

What They Are Saying: EPA to Reexamine Emission Standards

Mitch Bainwol, president & CEO, Auto Alliance

"We applaud the Administration's decision to reinstate the data-driven review of the 2022-2025 standards. By restarting this review, analysis rather than politics will produce a final decision consistent with the process we all agreed to under 'One National Program' for GHG and fuel economy standards. "Auto manufacturing is highly competitive, so seldom do the world's automakers come together. But they did in February, when 18 automakers wrote President Trump. They were united in their support for putting 'the process back on track' without pre-determining any outcome. "President Trump agreed, and now we will get back to work with EPA, NHTSA, CARB and other stakeholders in carefully determining how we can improve mileage and reduce carbon emissions while preserving vehicle safety, auto jobs and affordable new cars and trucks.

John Bozzella, Global Automakers President and CEO

"We welcome the Trump Administration's decision to return the greenhouse gas standards' midterm evaluation back to the process that was agreed to in 2012.

We look forward to working with the Environmental Protection Agency, the National Highway Traffic Safety Administration and the California Air Resources Board on a review of the standards that is data driven and accounts for the needs of American consumers without locking in a prejudged outcome."

AutoNation CEO Mike Jackson said the Trump administration is "absolutely doing the right thing" when it comes to rolling back environmental regulations from the Obama administration. "We need regulation but if they're extreme and onerous ... they hold productivity back," Jackson said during a Wednesday interview on CNBC's "Squawk Box." Jackson called the expanded environmental measures put in place during former President Barack Obama's administration "too extreme" for businesses.

U.S. Chamber Voices Support for Re-Opening Vehicle Emissions Review

Rulemaking Under Previous Administration was Rushed, Lacked Transparency and Full Participation

U.S. Chamber of Commerce Senior Vice President of Environment, Technology, & Regulatory Affairs William Kovacs issued the following statement today after the Trump administration announced it is re-opening a review of vehicle fuel efficiency standards through Model Year 2025:

"We are pleased to see President Trump's administration re-open the government's review of the vehicle fuel efficiency standards. The last administration rushed this review, failed to provide stakeholders with transparency and meaningful opportunity for input during the process, and neglected to coordinate among the involved government entities. We all have a shared interest in making sure the federal government sets rules that consider economic growth, along with the environmental protection that is so often driven by private sector innovation."

National Automobile Dealers Association Praises Trump Administration for Restarting Midterm Review of Fuel-Economy Standards

NADA President and CEO Peter Welch on Wednesday issued the following statement in response to the Trump Administration's decision to restart the midterm review of federal fuel-economy standards, which was circumvented by the Obama Administration's "final determination" of MY 2022-2025 standards in January:

"NADA applauds the Trump Administration for reaffirming our shared commitment to a transparent, fair and data-driven midterm review of fuel-economy standards. Maintaining vehicle affordability is critical to actually building on the progress the industry has already made on increasing fuel economy and lowering vehicle emissions. As dealers, our top priority will always be ensuring that working men and women have the ability to purchase the fuel-efficient cars and trucks they need at prices they can afford."

Senator Mike Barrasso

Today, U.S. Senator John Barrasso (R-WY), chairman of the Senate Committee on Environment and Public Works (EPW), released the following statement on President Trump's announcement on vehicle emission standards. "The EPA, under President Obama, rushed to finalize a determination on vehicle emission standards days before leaving office," said Barrasso. "This upended a carefully negotiated process meant to ensure environmental standards are achievable and that cars remain affordable for American families. President Trump's decision to review the EPA's midnight determination is a commonsense move that gets the process back on track."

To: Brown, Byron[brown.byron@epa.gov]
From: Freire, JP (Hatch)
Sent: Thur 3/16/2017 6:15:19 PM
Subject: Re: CAFE Op-ed

That's great.

J.P. Freire

Director of Communications

Office of Senator Orrin Hatch

(202) 228-0210—Office

(202) 596-5653—Mobile



From: "Brown, Byron" <brown.byron@epa.gov>
Date: Thursday, March 16, 2017 at 1:27 PM
To: "Freire, JP (Hatch)" <JP_Freire@hatch.senate.gov>
Subject: Re: CAFE Op-ed

I should be free after 3 if that will work or is that too late and do you need to speak sooner?

Sent from my iPhone

On Mar 16, 2017, at 1:15 PM, Freire, JP (Hatch) <JP_Freire@hatch.senate.gov> wrote:

Byron,

Excited to be working with you. Do you have time to speak on the phone sometime today?
Should be 10 minutes or so.

J.P. Freire

Director of Communications

ED_001220_00000019-00001

ED_001220_00000019

Office of Senator Orrin Hatch

(202) 228-0210—Office

Ex. 6 - Personal Privacy

<image001.png><image002.png><image003.png><image004.png>

From: "Brown, Byron" <brown.byron@epa.gov>

Date: Wednesday, March 15, 2017 at 9:22 PM

To: "Dravis, Samantha" <dravis.samantha@epa.gov>

Cc: "Jackson, Ryan" <jackson.ryan@epa.gov>, "Konkus, John" <konkus.john@epa.gov>,

"Freire, JP (Hatch)" <JP_Freire@hatch.senate.gov>, "Ferguson, Lincoln"

<ferguson.lincoln@epa.gov>

Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

In the middle there is the beginning of a sentence but it seems to end.

CAFE should not have an accent mark.

Sent from my iPhone

On Mar 15, 2017, at 8:00 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 15, 2017, at 7:58 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:I

Guys please hurry and get this get this placed. I was assuming that was done well before now.

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 15, 2017, at 6:55 PM, Konkus, John <konkus.john@epa.gov> wrote:

Samantha and Byron: Would you mind please taking a look at the attached op-ed tonight before I send it to USA Today tomorrow?

From: Ferguson, Lincoln
Sent: Wednesday, March 15, 2017 6:13 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: CAFE Op-ed

Attached is the updated version of the CAFÉ op-ed with input from JP. Can we get this in from of SP before we release? USA Today is needing it ASAP – but hopefully we can still shoot to get it in this weekend.

Thanks,
Lincoln

ED_001220_00000019-00003

ED_001220_00000019

<LF EDITS Draft CAFE Op-Ed EDITS.DOCX>

ED_001220_00000019-00004

ED_001220_00000019

To: Jackson, Ryan[jackson.ryan@epa.gov]; Konkus, John[konkus.john@epa.gov]
Cc: Brown, Byron[brown.byron@epa.gov]; Freire, JP (Hatch)[JP_Freire@hatch.senate.gov];
Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Dravis, Samantha
Sent: Thur 3/16/2017 12:23:33 AM
Subject: RE: CAFE Op-ed

I am going to re-work this tonight and I will re-circulate.

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 8:23 PM
To: Konkus, John <konkus.john@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Brown, Byron <brown.byron@epa.gov>;
Freire, JP (Hatch) <JP_Freire@hatch.senate.gov>; Ferguson, Lincoln
<ferguson.lincoln@epa.gov>
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

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John and Lincoln, this needs help. I was too rushed today and should have paid more attention.
This needs some help. It can be substantially the same form. And do we know the USA Today
word count?

John, is the oped in flint coming? Can that be placed in some Michigan paper this weekend?

Ryan Jackson

Chief of Staff

U.S. EPA

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Cc: Konkus, John[konkus.john@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Freire, JP (Hatch)[JP_Freire@hatch.senate.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 12:07:49 AM
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

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Samantha and Byron: Would you mind please taking a look at the attached op-ed tonight before I send it to USA Today tomorrow?

From: Ferguson, Lincoln
Sent: Wednesday, March 15, 2017 6:13 PM

ED_001220_00000025-00001

ED_001220_00000025

To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: CAFE Op-ed

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<LF EDITS Draft CAFE Op-Ed EDITS.DOCX>

ED_001220_00000025-00002

ED_001220_00000025

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; Brown, Byron[brown.byron@epa.gov]; Freire, JP (Hatch)[JP_Freire@hatch.senate.gov]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Dravis, Samantha
Sent: Thur 3/16/2017 12:00:26 AM
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Sent from my iPhone

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Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

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Thanks,
Lincoln

<LF EDITS Draft CAFE Op-Ed EDITS.DOCX>

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ED_001220_00000026

DRAFT



**ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF PUBLIC AFFAIRS ROLLOUT PLAN
REEXAMINING CAFÉ STANDARDS**

Draft as of March 13, 2017 at 7:00P.M.
DATES AND TIMES ARE SUBJECT TO CHANGE

Ex. 5 - Deliberative Process

DRAFT

Ex. 5 - Deliberative Process

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DRAFT

Ex. 5 - Deliberative Process

ED_001220_0000044-00003

ED_001220_0000044

To: Minoli, Kevin[Minoli.Kevin@epa.gov]; Millett, John[Millett.John@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
Cc: Dunham, Sarah[Dunham.Sarah@epa.gov]; Schmidt, Lorie[Schmidt.Lorie@epa.gov]; Srinivasan, Gautam[Srinivasan.Gautam@epa.gov]; Orlin, David[Orlin.David@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]; Charmley, William[charmley.william@epa.gov]
From: Hengst, Benjamin
Sent: Fri 3/3/2017 5:29:12 PM
Subject: Re: DRAFT CAFE Top Line Talking Points

Hi Kevin. Yes, Bill Charmley will be working with David on this. We will get back to folks.

