, to site and distribute goods across North America. According to the American Transportation Research Institute, trucking alone supports more than 300,000 Pennsylvania workers and their families, and approximately 86 percent of the state's total manufactured goods are moved by truck each year. It is imperative that as regulatory requirements are implemented, engine manufacturers are given sufficient time to incorporate new controls into product lines, supply chain vendors are able to scale up production of controls as well, and end-users are able to effectively and affordably transition their fleets during turnover.

The PA Chamber recognizes substantial NO<sub>x</sub> reductions may be achievable through cost-effective controls on the heavy-duty mobile source sectors, which according to EPA data is responsible for approximately 17% of nationwide NO<sub>x</sub> emissions. EPA and the Pennsylvania Department of Environmental Protection have noted the significant reductions in both direct emissions of NO<sub>x</sub> (an ozone precursor) and recorded ambient air quality readings of ozone across the state that have occurred over the past two decades. This is the product of technological innovation and efficiency measures being deployed by industry in conjunction with a predictable regulatory environment from state and federal regulators. Despite this progress, as major point sources of criteria emissions, Pennsylvania's industrial and manufacturing facilities remain under substantial regulatory pressure. While almost the entirety of the state is in compliance with the 2015 ozone standard, a few counties remain in non-attainment. These counties are situated in close proximity to major interstate corridors. Given that mobile sources are responsible for approximately half of NO<sub>x</sub> emissions in Pennsylvania, according to EPA estimates, and that EPA has not updated heavy truck NO<sub>x</sub> standards in nearly two decades, it is certainly timely to move forward with a collaborative process to address achievable reductions. We believe a workable, cost-effective heavy-trucking rule can facilitate attainment for the few regions of the state that are above federal ozone NAAQS goals. As a result, the operating environment for all of Pennsylvania's industries can be improved, coinciding with an improvement in air quality.

To that end, the options outlined in EPA's most recent Notice of Proposed Rulemaking are overly aggressive and threaten to reduce investment and increase costs in the logistics sector at a time of significant inflation and supply chain constraints. These options also threaten to impede environmental progress. The PA Chamber supports a single-step, national rule that encourages adoption of more efficient trucks, that is economically feasible for logistics companies and trucking fleets, and that is environmentally beneficial. Of the two options outlined in the NOPR, we recommend EPA reject Option 1 and substantially revise Option 2 in line with the concerns outlined in this letter and that of other stakeholders.

In closing, we share EPA's goals of establishing a workable regulatory framework that will achieve reductions in a manner that both provides certainty to end-users and manufacturers as well as continues the significant document progress in air quality being achieved in Pennsylvania and across the United States.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Sunday". The signature is written in a cursive style with a large, sweeping "K" and "S".

Kevin Sunday  
Director, Government Affairs