

November 21, 2019

SUBMITTED VIA EMAIL

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Attn: Docket No. NHTSA-2018-0067
Docket No. NHTSA-2017-0069
Docket No. EPA-HQ-OAR-2018-0283

Re: Supplemental Comments of Environmental Defense Fund on the Environmental Protection Agency's and National Highway Traffic Safety Administration's Proposed Rule: The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks, 83 Fed. Reg. 42986 (Aug. 24, 2018)

The undersigned organizations hereby submit these supplemental comments concerning *The Lancet's* THE 2019 REPORT OF *THE LANCET* COUNTDOWN ON HEALTH AND CLIMATE CHANGE: ENSURING THAT THE HEALTH OF A CHILD BORN TODAY IS NOT DEFINED BY A CHANGING CLIMATE ("Report"), which was published on November 13, 2019, after the closing of the period for public comment on the Environmental Protection Agency's ("EPA") and the National Highway Traffic Safety Administration's ("NHTSA") Proposed Rule: The Safer Affordable Fuel-Efficient ("SAFE") Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks, 83 Fed. Reg. 42986 (Aug. 24, 2018) ("Proposal").¹ We are submitting these comments, the Report, and the Report's accompanying Policy Brief for

¹ The Report is attached as Exhibit 1 to this letter and is available online at <http://www.lancetcountdown.org/2019-report/>

the United States of America² to the EPA and NHTSA dockets for the Proposal. The report confirms that the accelerating impacts of climate change are taking an unparalleled toll on human health and productivity and that the climate crisis will define the lifelong health of children born today. The assessment must be considered as part of the on-going rulemaking because it contains material “of central relevance to the rulemaking” that became available only after the close of the formal comment period in October 2018.³

The Lancet is one of the world’s oldest and most prestigious medical research journals, and it also publishes scholarly research journals on specialized public health and medical sciences. The Lancet Countdown is an international, multi-disciplinary collaboration that tracks the connections between public health and climate change. The 2019 Report is an annual update that presents the findings and consensus of 35 leading academic institutions and United Nations Agencies representing every continent. The collaboration “draws on the world-class expertise of climate scientists; ecologists; mathematicians; engineers; energy, food, and transport experts; economists; social and political scientists; public health professionals; and doctors.” The report provides additional evidence that climate change is causing unparalleled harms to society, with the greatest impacts falling on our children. The report is yet another example of how NHTSA’s and EPA’s unprecedented proposal to increase, by massive amounts, greenhouse gas emissions from the nation’s light-duty fleet flies in the face of science and the protection of the health and welfare of current and future generations.

Some of the report’s most alarming findings include:

- “A child born today will experience a world that is more than four degrees warmer than the pre-industrial average, with climate change impacting human health from infancy and adolescence to adulthood and old age.”⁴
- “Across the world, children are among the worst affected by climate change. Downward trends in global yield potential for all major crops tracked since 1960 threaten food production and food security, with infants often the worst affected by the potentially permanent effects of undernutrition. Children are among the most susceptible to diarrhoeal disease and experience the most severe effects of dengue fever.”⁵
- “Through adolescence and beyond, air pollution— principally driven by fossil fuels, and exacerbated by climate change—damages the heart, lungs, and every other vital organ. These effects accumulate over time, and into adulthood, with global deaths attributable to

² The Lancet Countdown on Health and Climate Change, Policy Brief for the United States of America (November 2019), (“Policy Brief”). See https://storage.googleapis.com/lancet-countdown/2019/11/ANJ-USA-Lancet-Countdown-2019-Policy-brief_13Nov_without-back-page.pdf (attached as Exhibit 2).

³ 42 U.S.C. § 7607 (d)(4)(B)(i); *see also id.* § 7607(d)(7)(A) (providing that such material forms part of the administrative record for judicial review); Proposed Rule, 83 Fed. Reg. 42,986, 43,471 (Aug. 24, 2018) (citing 49 C.F.R. § 553.23 (committing that “[late] filed comments will be considered to the extent practicable”))

⁴ Report, page 1.