Ben

From: Minoli, Kevin
Sent: Friday, March 3, 2017 12:22:05 PM
To: Millett, John; Grantham, Nancy; Hengst, Benjamin; Birgfeld, Erin
Cc: Dunham, Sarah; Schmidt, Lorie; Srinivasan, Gautam; Orlin, David; Grundler, Christopher
Subject: RE: DRAFT CAFE Top Line Talking Points

Can I suggest that the OAR folks please work with David so we can send OPA a set both offices are comfortable with? Thanks! Kevin

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

From: Millett, John
Sent: Friday, March 03, 2017 12:05 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>
Subject: RE: DRAFT CAFE Top Line Talking Points

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ED_001220_00000479

Ex. 5 - Deliberative Process

From: Minoli, Kevin
Sent: Friday, March 03, 2017 11:59 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Millett, John <Millett.John@epa.gov>
Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>
Subject: RE: DRAFT CAFE Top Line Talking Points

Ex. 5 - Attorney Client

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

From: Grantham, Nancy
Sent: Friday, March 03, 2017 11:38 AM
To: Millett, John <Millett.John@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Subject: FW: DRAFT CAFE Top Line Talking Points

Ex. 5 - Deliberative Process

Thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Konkus, John

Sent: Friday, March 03, 2017 10:57 AM

To: Hull, George <Hull.George@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Amy Dewey <[Ex. 6 - Personal Privacy](#)>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: DRAFT CAFE Top Line Talking Points

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

To: Acevedo, Frank[acevedo.francisco@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Argyropoulos, Paul[Argyropoulos.Paul@epa.gov]; Audette, Lucie[audette.lucie@epa.gov]; Barba, Daniel[Barba.Daniel@epa.gov]; Beardslee, Renee[Beardslee.Renee@epa.gov]; Beardsley, Megan[Beardsley.Megan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Bizer-Cox, Daniel[Bizer-Cox.Daniel@epa.gov]; Blubaugh, Jim[Blubaugh.Jim@epa.gov]; Bradish, Tracey[bradish.tracey@epa.gov]; Brusstar, Matt[brusstar.matt@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Burch, Julia[Burch.Julia@epa.gov]; Bynum, Cheryl[bynum.cheryl@epa.gov]; Caldwell, Amy[caldwell.amy@epa.gov]; Charmley, William[charmley.william@epa.gov]; Chatfield, Ethan[chatfield.ethan@epa.gov]; Clark, Sarah[clark.sarah@epa.gov]; Cohen, Janet[cohen.janet@epa.gov]; Cook, Leila[cook.leila@epa.gov]; Cullen, Angela[cullen.angela@epa.gov]; Dickinson, David[Dickinson.David@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Dotzel, Kathryn[dotzel.kathryn@epa.gov]; Fowlkes, Sarah[fowlkes.sarah@epa.gov]; Galano, Fidel[Galano.Fidel@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]; Haley, Mike[Haley.Mike@epa.gov]; Hassan, Nora[hassan.nora@epa.gov]; Haugen, David[haugen.david@epa.gov]; Helfand, Gloria[helfand.gloria@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Henning, Julie[henning.julie@epa.gov]; Hoyer, Marion[hoyer.marion@epa.gov]; Hula, Aaron[Hula.Aaron@epa.gov]; Imfeld, Sterling[imfeld.sterling@epa.gov]; Jackson, Cleophas[jackson.cleophas@epa.gov]; Johnson, Dennis[Johnson.Dennis@epa.gov]; Keller, Jennifer[Keller.Jennifer@epa.gov]; Kolowich, Bruce[kolowich.bruce@epa.gov]; Le, Madison[Le.Madison@epa.gov]; Levin, David[Levin.David@epa.gov]; Lie, Sharyn[Lie.Sharyn@epa.gov]; Machiele, Paul[machiele.paul@epa.gov]; Maguire, Andrea[Maguire.Andrea@epa.gov]; Manners, Mary[manners.mary@epa.gov]; McCubbin, Courtney[McCubbin.Courtney@epa.gov]; Meekins, Tanya[Meekins.Tanya@epa.gov]; Michaels, Harvey[Michaels.Harvey@epa.gov]; Miller, Patrick[miller.patrick@epa.gov]; Mitchell, George[Mitchell.George@epa.gov]; Moltzen, Michael[Moltzen.Michael@epa.gov]; Mylan, Christopher[Mylan.Christopher@epa.gov]; Nam, Ed[nam.ed@epa.gov]; Nelson, Brian[nelson.brian@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Patulski, Meg[patulski.meg@epa.gov]; Peralta, Maria[Peralta.Maria@epa.gov]; Revelt, Jean-Marie[revelt.jean-marie@epa.gov]; Samulski, Michael[samulski.michael@epa.gov]; Sargeant, Kathryn[sargeant.kathryn@epa.gov]; Schenk, Ruth[schenk.ruth@epa.gov]; Schweinfurth, Rob[Schweinfurth.Rob@epa.gov]; Scoville, Pat[Scoville.Pat@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]; Spears, Matthew[spears.matthew@epa.gov]; Spieth, John[Spieth.John@epa.gov]; Storhok, Ines[storhok.ines@epa.gov]; Suarez, Patricia[suarez.patricia@epa.gov]; Sun, Lisa[Sun.Lisa@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]; VanGessel, Benjamin[vangessel.benjamin@epa.gov]; Vawters, Katie[Vawters.Katie@epa.gov]; Watkins, Erica[Watkins.Erica@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Weihrauch, John[Weihrauch.John@epa.gov]; Wilcox, Jason[Wilcox.Jason@epa.gov]; Witkowski, Nicolas[witkowski.nicolas@epa.gov]; Yarbrough, Cody[yarbrough.cody@epa.gov]; Zaremski, Sara[zaremski.sara@epa.gov]

From: Richards, David
Sent: Wed 2/22/2017 6:13:36 PM
Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

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BloombergAutomakers Ask Trump's EPA Boss to Toss Obama Mileage Decision

Ryan Beene

Automakers have asked the U.S. Environmental Protection Agency's new chief to withdraw a decision made in the Obama administration's final days that upheld light-vehicle greenhouse gas emissions standards through 2025. In a Feb. 21 letter, the Association of Global Automakers asked EPA Administrator Scott Pruitt to withdraw the agency's Jan. 13 determination that greenhouse gas emissions standards through 2025 should remain unchanged from when they took effect in 2012. The Washington D.C.-based trade group, which represents the U.S. operations of Toyota Motor Corp., Honda Motor Co. Ltd., Nissan Motor Co. Ltd. and nine other carmakers, asked Pruitt to resume a review of the standards in conjunction with the National Highway Traffic Safety Administration, which is developing vehicle fuel economy regulations for 2022-2025.

Wall Street JournalAuto Makers Ask EPA's Pruitt to Reverse Fuel-Economy, Emissions Decision

Mike Spector

Auto makers asked the Environmental Protection Agency to undo the Obama administration's decision to lock in future stringent fuel-economy and emissions standards, as the companies seek to take advantage of President Donald Trump's pledge to roll back regulations.

ReutersTrump seeks to quell ethanol industry worry as Pruitt enters EPA

Chris Prentice

President Donald Trump on Tuesday assured ethanol industry advocates of their importance in U.S. energy strategy in an apparent bid to quell concerns over potential changes to policies that mandate the use of such renewable fuels. The comments came as Scott Pruitt took over as head of the Environmental Protection Agency (EPA) and after Trump picked Carl Icahn as a senior advisor. Both men in the past have criticized the Renewable Fuel Standard (RFS), which requires biofuels like ethanol to be blended into gasoline. In a letter to attendees of an ethanol conference

in San Diego, Trump said his administration was working to tackle the "regulatory burden" on their industry. Though the letter offered no detail on policy plans, Trump sought to ease worry over the extent of his commitment to the sector.

The Hill

Trump reaffirms support for ethanol in industry letter

President Trump reiterated his support for the federal ethanol fuels mandate in a letter to industry supporters on Tuesday. Addressing attendees at the National Ethanol Conference, Trump said in a letter that he "value[s] the importance of renewable fuels to America's economy and to our energy independence." He promised to work with the industry's Renewable Fuels Association (RFA) to "identify and reform" regulations on the industry, which he said "has suffered from overzealous, job-killing regulation." Trump added, "As I emphasized throughout my campaign, renewable fuels are essential to America's energy strategy."

Trump supported the Renewable Fuels Standard throughout his campaign, a position he refined during a second-place effort in the Iowa caucuses. Despite Trump's letter, some officials in his administration have signaled support for reforming the Renewable Fuel Standard.

Platts

Ethanol has 'strong base of support' from Trump, Congress: RFA president

President Donald Trump supports the ethanol industry, Renewable Fuels Association President Bob Dinneen reassured the audience during his opening remarks Tuesday at the National Ethanol Conference in San Diego. Some critics have worried about the ties between Trump, his Cabinet and advisers and the oil industry. "Not only do we have a strong base of support throughout the Congress, but we have a resident at 1600 Pennsylvania Avenue who understands the value of ethanol and who is committed to an America First energy policy," Dinneen said. Scott Pruitt, recently confirmed head of the Environmental Protection Agency, has in the past criticized the agency's regulations, including calling the Renewable Fuel Standard "unworkable." In his confirmation hearing, however, he struck a more supportive tone, saying he would enforce the mandate as written and use waiver authority "judiciously." Dinneen said people worried that Pruitt would weaken the RFS had their anxiety "relieved throughout the confirmation process when Mr. Pruitt repeatedly affirmed his commitment to uphold the law as Congress had written it."

Green Car Reports

Chevy Cruze Diesel: quieter, more fuel-efficient, B20-capable

Automakers today find themselves in something of an unenviable position. Strict corporate average fuel economy rules continue to ratchet up, while President Trump may—or may not—attempt to change those rules. Until the uncertainty resolves, however, automakers have to stick with their plans to meet CAFE standards through 2025. And even if U.S. regulations change, the rest of the world almost surely won't alter theirs—making fuel efficiency just as important as ever. Last week, GM's vice president for global propulsion systems, Dan Nicholson, discussed the company's launch of a new 1.6-liter 4-cylinder diesel engine from Europe. "Diesels are, and will play, an important part in our overall CAFE targets and goals," he told media.

The Seattle TimesGerman city bans older diesel cars to combat air pollution

BERLIN (AP) — Authorities in southwest Germany are banning older diesel cars from driving in the city of Stuttgart starting next year. The measure is intended to reduce levels of fine particulate matter found in diesel emissions that are harmful to human health. Stuttgart, capital of Baden-Wuerttemberg state, regularly reports particulate levels far above the permitted levels. Its location in a bowl-shaped valley makes the city with almost 600,000 inhabitants particularly prone to persistent air pollution. The measure was passed Tuesday by Baden-Wuerttemberg's state government, a coalition of the environmentalist Green Party and Chancellor Angela Merkel's Christian Democratic Union. It means only diesel cars that meet the Euro 6 emissions standard for light passenger and commercial vehicles can drive in the city from 2018. Stuttgart is home to German automakers Mercedes-Benz and Porsche.

Forbes OpinionIf EPA Chief Pruitt Is Listening To Private Enterprise, He'll Think About Pricing Carbon

Now that Scott Pruitt has been confirmed as administrator of the Environmental Protection Agency, he must determine what his priorities are and whether his agency should actively pursue carbon dioxide emissions cuts. The concern is that he will abandon the cause under the guise that it is economically oppressive. Is that wise? Pruitt's general belief is that the science is unsettled. Is there room in his thinking for the possibility that it might, in fact, be "settled," and that the country should pursue policies to mitigate the effects of global warming? To that end, the United States would have to increase use of cleaner burning fuels to, effectively, insure against the possibility that climate change is mostly human induced. The industrial revolution catalyzed the country's economy. But today's titans are comprised of social media and Internet enterprises, which want us to imagine the unimaginable — especially that climate change could be a real threat. For their part, Donald Trump and Pruitt are stuck in a time warp. They want to kill carbon reduction efforts as a way to appease those who catapulted them to power. More light will be

shed on this as Pruitt's previously secret emails are opened to the public.

London Commuters Are Suffering, Thanks To Air Pollution

Poor air quality kills thousands of urban dwellers, so it's time to start paying attention to the data. Back in July last year, I published a primer on air pollution – what it is, how damaging it can be, and the options we have for measuring and combating it. And today I'm writing about it again. Whilst I'd desperately love to be bringing you good news, I'm afraid I can't. But the city that is under severe scrutiny today is my beloved London. London has a long and complicated history with pollution. The period now known as The Great Stink was largely ended by the development of a reliable sewer network. In 1952, a toxic fog smothered the city, killing thousands, and fatbergs are becoming worryingly commonplace. But 2017 may well become another year to add to the pollution history books.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

To: Charmley, William[charmley.william@epa.gov]; Orlin, David[Orlin.David@epa.gov]
From: Simon, Karl
Sent: Tue 2/21/2017 6:33:05 PM
Subject: RE: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Ex. 5 - Deliberative Process

From: Charmley, William
Sent: Tuesday, February 21, 2017 1:11 PM
To: Orlin, David <Orlin.David@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Fwd: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Sent from my iPhone

Begin forwarded message:

From: Susan Conti <sconti@autoalliance.org>
Date: February 21, 2017 at 1:02:29 PM EST
To: "pruitt.scott@epa.gov" <pruitt.scott@epa.gov>, "pruitt.gscott@epa.gov" <pruitt.gscott@epa.gov>
Cc: "marianne.mcinerney@dot.gov" <marianne.mcinerney@dot.gov>, "grundler.christopher@epa.gov" <grundler.christopher@epa.gov>, Bill Charmley <charmley.william@epa.gov>, "olechiw.michael@epa.gov" <olechiw.michael@epa.gov>, "Kevin.Green@dot.gov" <Kevin.Green@dot.gov>, "james.tamm@dot.gov" <james.tamm@dot.gov>, "rebecca.yoon@dot.gov" <rebecca.yoon@dot.gov>, "annette.hebert@arb.ca.gov" <annette.hebert@arb.ca.gov>, "michael.mccarthy@arb.ca.gov" <michael.mccarthy@arb.ca.gov>, Chris Nevers <CNevers@autoalliance.org>, "David Schwietert" <DSchwietert@autoalliance.org>, Gloria Bergquist <GBERGQUIST@autoalliance.org>, John Whatley <JWhatley@autoalliance.org>
Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

Mitch Bainwol

President and CEO

ED_001220_00000570-00002

ED_001220_00000570

To: Orlin, David[Orlin.David@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]
Cc: Cook, Leila[cook.leila@epa.gov]
From: Charmley, William
Sent: Tue 3/21/2017 3:30:34 PM
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

David –

Is it possible to do that yet today? We would like to send this document to Sarah D. today in response to the request from OP.

Ex. 5 - Deliberative Process

Thanks

Bill

From: Orlin, David
Sent: Tuesday, March 21, 2017 11:14 AM

ED_001220_00001007-00001

ED_001220_00001007

To: Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Bill,

I think that's a fair suggestion, but I would need to check up my chain to make sure no one has any concerns about it. We have discussed this topic internally and I think Lorie Schmidt would agree with the statement and Kevin Minoli is aware of our views, but if this is being written for the Administrator I need to confirm whether that is enough or we need to either tweak it or get approval for it.

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: Charmley, William
Sent: Tuesday, March 21, 2017 11:09 AM
To: Simon, Karl <Simon.Karl@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Dear all –

ED_001220_00001007-00002

ED_001220_00001007

Thank you for the review/comments. The attached accepts Robin, David and Karl's comments –

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

David – please let me know if this is okay with you.

Thanks

Bill

From: Simon, Karl

Sent: Tuesday, March 21, 2017 10:41 AM

ED_001220_00001007-00003

ED_001220_00001007

To: Moran, Robin <moran.rob@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Some thoughts on top of Robin's edits

From: Moran, Robin
Sent: Tuesday, March 21, 2017 8:22 AM
To: Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Bill,

Some minor suggestions. Added NHTSA's MY2022 deadline of April 1, 2020 (consistent w/FR), added reg citation, and minor edits like changing past actions to past tense,

I'm in training again today in the lobby, but feel free to get me if anything's urgent.

Robin

From: Charmley, William
Sent: Monday, March 20, 2017 4:39 PM
To: Moran, Robin <moran.rob@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>

ED_001220_00001007-00004

ED_001220_00001007

Subject: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Dear all,

We have received a request from the Office of Policy through Acting AA Dunham for a 2-page document for the Administrator. We were specifically asked to provide information on the History, Recent Actions, and Next Steps regarding the light-duty MTE process.

Attached is a first draft. Please provide any comments by noon on Tuesday.

Thanks

Bill

ED_001220_00001007-00005

ED_001220_00001007

To: Simon, Karl[Simon.Karl@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Olechwi, Michael[olechwi.michael@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]
Cc: Orlin, David[Orlin.David@epa.gov]; Cook, Leila[cook.leila@epa.gov]
From: Charmley, William
Sent: Tue 3/21/2017 3:08:38 PM
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards
[2 page on history, status, next steps for LD MTE, March 20, 2017, draft 2.docx](#)

Dear all –

Thank you for the review/comments. The attached accepts Robin, David and Karl's comments –

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

David – please let me know if this is okay with you.

ED_001220_00001008-00001

ED_001220_00001008

Thanks

Bill

From: Simon, Karl
Sent: Tuesday, March 21, 2017 10:41 AM
To: Moran, Robin <moran.robin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Some thoughts on top of Robin's edits

From: Moran, Robin
Sent: Tuesday, March 21, 2017 8:22 AM
To: Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Bill,

Some minor suggestions. Added NHTSA's MY2022 deadline of April 1, 2020 (consistent w/FR), added reg citation, and minor edits like changing past actions to past tense,

ED_001220_00001008-00002

ED_001220_00001008

I'm in training again today in the lobby, but feel free to get me if anything's urgent.

Robin

From: Charmley, William
Sent: Monday, March 20, 2017 4:39 PM
To: Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>
Cc: Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>
Subject: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Dear all,

We have received a request from the Office of Policy through Acting AA Dunham for a 2-page document for the Administrator. We were specifically asked to provide information on the History, Recent Actions, and Next Steps regarding the light-duty MTE process.

Attached is a first draft. Please provide any comments by noon on Tuesday.

Thanks

Bill

ED_001220_00001008-00003

ED_001220_00001008

ED_001220_00001008-00004

ED_001220_00001008

To: Moran, Robin[moran.robin@epa.gov]; Olechiv, Michael[olechiv.michael@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]
Cc: Orlin, David[Orlin.David@epa.gov]; Cook, Leila[cook.leila@epa.gov]
From: Charmley, William
Sent: Mon 3/20/2017 8:38:37 PM
Subject: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards
[2 page on history, status, next steps for LD MTE, March 20, 2017, draft 1.docx](#)

Dear all,

We have received a request from the Office of Policy through Acting AA Dunham for a 2-page document for the Administrator. We were specifically asked to provide information on the History, Recent Actions, and Next Steps regarding the light-duty MTE process.

Attached is a first draft. Please provide any comments by noon on Tuesday.

Thanks

Bill

ED_001220_00001011-00001

ED_001220_00001011

Cc: Olechiw, Michael[olechiw.michael@epa.gov]; Lieske, Christopher[lieske.christopher@epa.gov]; Simon, Joseph[Simon.Joseph@epa.gov]
To: Moran, Robin[moran.robin@epa.gov]
From: Charmley, William
Sent: Thur 3/16/2017 6:20:46 PM
Subject: Re: Draft Response to MTE Controls

Robin

Late yesterday Ben told me that someone on his staff was going to take a cut at a response. Ben was only talking about a congressional control.

I told him we had several additional controls, not just Congressional.

Ben told me he was going to have his staff person reach out to you. I apologize, I cannot remember her name right now.

I think this draft looks just right.

Thanks
Bill

Sent from my iPhone

> On Mar 16, 2017, at 1:21 PM, Moran, Robin <moran.robin@epa.gov> wrote:

>

> Bill,

>

> Chris drafted the attached response letter, which we would plan to use uniformly for all the incoming letters regarding the MTE final determination. Our intention was to keep this short and factual simply citing the FR Notice. Please let us know if you have any comments.

>

> Dear ___:

>

Ex. 5 - Deliberative Process

>

>

>

> From: Lieske, Christopher
> Sent: Thursday, March 16, 2017 11:54 AM
> To: Moran, Robin <moran.robin@epa.gov>
> Subject: Response letter

>

> Robin –

ED_001220_00001025-00001

ED_001220_00001025

- >
- > A draft response is attached. At this point, it is written generally enough that it could be used for all responses.
- >
- > The incoming letters are also attached for reference. They are:
- >
- > 4817 – Alliance
- > 4822 – Global
- > 5562 – Env. NGOs
- > 5588 – 40 Investors (Walden Asset Management)
- > 5589 – BICEP
- > 5768 – 12 U.S. Senators
- >
- > <MTE reconsideration response letter.docx>
- > <AX-17-000-4817 Correspondence.pdf>
- > <AX-17-000-4822 Correspondence.pdf>
- > <AX-17-000-5562 Correspondence.pdf>
- > <AX-17-000-5588 Correspondence.pdf>
- > <AX-17-000-5589 Correspondence.pdf>
- > <AL-17-000-5768 Correspondence.pdf>

To: Moran, Robin[moran.robin@epa.gov]
Cc: Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]
From: Charmley, William
Sent: Wed 3/15/2017 8:54:08 PM
Subject: RE: MTE Web changes

Robin and Erin –

Thank you both for working on this. I know it cannot be easy.