⁵ *Id.*

ambient fine particulate matter (PM2.5) remaining at 2.9 million in 2016 and total global air pollution deaths reaching 7 million.”⁶

- “Later in life, families and livelihoods are put at risk from increases in the frequency and severity of extreme weather conditions, with women among the most vulnerable across a range of social and cultural contexts.”⁷
- “Globally, 77% of countries experienced an increase in daily population exposure to wildfires from 2001–14 to 2015–18.”⁸
- “Temperature rise and heatwaves are increasingly limiting the labour capacity of various populations. In 2018, 133.6 billion potential work hours were lost globally, 45 billion more than the 2000 baseline, and southern areas of the USA lost 15–20% of potential daylight work hours during the hottest month of 2018.”⁹
- “Populations aged 65 years and older are particularly vulnerable to the health effects of climate change, and especially to extremes of heat. In 2018, these vulnerable populations experienced 220 million heatwave exposures globally, breaking the previous record of 209 million set in 2015.”¹⁰

The report also summarizes some of the widespread consequences of climate change in the United States:

- “Heat limits worker productivity, and reduced labor capacity is often the first sign of health harms from heat. U.S. workers, especially in agriculture and industry, lost nearly 1.1 billion potential labor hours between 2000-2018 and 64.7 million potential hours in 2018 alone from extreme heat.”¹¹
- “Older adults age 65 and above are especially vulnerable to extreme heat. In 2011, 22.3 million additional heatwave exposure events for older adults occurred (with one exposure event being one heatwave experienced by one person 65 years and older) above the 1986-2005 average. In 2016, 11.6 million more exposure events occurred compared to baseline, followed by 3.7 million in 2017 and 3.1 million in 2018.”¹²

In addition, the fossil fuel combustion that drives climate change also causes severe burdens from conventional air pollution:

- “In 2016, fine particulate air pollution (PM2.5) caused over 64,000 premature deaths in the U.S. Compared to the general population, Indigenous peoples, Blacks, Latinx, people

⁶ Report, page 2.

⁷ Id.

⁸ Id.

⁹ Id.

¹⁰ Id.

¹¹ Policy Brief, page 2.

¹² Policy Brief, page 7.

living in poverty, or less educated individuals are more likely to experience and sometimes die earlier from unhealthy air.”¹³

- “Air pollution is known to have a wide range of negative health impacts, and the health damages of air pollution are experienced unequally. For example, Blacks and Latinx are exposed to higher levels of PM2.5 air pollution (21% and 12% higher, respectively) when compared to the overall population. Indigenous people have also been found to be more exposed to air pollution. Despite higher exposure, these populations contribute least to the problem. Blacks and Latinx bear an excess “pollution burden,” meaning they experience 56% and 63% more air pollution exposure, respectively, than they cause from their own consumption of goods and services. This inequality contributes to a shorter lifespan due to PM2.5 exposure for people who live in counties that are poorer, less educated, or have a higher proportion of Black residents.”¹⁴

Unfortunately, the report finds that progress in mitigating the threat from climate change is “intermittent at best,” as evidenced by the fact that carbon dioxide emissions continued to rise in 2018.¹⁵ According to the research, global “carbon intensity of the energy system has remained unchanged since 1990, and from 2016 to 2018, total primary energy supply from coal increased by 1.7%, reversing a previously recorded downward trend.”¹⁶ And while “the U.S. energy system had a record low carbon intensity in 2016, the most recent year available, U.S. energy-related carbon emissions rose by 2.8% in 2018, the largest increase since 2010.”¹⁷ At the same time as we are failing to mitigate our nation’s growing emissions, “global fossil fuel consumption subsidies increased by 50% over the past 3 years, reaching a peak of almost US\$430 billion in 2018.”¹⁸

The report emphasizes that the degree of future harm society will experience from climate change depends upon whether effective efforts are taken now to mitigate emissions of climate-destabilizing greenhouse gases. Instead of leading these efforts, NHTSA’s and EPA’s proposal to weaken the current light-duty fuel efficiency and greenhouse gas standards will only increase the burden on our children to save their own lives and the lives of future generations.

The Agencies must consider this report and explain how their proposal to increase greenhouse gas emissions can be justified in light of these findings and all of the other compelling scientific studies and information in the docket illustrating the extreme and urgent harms that climate change is causing. We submit that the agencies’ failure to consider these crucial – and

¹³ Policy Brief, page 2.

¹⁴ Policy Brief, page 8.

¹⁵ Report, page 1.

¹⁶ Id.

¹⁷ Policy Brief, page 2.

¹⁸ Report, page 1.

indisputable -- scientific facts and explain their policy choices in light of them would be plainly unlawful.

Please contact Alice Henderson, ahenderson@edf.org, (303) 447-7205, if you have any questions regarding this comment.

Respectfully submitted,

Center for Biological Diversity
Chesapeake Bay Foundation
Environment America
Environmental Defense Fund
Public Citizen, Inc.
Sierra Club