Bill

From: Moran, Robin
Sent: Wednesday, March 15, 2017 12:14 PM
To: Charmley, William <charmley.william@epa.gov>
Cc: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>
Subject: MTE Web changes

Bill – you had asked about the MTE web page. These are the changes that Erin and I worked on. Not sure yet what the go-live time will be.

Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas (GHG) Emissions Standards for Model Years 2022-2025

On this page:

- [Overview](#)

ED_001220_00001041-00001

ED_001220_00001041

- [Midterm Evaluation Process](#)
- [Previous Steps](#)
- [Proposed Determination](#)
- [Draft Technical Assessment Report](#)
- [EPA Technical Projects to Inform the Midterm Evaluation](#)
- [EPA Publications Informing the Midterm Evaluation](#)
- [EPA Presentations Regarding the Midterm Evaluation](#)

Overview

As part of the 2012 rulemaking establishing the model year (MY) 2017-2025 light-duty vehicle GHG standards, EPA made a regulatory commitment to conduct a Midterm Evaluation (MTE) of the standards for MY 2022-2025. As a part of this process, EPA is examining a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

EPA's regulations require several formal steps in the MTE process, including opportunities for public input.

- Step 1: Draft Technical Assessment Report (TAR) issued jointly with the National Highway Traffic Safety Administration and the California Air Resources Board (CARB) with opportunity for public comment. (July 2016)
- Step 2: EPA Administrator made a Proposed Determination with opportunity for public comment. (November 2016)
- Step 3: The EPA Administrator must make a final determination with regard to whether the standards remain appropriate or should be changed by April 1, 2018.

The Midterm Evaluation Process

Ex. 5 - Deliberative Process

This process was established as a part of the 2012 final greenhouse gas emissions standards for model years 2017-2025, requiring EPA to determine no later than April 1, 2018, whether the standards for model years 2022-2025 established are appropriate. In accord with this schedule, the EPA intends to make a new Final Determination regarding the appropriateness of the standards no later than April 1, 2018.

Ex. 5 - Deliberative Process

Previous Steps in the Midterm Evaluation Process [Crafted to keep what was there, but make clear it was previous determination]

On January 12, 2017, Administrator Gina McCarthy signed her determination to maintain the current GHG emissions standards for model year (MY) 2022-2025 vehicles. Her final determination found that automakers are well positioned to meet the standards at lower costs than previously estimated.

Highlights of Administrator McCarthy's January 2017 Final Determination

- Automakers have a wide range of technology pathways available to meet the MY2022-2025 standards, at slightly lower per-vehicle costs than previously predicted. The standards are achievable with very low penetration of strong hybrids, electric vehicles and plug-in hybrid electric vehicles, consistent with the findings of a comprehensive 2015 National Academy of Sciences study.
- The standards will save consumers money, significantly reduce GHG emissions and fuel consumption, and provide benefits to the health and welfare of Americans.
- Automakers have outperformed the standards for the first four years of the program (MY2012-2015) and manufacturers are adopting fuel efficient technologies at unprecedented rates, all while vehicle sales have increased for 7 consecutive years.

Administrator McCarty's determination was based on an extensive technical record, created over 8 years of research, review of several hundred published reports, hundreds of stakeholder meetings, and multiple opportunities for the public to provide input. This Final Determination follows the November 2016 release of EPA's Proposed Determination and the July 2016 release of a Draft Technical Assessment Report (TAR), issued jointly by the EPA, the National Highway Traffic Safety Administration (NHTSA), and the California Air Resources Board (CARB). EPA provided opportunities for public comment for both the Draft TAR and the Proposed Determination.

Cover Letter -- [EPA Administrator's signed Cover Letter to the Final Determination.](#)

Final Determination Document -- [Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#)(33 pp, 626 K, January 2017, EPA-420-R-17-001).

Response to Comments Document -- [Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation: Response to Comments \(PDF\)](#)(174 pp, 2 MB, January 2017, EPA-420-

R-17-002).

[Unchanged Below here...]

Proposed Determination

On November 30, 2016, Administrator McCarthy proposed to determine that the MY 2022-2025 standards remain appropriate and that a rulemaking to change them is not warranted. This proposed determination is based on the robust technical record including the draft TAR, input from the auto industry and other stakeholders, and updated analyses. The public comment period for this proposed determination will end on December 30, 2016.

Highlights of the Proposed Determination

- Auto manufacturers can meet the MY 2022-2025 standards at slightly lower per-vehicle costs than predicted in the TAR, and lower costs than predicted in the 2012 rulemaking that established the standards.
- The current standards will save consumers money and provide benefits to the health and welfare of Americans.
- Automakers have a wide range of technology pathways available to meet the standards. Standards are achievable with very low penetration of strong hybrids, electric vehicles and plug-in hybrid electric vehicles. This finding is consistent with the conclusions the National Academy of Sciences found in a comprehensive 2015 study.
- Automakers have outperformed the standards for the first four years of the program (MY2012-2015) and manufacturers are adopting fuel efficient technologies at unprecedented rates, all while vehicle sales have increased for 6 consecutive years. There are over 100 car, SUV, and pickup versions on the market today that already meet 2020 or later standards.

Cover Letter — [EPA Administrator's signed Cover Letter to the Proposed Determination.](#)

Proposed Determination Document -- [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#) (268 pp, 6.38 MB, EPA-420-R-16-020, November 2016)

Technical Support Document to the Proposed Determination -- [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation: Technical Support Document \(PDF\)](#)(719 pp, 18 MB, EPA-420-R-16-021, November 2016)

Comment Period -- The comment period for the Proposed Determination closed on December 30, 2016. Several organizations requested that EPA extend the public

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comment period for the Proposed Determination; [EPA sent letters explaining our denial of these requests to each of these organizations](#). The incoming requests for an extension of the comment period are available in the docket noted above. For information regarding the comment period, please see the *Federal Register* Notice:

Notice of Availability of a Proposed Order: [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#) (2 pp, 199 K, published December 6, 2016)

For additional documents supporting EPA's analyses for the Proposed Determination, see the [Advanced Light-Duty Powertrain and Hybrid Analysis \(ALPHA\) Tool and the Optimization Model for reducing Emissions of Greenhouse gases from Automobiles \(OMEGA\)](#) pages.

[Top of Page](#)

Draft Technical Assessment Report (TAR)

EPA, NHTSA, and CARB jointly issued a Draft TAR for public comment in July 2016. The Draft TAR was a technical report, not a decision document, and examined a wide range of issues relevant to the 2022-2025 standards.

Highlights of the Draft Technical Assessment Report:

- **Automakers are innovating in a time of record sales and fuel economy levels.** The results of the Draft TAR show that manufacturers are adopting fuel economy technologies at unprecedented rates. Car makers and suppliers have developed far more innovative technologies to improve fuel economy and reduce GHG emissions than anticipated just a few years ago.
- **Our new analysis shows that the standards can be met largely with more efficient gasoline powered cars – we continue to project that only modest penetration of hybrids and only low levels of electric vehicles are needed to meet the standards.** The Draft TAR shows that manufacturers can meet the current standards for MY 2022-2025 with conventional gasoline vehicles that use internal combustion engines with well-understood technologies. This is consistent with what the National Academies of Science found in a comprehensive 2015 study. Manufacturers can meet the standards at similar or even lower costs than what was anticipated in the 2012 rulemaking with substantial fuel savings payback to consumers.
- **The National Program preserves consumer choice, even as it protects the environment and reduces fuel consumption.** The National Program is designed to ensure that consumers can continue to buy the differing types of vehicles they need, from compact cars, to SUVs, to larger trucks suitable for towing and carrying heavy loads. Owners of every type of new vehicle will enjoy gasoline savings and

improved fuel economy with a reduced environmental footprint.

- **Executive Summary** -- [Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 – Executive Summary \(PDF\)](#) (15 pp, 588K, EPA-420-D-16-901, July 2016)
- **Draft Technical Assessment Report:** [Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 \(PDF\)](#) (1217 pp, 36.5MB, EPA-420-D-16-900, July 2016)
- **Appendices** -- [Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 \(PDF\)](#) (118 pp, 5.6MB, EPA-420-D-16-900app, July 2016)

For additional documents supporting EPA’s analyses for the Proposed Determination, see the [Advanced Light-Duty Powertrain and Hybrid Analysis \(ALPHA\) Tool and the Optimization Model for reducing Emissions of Greenhouse gases from Automobiles \(OMEGA\) pages](#).

The comment period for the Draft Technical Assessment Report closed on September 26, 2016. For information regarding that earlier comment period, please see the *Federal Register* Notice:

[Notice of Availability of Midterm Evaluation Draft Technical Assessment Report for Model Year 2022–2025 Light Duty Vehicle GHG Emissions and CAFE Standards \(PDF\)](#) (4 pp, 229 K, published July 27, 2016)

Robin Moran

Senior Policy Advisor

U.S. EPA, Office of Transportation and Air Quality

2000 Traverwood Dr.

Ann Arbor, MI 48105

(734) 214-4781 (phone)

(734) 214-4821 (fax)

To: Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]
Cc: Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Cook, Leila[cook.leila@epa.gov]
From: Charmley, William
Sent: Wed 3/15/2017 4:13:19 PM
Subject: They have the wrong phone number for William Charmley in the pre-print publication [cafe-joint-notice-dot-epa-2017-03-13.pdf](#)

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

ED_001220_00001043-00002

ED_001220_00001043

To: Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Kathryn Sargeant (sargeant.kathryn@epa.gov)[sargeant.kathryn@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Moltzen, Michael[Moltzen.Michael@epa.gov]
From: Charmley, William
Sent: Wed 3/15/2017 1:55:09 PM
Subject: FW: OTAQ Daily News Brief: Bloomberg Article "Trump to Drop Climate Change from Environmental Reviews, Source Says

Ex. 5 - Deliberative Process

Trump to Drop Climate Change From Environmental Reviews, Source Says

by

Jennifer A Dlouhy

[@jendlouhyhc](#) *More stories by Jennifer A Dlouhy*

March 14, 2017 2:06 PM

- Directive to reverse Obama-era mandate for agency actions
- Clean Power Plan, methane rules and coal halt also addressed

President Donald Trump is set to sign a sweeping directive to dramatically shrink the role climate change plays in decisions across the government, ranging from appliance standards to pipeline approvals, according to a person familiar with the administration's plan.

The order, which could be signed this week, goes far beyond a targeted assault on Obama-era measures blocking coal leasing and throttling greenhouse gas emissions from power plants that has been discussed for weeks. Some of the changes could happen immediately; others could take years to implement.

It aims to reverse President Barack Obama's broad approach for addressing climate change. One Obama-era policy instructed government agencies to factor climate change into formal environmental reviews, such as that for the Keystone XL pipeline. Trump's order also will compel a reconsideration of the government's use of a metric

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known as the "social cost of carbon" that reflects the potential economic damage from climate change. It was used by the Obama administration to justify a suite of regulations.

Tom Pyle, president of the American Energy Alliance, a conservative, fossil fuel-oriented advocacy group, welcomed Trump's comprehensive approach, calling it essential to undoing Obama-era climate policies that "permeated the entire administration."

"President Obama created such a labyrinth of rules and orders and regulations to cement his agenda across practically every agency," Pyle said in a phone interview. "It was designed to put into the mission of the agencies climate change first and make the rest of their mission second. This was a constraint deliberately set up by the previous administration to make it difficult to utilize coal, oil and natural gas."

Environmentalists said the president's action will erode the international leadership the U.S. has played addressing climate change and encouraging other countries to limit the heat-trapping greenhouse gas emissions that are the primary driver of the phenomenon.

The anticipated action "puts our country, our communities and our people at great risk," said Paul Getsos, national coordinator of the People's Climate Movement, a coalition of labor, civil rights and faith-based groups. "It also sends a dangerous message to the world that the United States does not care about climate change or protecting front-line communities."

Trump's coming order has been discussed by his staff since before he took office. Asked about when the executive order would be issued, White House spokesman Kelly Love said she had "nothing to announce at this time."

It will set in motion some discrete policy changes designed to make coal easier to extract and more enticing to burn.

For instance, the directive will compel the Environmental Protection Agency to undo the Clean Power Plan, an Obama-era rule that forced states to slash the use of coal-fired electricity. Trump also is set to direct Interior Secretary Ryan Zinke to reverse an Obama administration order that blocked the sale of new coal-mining rights on federal lands to producers such as Cloud Peak Energy Inc. and Peabody Energy Corp.

The measure also is set to direct regulators to rescind Obama-era regulations limiting oil industry emissions of methane, a particularly potent -- though short-lived -- greenhouse gas.

Those changes are designed to help the president fulfill a pledge to "cancel job-killing restrictions" on domestic energy and his repeated promise to put coal miners back to work. Trump's support of coal miners helped propelled him to victory in former Democratic strongholds such as Pennsylvania and West Virginia. But Trump's action is

not expected to have an immediate impact on miners, nor do analysts expect it to return coal to its earlier dominance in electricity production.

Even before the Obama administration imposed the coal leasing moratorium in January 2016, coal producers had little interest in adding new federal reserves to their portfolios, amid slumping domestic demand. The U.S. government last sold a coal lease in October 2012, and existing federal leases contain at least 20 years' worth of coal, according to Interior Department estimates.

The use of coal to generate electricity has been in decline as utilities turned to natural gas that is both cheaper and cleaner burning, in part to comply with existing environmental regulations. Still, the removal of the Clean Power Plan -- which was already put on hold by the Supreme Court -- could halt coal's decline as a source of electricity over the next two decades, according to projections from the Energy Information Administration. More coal use also could temper projected gains for natural gas.

The ongoing litigation provides an opening for the Trump administration to undo the rule -- but only if the White House acts fast. The U.S. Court of Appeals heard arguments in the challenge last September but has not ruled on the case.

EPA Administrator Scott Pruitt challenged the Clean Power Plan in federal court in his previous role as Oklahoma's attorney general, alongside more than two dozen other states, electric utilities, business groups and coal miners. An array of environmental groups, public health advocates, renewable-energy developers, large corporations and 18 other states defended the initiative.

Trump's action will set in motion at least a year of bureaucratic work at the EPA to formally strip the Clean Power Plan from the rule books, said Jeff Holmstead, the EPA official in charge of air pollution under former President George W. Bush. Among other steps, the administration will have to justify its decision to rescind the rule, possibly by relying on the arguments advanced by Pruitt and other critics in court.

It's not clear if EPA will write a new version of the rule, or argue that no replacement is needed or legally justified.

By contrast, the coal leasing moratorium is easier to undo. Zinke can make the change with the stroke of a pen -- the same way it was imposed just over a year ago, under an administrative order issued by former Interior Secretary Sally Jewell. The halt was designed to allow time for a broad environmental review of the U.S. coal leasing program, including scrutiny of the climate change impacts of mining and whether companies should pay higher royalties for extracting the fossil fuel.

That analysis is still underway, and it was not immediately clear whether Trump would continue

it. Abandoning the ongoing environmental analysis could make any new coal lease sales vulnerable in court.

Two of Trump's targets have especially symbolic significance, because the Obama administration used them to elevate the role of climate change in government actions.

For instance, the social cost of carbon serves as the linchpin for many of the Obama administration's environmental rules, from appliance efficiency requirements to limits on how much methane can leak from oil wells. Critics say the number -- now nearly \$40 for every metric ton of carbon dioxide emitted into the atmosphere -- gives artificial precision to uncertain conditions nearly 300 years in the future.

It is unclear exactly how the Trump administration will rescind or revise the social cost of carbon. Conservatives at the Competitive Enterprise Institute, American Energy Alliance and Heritage Foundation have offered blueprints for change that would keep it on the books while lowering the number, such as making it reflect projected climate costs solely in the U.S., rather than globally.

Trump can easily nullify guidance from Obama's Council on Environmental Quality that climate change should be factored into government agencies' formal environmental reviews. The guidelines were meant to influence analysis of proposed agency actions under the National Environmental Policy Act.

From: Richards, David

Sent: Wednesday, March 15, 2017 9:36 AM

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Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

BloombergCities Shop for \$10 Billion of Electric Vehicles to Defy Trump

Dozens of U.S. cities are willing to buy \$10 billion of electric cars and trucks to show skeptical automakers there's demand for low-emission vehicles, just as President Donald Trump seeks to review pollution standards the industry opposes. Thirty cities including New York and Chicago jointly asked automakers for the cost and feasibility of providing 114,000 electric vehicles, including police cruisers, street sweepers and trash haulers, said Los Angeles Mayor Eric Garcetti, who is coordinating the effort. That would be comparable to about 72 percent of total U.S. plug-in sales last year. While urban leaders want more low-emission vehicles to ease the role city traffic plays in altering the climate, automakers say there aren't enough buyers. They also have advocated for relaxing rules on traditional fuel vehicles. The Trump administration, which seeks to cut regulations it sees as too costly or onerous, is poised to announce Wednesday that it will reconsider tighter standards finalized a week before President Barack Obama left office.

Trump to Drop Climate Change From Environmental Reviews, Source Says

President Donald Trump is set to sign a sweeping directive to dramatically shrink the role climate change plays in decisions across the government, ranging from appliance standards to pipeline approvals, according to a person familiar with the administration's plan. The order, which could be signed this week, goes far beyond a targeted assault on Obama-era measures blocking coal leasing and throttling greenhouse gas emissions from power plants that has been discussed for weeks. Some of the changes could happen immediately; others could take years to implement. It aims to reverse President Barack Obama's broad approach for addressing climate change. One Obama-era policy instructed government agencies to factor climate change into formal environmental reviews, such as that for the Keystone XL pipeline. Trump's order also will compel a reconsideration of the government's use of a metric known as the "social cost of carbon" that reflects the potential economic damage from climate change. It was used by the Obama administration to justify a suite of regulations.

NPREPA Reopens U.S. Rules Setting Vehicle Efficiency Standards For 2025

U.S. automakers may not have to reach fuel efficiency standards that were set during President Obama's administration, as the Environmental Protection Agency says it's reopening a review of the rules. President Trump will make that announcement on Wednesday in meetings with auto industry executives and workers in Michigan. In Washington, a senior White House official said

the president wants to "set standards that are technologically feasible, economically feasible and allow the auto industry to grow and create jobs." The Obama-era rules stemmed from an agreement the government reached with major vehicles in the summer of 2011, setting carbon dioxide emissions targets for passenger cars and light trucks that were equivalent to the industry's fleet of achieving an average of 54.5 miles per gallon by the 2025 model year. The reopening of the rules review comes after a request from the Alliance of Automobile Manufacturers, an industry group that represents both domestic and foreign automakers. The group's request came last month, after the confirmation of Scott Pruitt as EPA administrator.

E&E News

Methane from power plants far exceeds EPA estimates — study

A new study shows that estimates of how much methane escapes from natural gas-fired power plants and oil refineries could be much too low, pointing to pollution from leaky industrial hardware. Researchers from Purdue University estimated that emissions from power plants fueled by natural gas could be 21 to 120 times higher than figures in U.S. EPA's most recent final greenhouse gas inventory. For oil refineries, emissions may be 11 to 90 times higher than EPA estimates. The study was published yesterday by the journal *Environmental Science & Technology*. The team used Purdue's flying atmospheric chemistry lab — a Beechcraft Duchess light twin-engine airplane equipped with an airflow measurement probe — to collect daily samples at three natural gas power plants and three refineries from July 30 to Oct. 1, 2015. "Our objective was to collect reliable data to compare to the inventories," said Paul Shepson, director of Purdue's Climate Change Research Center. EPA's greenhouse gas reporting program focuses on how much escapes from belching power stacks, without considering that methane could be leaking from compressors, valves and industrial hardware, Shepson explained. "The good news from our study is that while emissions are greater than anticipated, natural gas-burning power plants are still cleaner, relative to burning coal," Shepson said.

Los Angeles Times

What to expect when Trump takes on fuel economy and clean air regulations Wednesday

The Trump administration is expected to announce a review of fuel economy and emissions regulations Wednesday morning that could lead to an overhaul of the standards set in place by the Obama administration. Current emissions rules were put in place in January, when President Obama's Environmental Protection Agency finalized mileage and emissions standards for model years 2022-2025. Those standards call for a real-world fuel-burning performance of 36 miles per gallon on average, up from 26 mpg today. A rollback of those rules would have major ramifications for automakers, who for the last several years were under government pressure to build more fuel-efficient cars. Many have complained that the standards were too tough to meet and didn't make sense given historically low gasoline prices and consumer preferences for

SUVs. So what exactly will President Trump announce when he travels to a driverless car research center in a suburb of Detroit on Wednesday morning?

Trucking News

Think "well to wheel" around emission options

INDIANAPOLIS, IN – The trucking industry has to “put on the brakes” when it comes to its thirst for diesel if it hopes to meet targets to slash Greenhouse Gas emissions, according to Wilfried Achenbach, Daimler Trucks North America’s senior vice president – engineering and technology. But electric vehicles don’t yet offer the answer when the steps to produce electricity are considered. Speaking at the NTEA’s annual Green Truck Summit, Achenbach stressed that diesel engines continue to be the industry’s “workhorse” because of their high torque and long-life, delivering 10 kwh of energy per kilogram in a format that is easy to refuel and readily available. Gone are the days of black smoke belching from exhaust stacks, thanks to a steady rollout of tighter emissions limits since 1990 that have attacked smog-producing NOx, Particulate Matter, Greenhouse Gases and carbon dioxide, he explained. “We should not see it from any modern diesel engine.” In fact, a 1998 truck belches 35 times more NOx and 60 times more Particulate Matter than an EPA10 equivalent, he said. “What we’ve accomplished as an industry, we can be proud.” But there is more to do. The 2016 Paris Agreement to reduce Greenhouse Gases requires more. “We have to put on the brakes if we continue burning diesel as we do today, we will not be able to live up to those limits,” he said during a keynote address. Transportation accounts for 34% of the carbon dioxide emissions in the U.S. Trucks themselves account for 6%.

Truck News

Getting ZEVs on the road

INDIANAPOLIS, Ind. – Jodi Proctor, director of clean air policy analysis for Transport Canada, said when it comes to zero emission vehicles (ZEVs), “Range anxiety is one of our biggest concerns that needs to be addressed.” Both the Canadian and US governments touted the measures each are taking to encourage the use of ZEVs during the Green Truck Summit March 14 in Indianapolis. Proctor was part of a panel discussion, and she highlighted how Canada’s government has placed a high emphasis on climate change and reducing greenhouse gas emissions. Proctor also underscored the close relationship between Canada and the US. “Policy decisions taken on one side of the border have an impact on the other side,” she said, adding that despite the importance of work trucks to the North American economy, there is still a need to make improvements for the sake of the environment.

International

Green Car Reports

Half of Norway's new-car sales are now hybrids or electrics

Norway has achieved yet another milestone in electric-car sales. The Scandinavian country may be the friendliest for electric cars in the world, thanks to a combination of aggressive incentives, well-developed charging infrastructure, and a citizenry committed to lowering carbon emissions. Thanks to this unique array of circumstances, electric cars routinely make up a larger percentage of new-car sales in Norway than they do in other countries. As data from this year begins to trickle in, it appears that percentage is growing to levels never seen elsewhere. Half of all new cars registered in Norway in January were electric cars or hybrids, reports The Independent. Norway's Road Traffic Information Council reported that electric cars accounted for 17.6 percent of new-car registrations in January.

Trucking News

Canada's emission goals take center stage

INDIANAPOLIS, IN – Canada's is embracing an "ambitious" climate change objective that by 2030 would eliminate more Greenhouse Gases than come from every vehicle on the road today, according to Jody Proctor, Transport Canada's director – clean air policy analysis. Almost ¼ of the nation's Greenhouse Gas emissions come from transportation, and 80% of that comes from on-road vehicles, she said during a panel discussion at the annual Green Truck Summit. Trucks account for about 30% of that. "Transportation clearly needs to be part of our climate change solution," she told the crowd, stressing that climate change will cost Canadians \$21-43 billion per year by 2050. To meet the goals, Proctor described carbon pricing as an "effective, transparent and efficient policy approach". Referenced options included British Columbia's carbon tax, the Alberta carbon levy, and cap-and-trade models introduced in Ontario and Quebec. Every Canadian jurisdiction must have a carbon pricing model by 2018, set at \$10 per tonne in 2018 and rising to \$50 per tonne by 2022. Last month, the federal government also introduced a discussion paper around pending clean fuel standards to reduce the emissions related to fuel, she added. Related strategies included renewable fuel mandates, their specific Greenhouse Gas performance standards, and limits on the overall carbon intensity of fuels. Since 2008, for example, British Columbia has required diesel to have 4% renewable fuel. Last year, Ontario began requiring 4% of diesel to include bio-based diesel.

David Richards

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From: Charmley, William
Sent: Wed 3/15/2017 1:47:09 PM
Subject: Daimler Trucks North America on future of HD transportation and GHGs

Chris –

You may recall that we met Wilfried Achenbach in Portland on the trip you, Angela and I did a few years ago. Wilfried is Martin Daum's #2 person in the company, and the Senior Vice President for Engineering at DTNA.

Think "well to wheel" around emission options

Posted: Mar 14, 2017 9:50 PM | Last Updated: Mar 14, 2017 10:16 PM

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Speaking at the NTEA’s annual Green Truck Summit, Achenbach stressed that diesel engines continue to be the industry’s “workhorse” because of their high torque and long-life, delivering 10 kwh of energy per kilogram in a format that is easy to refuel and readily available.

Gone are the days of black smoke belching from exhaust stacks, thanks to a steady rollout of tighter emissions limits since 1990 that have attacked smog-producing NOx, Particulate Matter, Greenhouse Gases and carbon dioxide, he explained. “We should not see it from any modern diesel engine.” In fact, a 1998 truck belches 35 times more NOx and 60 times more Particulate Matter than an EPA10 equivalent, he said. “What we’ve accomplished as an industry, we can be proud.”

But there is more to do. The 2016 Paris Agreement to reduce Greenhouse Gases

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requires more.

“We have to put on the brakes if we continue burning diesel as we do today, we will not be able to live up to those limits,” he said during a keynote address. Transportation accounts for 34% of the carbon dioxide emissions in the U.S. Trucks themselves account for 6%.

While accounting for a smaller share overall, long-haul heavy-duty trucks remain the most significant lever to shift carbon dioxide emissions, he said.

The good news is that gains have been made. “We are not starting from scratch,” Achenbach said, referring to the first phase of Greenhouse Gas regulations, and a second phase that begins to roll out in 2018. Combination tractors alone will see fuel efficiency boost 20, 23 and 25% in 2021, '24 and '27 model years.

“In the foreseeable future, 10 miles per gallon will become the new normal for tractor-trailer combinations,” he said, referring to the promise shown through SuperTruck programs. “We don’t have to wait 10 years. This is going to happen faster.”

The improvements, however, will involve looking at a broad range of systems. While 170 horsepower is needed to move 76,000 pounds 62 miles per hour, 85 horsepower is lost to aerodynamic drag and 74 horsepower is lost to rolling resistance, he said. Even a focus on tire pressure will make a difference. “Tire pressure, for me, is one of the underutilized levers we have today,” Achenbach says.

But the Daimler executive stressed that electric vehicles are not the answer on their own. Even those have a carbon footprint.

Electricity still has a carbon footprint. “Electricity is not free environmentally. Not as it is today,” Achenbach said, noting how 39% of electricity comes from burning coal, and 28% comes from natural gas. “If we want to change something, we need to change this.” In Germany, however, 30% of the electricity is from wind and solar. But that takes political will. And money.

When measuring well-to-wheel emissions, diesel and electric vehicles perform relatively the same, he says. A single kilowatt-hour of energy at a wheel end is generated with 1.7 pounds of carbon dioxide whether it involves electricity or diesel, he said. “Currently with our energy mix it doesn’t make any sense to go electric,” he added. Change that to solar panels, thermal power plants and windmills, the carbon dioxide begins to drop.

Surprisingly, the vehicle technology is available. It just comes at a cost.

A truck powertrain would require 720-volt batteries and the underlying power distribution, an inverter, and electric motor, he explained. The high-voltage batteries face the biggest issues because of cost and energy density. One day of driving more than 950 kilometers with diesel will require 450 liters of fuel, weighing in at 840 pounds

and costing about \$1,162. Looking at 2022, the battery pack would weigh 11,022 pounds and cost \$156,239.

“Be careful that you take everything into the equation that might contribute to emissions,” he said.

From: Richards, David

Sent: Wednesday, March 15, 2017 9:36 AM

To: Acevedo, Frank <acevedo.francisco@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Argyropoulos, Paul <Argyropoulos.Paul@epa.gov>; Audette, Lucie <audette.lucie@epa.gov>; Barba, Daniel <Barba.Daniel@epa.gov>; Beardslee, Renee <Beardslee.Renee@epa.gov>; Beardsley, Megan <Beardsley.Megan@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Bizer-Cox, Daniel <Bizer-Cox.Daniel@epa.gov>; Blubaugh, Jim <Blubaugh.Jim@epa.gov>; Bradish, Tracey <bradish.tracey@epa.gov>; Brusstar, Matt <brusstar.matt@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Bynum, Cheryl <bynum.cheryl@epa.gov>; Caldwell, Amy <caldwell.amy@epa.gov>; Charmley, William <charmley.william@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Clark, Sarah <clark.sarah@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Dickinson, David <Dickinson.David@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Dotzel, Kathryn <dotzel.kathryn@epa.gov>; Drake, Kerry <Drake.Kerry@epa.gov>; Fowlkes, Sarah <fowlkes.sarah@epa.gov>; Galano, Fidel <Galano.Fidel@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Haley, Mike <Haley.Mike@epa.gov>; Hassan, Nora <hassan.nora@epa.gov>; Haugen, David <haugen.david@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Henning, Julie <henning.julie@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Imfeld, Sterling <imfeld.sterling@epa.gov>; Jackman, Dana <jackman.dana@epa.gov>; Jackson, Cleophas <jackson.cleophas@epa.gov>; Johnson, Dennis <Johnson.Dennis@epa.gov>; Keller, Jennifer <Keller.Jennifer@epa.gov>; Kolowich, Bruce <kolowich.bruce@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Levin, David <Levin.David@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Lo, Doris <Lo.Doris@epa.gov>; Machiele, Paul <machiele.paul@epa.gov>; Maguire, Andrea <Maguire.Andrea@epa.gov>; Manners, Mary <manners.mary@epa.gov>; Martz, Kathleen <martz.kathleen@epa.gov>; McCubbin, Courtney <McCubbin.Courtney@epa.gov>; Meekins, Tanya <Meekins.Tanya@epa.gov>; Michaels, Harvey <Michaels.Harvey@epa.gov>; Miller, Patrick <miller.patrick@epa.gov>; Mitchell, George <Mitchell.George@epa.gov>; Moltzen, Michael

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Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

Bloomberg

[Cities Shop for \\$10 Billion of Electric Vehicles to Defy Trump](#)

Dozens of U.S. cities are willing to buy \$10 billion of electric cars and trucks to show skeptical automakers there's demand for low-emission vehicles, just as President Donald Trump seeks to review pollution standards the industry opposes. Thirty cities including New York and Chicago jointly asked automakers for the cost and feasibility of providing 114,000 electric vehicles, including police cruisers, street sweepers and trash haulers, said Los Angeles Mayor Eric Garcetti, who is coordinating the effort. That would be comparable to about 72 percent of total U.S. plug-in sales last year. While urban leaders want more low-emission vehicles to ease the role city traffic plays in altering the climate, automakers say there aren't enough buyers. They

also have advocated for relaxing rules on traditional fuel vehicles. The Trump administration, which seeks to cut regulations it sees as too costly or onerous, is poised to announce Wednesday that it will reconsider tighter standards finalized a week before President Barack Obama left office.

Trump to Drop Climate Change From Environmental Reviews, Source Says

President Donald Trump is set to sign a sweeping directive to dramatically shrink the role climate change plays in decisions across the government, ranging from appliance standards to pipeline approvals, according to a person familiar with the administration's plan. The order, which could be signed this week, goes far beyond a targeted assault on Obama-era measures blocking coal leasing and throttling greenhouse gas emissions from power plants that has been discussed for weeks. Some of the changes could happen immediately; others could take years to implement. It aims to reverse President Barack Obama's broad approach for addressing climate change. One Obama-era policy instructed government agencies to factor climate change into formal environmental reviews, such as that for the Keystone XL pipeline. Trump's order also will compel a reconsideration of the government's use of a metric known as the "social cost of carbon" that reflects the potential economic damage from climate change. It was used by the Obama administration to justify a suite of regulations.

NPR

EPA Reopens U.S. Rules Setting Vehicle Efficiency Standards For 2025

U.S. automakers may not have to reach fuel efficiency standards that were set during President Obama's administration, as the Environmental Protection Agency says it's reopening a review of the rules. President Trump will make that announcement on Wednesday in meetings with auto industry executives and workers in Michigan. In Washington, a senior White House official said the president wants to "set standards that are technologically feasible, economically feasible and allow the auto industry to grow and create jobs." The Obama-era rules stemmed from an agreement the government reached with major vehicles in the summer of 2011, setting carbon dioxide emissions targets for passenger cars and light trucks that were equivalent to the industry's fleet of achieving an average of 54.5 miles per gallon by the 2025 model year. The reopening of the rules review comes after a request from the Alliance of Automobile Manufacturers, an industry group that represents both domestic and foreign automakers. The group's request came last month, after the confirmation of Scott Pruitt as EPA administrator.

E&E News

Methane from power plants far exceeds EPA estimates — study

A new study shows that estimates of how much methane escapes from natural gas-fired power plants and oil refineries could be much too low, pointing to pollution from leaky industrial hardware. Researchers from Purdue University estimated that emissions from power plants fueled by natural gas could be 21 to 120 times higher than figures in U.S. EPA's most recent final greenhouse gas inventory. For oil refineries, emissions may be 11 to 90 times higher than EPA estimates. The study was published yesterday by the journal *Environmental Science & Technology*. The team used Purdue's flying atmospheric chemistry lab — a Beechcraft Duchess light twin-engine airplane equipped with an airflow measurement probe — to collect daily samples at three natural gas power plants and three refineries from July 30 to Oct. 1, 2015. "Our objective was to collect reliable data to compare to the inventories," said Paul Shepson, director of Purdue's Climate Change Research Center. EPA's greenhouse gas reporting program focuses on how much escapes from belching power stacks, without considering that methane could be leaking from compressors, valves and industrial hardware, Shepson explained. "The good news from our study is that while emissions are greater than anticipated, natural gas-burning power plants are still cleaner, relative to burning coal," Shepson said.

Los Angeles Times

What to expect when Trump takes on fuel economy and clean air regulations Wednesday

The Trump administration is expected to announce a review of fuel economy and emissions regulations Wednesday morning that could lead to an overhaul of the standards set in place by the Obama administration. Current emissions rules were put in place in January, when President Obama's Environmental Protection Agency finalized mileage and emissions standards for model years 2022-2025. Those standards call for a real-world fuel-burning performance of 36 miles per gallon on average, up from 26 mpg today. A rollback of those rules would have major ramifications for automakers, who for the last several years were under government pressure to build more fuel-efficient cars. Many have complained that the standards were too tough to meet and didn't make sense given historically low gasoline prices and consumer preferences for SUVs. So what exactly will President Trump announce when he travels to a driverless car research center in a suburb of Detroit on Wednesday morning?

Trucking News

Think "well to wheel" around emission options

INDIANAPOLIS, IN – The trucking industry has to “put on the brakes” when it comes to its thirst for diesel if it hopes to meet targets to slash Greenhouse Gas emissions, according to Wilfried Achenbach, Daimler Trucks North America's senior vice president – engineering and technology. But electric vehicles don't yet offer the answer when the steps to produce electricity are considered. Speaking at the NTEA's annual Green Truck Summit, Achenbach stressed that diesel engines continue to be the industry's “workhorse” because of their high torque and long-

life, delivering 10 kwh of energy per kilogram in a format that is easy to refuel and readily available. Gone are the days of black smoke belching from exhaust stacks, thanks to a steady rollout of tighter emissions limits since 1990 that have attacked smog-producing NOx, Particulate Matter, Greenhouse Gases and carbon dioxide, he explained. “We should not see it from any modern diesel engine.” In fact, a 1998 truck belches 35 times more NOx and 60 times more Particulate Matter than an EPA10 equivalent, he said. “What we’ve accomplished as an industry, we can be proud.” But there is more to do. The 2016 Paris Agreement to reduce Greenhouse Gases requires more. “We have to put on the brakes if we continue burning diesel as we do today, we will not be able to live up to those limits,” he said during a keynote address. Transportation accounts for 34% of the carbon dioxide emissions in the U.S. Trucks themselves account for 6%.

Truck News

Getting ZEVs on the road

INDIANAPOLIS, Ind. – Jodi Proctor, director of clean air policy analysis for Transport Canada, said when it comes to zero emission vehicles (ZEVs), “Range anxiety is one of our biggest concerns that needs to be addressed.” Both the Canadian and US governments touted the measures each are taking to encourage the use of ZEVs during the Green Truck Summit March 14 in Indianapolis. Proctor was part of a panel discussion, and she highlighted how Canada’s government has placed a high emphasis on climate change and reducing greenhouse gas emissions. Proctor also underscored the close relationship between Canada and the US. “Policy decisions taken on one side of the border have an impact on the other side,” she said, adding that despite the importance of work trucks to the North American economy, there is still a need to make improvements for the sake of the environment.

International

Green Car Reports

Half of Norway's new-car sales are now hybrids or electrics

Norway has achieved yet another milestone in electric-car sales. The Scandinavian country may be the friendliest for electric cars in the world, thanks to a combination of aggressive incentives, well-developed charging infrastructure, and a citizenry committed to lowering carbon emissions. Thanks to this unique array of circumstances, electric cars routinely make up a larger percentage of new-car sales in Norway than they do in other countries. As data from this year begins to trickle in, it appears that percentage is growing to levels never seen elsewhere. Half of all new cars registered in Norway in January were electric cars or hybrids, reports The Independent.

Norway's Road Traffic Information Council reported that electric cars accounted for 17.6 percent of new-car registrations in January.

Trucking News

Canada's emission goals take center stage

INDIANAPOLIS, IN – Canada's is embracing an "ambitious" climate change objective that by 2030 would eliminate more Greenhouse Gases than come from every vehicle on the road today, according to Jody Proctor, Transport Canada's director – clean air policy analysis. Almost ¼ of the nation's Greenhouse Gas emissions come from transportation, and 80% of that comes from on-road vehicles, she said during a panel discussion at the annual Green Truck Summit. Trucks account for about 30% of that. "Transportation clearly needs to be part of our climate change solution," she told the crowd, stressing that climate change will cost Canadians \$21-43 billion per year by 2050. To meet the goals, Proctor described carbon pricing as an "effective, transparent and efficient policy approach". Referenced options included British Columbia's carbon tax, the Alberta carbon levy, and cap-and-trade models introduced in Ontario and Quebec. Every Canadian jurisdiction must have a carbon pricing model by 2018, set at \$10 per tonne in 2018 and rising to \$50 per tonne by 2022. Last month, the federal government also introduced a discussion paper around pending clean fuel standards to reduce the emissions related to fuel, she added. Related strategies included renewable fuel mandates, their specific Greenhouse Gas performance standards, and limits on the overall carbon intensity of fuels. Since 2008, for example, British Columbia has required diesel to have 4% renewable fuel. Last year, Ontario began requiring 4% of diesel to include bio-based diesel.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Charmley, William
Sent: Tue 3/14/2017 8:55:09 PM
Subject: What the EPA Regulations say regarding consideration, among many factors, of the CAFE standards
[January 2017 EPA Final Determination, 420r17001.pdf](#)

Chris –

the MTE regulations that EPA put in place in 2012 says the following regarding what Factors the Administrator would consider. One of the factors is (1)(vii):

“The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program”

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

(i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;

(ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;

(iii) The feasibility and practicability of the standards;

(iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;

(v) The impact of the standards on the automobile industry;

(vi) The impacts of the standards on automobile safety;

(vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and

(viii) The impact of the standards on other relevant factors.

Regarding how did EPA Administrator McCarthy consider this factor in reaching her Determination in January of 2017, here is what EPA said. Note this is on pages 27-28 of her Final Determination document.

(vii) The impact of the greenhouse gas emission standards on the corporate and economy standards and a national harmonized program

The EPA has assessed the impacts of the standards on the CAFE standards and a national harmonized program. EPA notes that NHTSA has established augural standards for MY2022-2025 and must by statute undertake a *de novo* notice and comment rulemaking to establish standards for these model years. Under the Energy Policy and Conservation Act (EPCA) as amended by the Energy Independence and Security Act (EISA), NHTSA must establish standards at least 18 months before the beginning of each model year.⁴⁷ That statute requires the Secretary of Transportation to consult with the EPA Administrator in establishing standards.⁴⁸ The EPCA/EISA statute includes a number of factors that NHTSA must consider when deciding maximum feasible average fuel economy, including “the effect of other standards of the Government on fuel economy.”⁴⁹ Thus, in determining the CAFE standards for MY2022-2025, NHTSA can take into consideration the light-duty GHG standards that NHTSA did so in initially establishing the MY2017-2021 CAFE standards and the augural standards. See 77 FR 62669, 62720, 62803-804. The EPA believes that by providing this information on our evaluation of the current record and our determination that the proposed standards for MY2022-2025 are appropriate, we are enabling, to the greatest degree possible, NHTSA to take this analysis and the GHG standards into account in considering CAFE standards for MY2022-2025.

The EPA recognizes that in 2012, when we discussed the mid-term evaluation of the standards, we had an intent that if EPA's determination was that the standards should not change, that we would issue its final determination concurrently with NHTSA's final rule adopting fuel economy standards for MY2022-2025. See 77 FR at 62633. Our intent was to align the proceedings for MYs 2022-2025 and to maintain a joint national program. *Id.* We are now committed to a joint national program that aligns, as much as possible, the requirements of EPA, NHTSA, and CARB. The Administrator concludes, however, that providing her determination that the GHG standards remain appropriate now, rather than waiting until after NHTSA's proposed standards, allows NHTSA to fully account for the GHG standards and align the agencies' determinations. Thus, the Administrator finds that her determination

account of the relationship between GHG standards and fuel economy standards and supports the goal of a national harmonized program.⁵⁰

In an action separate from this Final Determination, the EPA will be responding to a petition received from the auto industry trade associations, the Alliance of Automobile Manufacturers and Global Automakers, regarding several provisions that they request be harmonized between the EPA GHG standards and the NHTSA CAFE standards.⁵¹ On December 21, 2016, NHTSA signed a Federal Register notice signaling its plan to consider the NHTSA-specific requests from the auto industry petition. The EPA likewise intends, in the near future, to continue working together with NHTSA, the Petitioners and other stakeholders, as we carefully consider the requests made in the June 2016 petition, and possible ways to further harmonize the national program.

To: Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
From: Charmley, William
Sent: Tue 3/14/2017 8:13:08 PM
Subject: RE: Q and A

Erin –

Tomorrow's announcement is really about 2 things as far as I can tell:

1. The Administrator is going to re-consider the Final Determination regarding the appropriateness of the EPA 2022-2025 GHG standards
2. EPA and DOT will work very closely on this topic to ensure a coordinated program between the EPA and DOT standards for light-duty vehicle GHG and fuel economy

There is no new analysis being released tomorrow, and those no new numbers.

From that perspective, I think the majority of these Q&As are simply not relevant to tomorrow. They were relevant for the EPA announcements this past fall/January.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Birgfeld, Erin

Sent: Tuesday, March 14, 2017 3:54 PM

To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William
<charmley.william@epa.gov>

ED_001220_00001056-00002

ED_001220_00001056

Subject: FW: Q and A
Importance: High

Ben and Bill,

Attached are Q and A's that were sent to DOT last week I think based on the final determination in January. Can you all weigh in as needed?

Thanks,

Erin

From: Drinkard, Andrea
Sent: Tuesday, March 14, 2017 3:39 PM
To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Millett, John <Millett.John@epa.gov>
Subject: Fwd: Q and A

Erin, here's the file...

Sent from my iPhone

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: March 14, 2017 at 3:29:41 PM EDT
To: "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>, "Millett, John" <Millett.John@epa.gov>, "Hull, George" <Hull.George@epa.gov>
Subject: Fwd: Q and A

Sent from my iPhone

Begin forwarded message:

ED_001220_00001056-00003

ED_001220_00001056

From: "McInerney, Marianne (OST)" <marianne.mcinerney@dot.gov>
Date: March 14, 2017 at 2:39:30 PM EDT
To: "Hull, George" <Hull.George@epa.gov>, "Moore, Allison (OST)" <A.Moore@dot.gov>, "Konkus, John" <konkus.john@epa.gov>
Cc: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Dorr, Kaclan K. EOP/WHO" <[REDACTED]>, "Rateike, Bradley A. EOP/WHO" <[REDACTED]>
Subject: Q and A

Please see the attached Q&A with tracked comments. We have run the traps on the document giving an important eye to the technical side.

I think it is important that we each do one more round. We would suggest you review the attached. [REDACTED] **Ex. 5 - Deliberative Process**

[REDACTED] **Ex. 5 - Deliberative Process**

Thank you

Marianne

Marianne McInerney
 Office of the Secretary
 U.S. Department of Transportation
 Mobile: [REDACTED] **Ex. 6 - Personal Privacy**

To: Josh Nassar - The UAW (jnassar@uaw.net)[jnassar@uaw.net]
From: Charmley, William
Sent: Tue 3/14/2017 3:13:56 PM
Subject: Follow-up from our phone discussion yesterday

Josh,

Thank you for the time on the phone yesterday.

Below is an article that Bloomberg published this morning on the President's visit to Michigan tomorrow.

I highlighted two elements in yellow – the following from the article:

“He’ll speak with worker and executives at carmakers”

“Automakers have argued for months that the Obama-era rules impose higher costs, don’t reflect consumer preferences, and carry risk for American workers.”

Do you know if the UAW will have a statement on this action, or if the UAW is participating in tomorrow’s event?

ED_001220_00001061-00001

ED_001220_00001061

Thanks

Bill

<https://www.bloombergquint.com/politics/2017/03/13/trump-to-visit-detroit-automakers-seeking-fuel-economy-rollback>

Trump Answers Automaker Call for Review of \$33 Billion Rules

[John Lippert](#)

[Jennifer A. Dlouhy](#)

[David Welch](#)

Updated on March 14, 2017, 10:50 am

March 13, 2017, 11:03 am

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(Bloomberg) -- When President Donald Trump visits the Detroit area this week, he'll come bearing a gift: a first step toward relaxing rules that could cost automakers about [\\$33 billion](#).

Trump will announce as part of a visit to Ypsilanti, Michigan, on Wednesday that his administration will begin re-examining fuel-economy standards set by the Obama administration, according to two people familiar with the plans. He'll speak with workers and executives at carmakers that have sought to relax the rules, which the Environmental Protection Agency tried to solidify during the final days of Barack Obama's presidency.

In tasking new EPA Administrator Scott Pruitt with reviewing the standards, Trump is handing a victory to companies he initially targeted for their trade practices and has more recently embraced for their investment in U.S. manufacturing and hiring plans. Automakers have argued for months that the Obama-era rules impose higher costs, don't reflect consumer preferences, and carry risk for American workers. They'll make their case with Pruitt, who last week discounted how much human activity contributes to climate change.

The focus of Trump's visit will be "highlighting the need to eliminate burdens from regulations that needlessly hinder meaningful job growth," White House spokesman Sean Spicer said Monday.

Accelerated Review

The Trump administration's reconsideration involves tougher gas mileage and emissions rules for 2022 through 2025. The EPA's decision in January to keep in place requirements set by the Obama administration came more than a year before an April 2018 deadline for the standards to finish being reviewed. That ruling drew criticism from Ford Motor Co. and its peers as being rushed for political purposes.

Trump is slated to announce plans to reinstate the mid-term review and resume studying whether fuel economy rules are feasible or if automakers need some relief, said the people familiar with the matter, who asked to not be identified because the announcement hasn't been made. Auto industry executives, including General Motors Co. Chief Executive Officer Mary Barra and Fiat Chrysler Automobiles NV's Sergio Marchionne, are expected to attend.

Fiat Chrysler -- which is poised to benefit the most from looser fuel economy rules -- rose 0.5 percent in New York at 9:53 a.m., while GM and Ford were each down about 0.4 percent.

Trade groups representing carmakers including GM, Toyota Motor Corp., Honda Motor Co. and Volkswagen AG formally asked last month for Pruitt to revoke the Obama administration's decision to leave the 2025 standards intact. Eighteen automakers separately petitioned earlier in

February for President Trump to reinstate the mid-term evaluation.

Cost Emphasis

“We are committed to continued gains in fuel efficiency and carbon reduction,” the executives said in their letter to Trump. “At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels.”

Assuming Trump reopens the review, the current EPA standards would remain in effect. But the move to reopen the evaluation hands automakers a fresh chance to press for changes for the long-term goals, which aim to bring the average fuel economy for a vehicle in the U.S. to more than 50 miles per gallon, from 36 today.

Actually changing the standards, enacted in 2012, would be a lengthy process, requiring a formal agency rulemaking with a public comment period.

The EPA estimated under Obama that the costs required to meet the standards through 2025 would be about \$33 billion. It also assessed that advantages including fuel savings and energy security would outweigh the costs of the rules and lead to about \$98 billion in net benefits.

Automakers have expressed concern about the cost and marketplace assumptions underpinning the EPA’s analysis of the standards. They agreed to the ambitious standards in 2011 in part because regulators included the mid-term evaluation to ensure the rules were appropriate based on conditions in the auto market.

Environmental Backlash

“What we’re looking for is to really have that review that was part of the original plan that all the automakers agreed to,” GM’s Barra told reporters on Feb. 28.

Environmental groups have complained that automakers are hiding their true intent.

“Make no mistake this is a demand to weaken the standards disguised as a polite procedural request,” said Dan Becker, director of the Safe Climate Campaign.

In an opinion piece published Sunday, Becker and James Gerstenzang, editorial director of the Safe Climate Campaign, said the cost of reversing course would be “catastrophic,” as weaker standards would drive up demand for oil and therefore generate more heat-trapping carbon dioxide emissions.

“Together, they are following a scorched-earth policy that leaves us all at risk: a huge industry unprotected against future economic turmoil, American consumers vulnerable to fickle oil prices, our national security reliant on oil from unreliable suppliers and our economy hobbled by the flow of dollars to OPEC,” Becker and Gerstenzang wrote. “And on top of all that, a world facing the challenge of a changing climate.”

Bloomberg

To: Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Jeff Alson[Alson.Jeff@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
From: Charmley, William
Sent: Mon 3/13/2017 5:54:04 PM
Subject: FW: GHG Standards Q and A - due Monday
CAFE Questions 3-10.docx

Robin, Mike, and Jeff –

I should have forwarded this to you sooner, sorry about that. As I mentioned at our meeting this afternoon, some Q&As came into the EPA press folks and OAR front office from someone within the Administration regarding the topic of LD GHG and CAFE.

The attached I believe shows the status as of late Friday.

Here are the 4 questions as we received them:

CAFE/ GHG Standard Questions

Ex. 5 - Deliberative Process

ED_001220_00001067-00001

ED_001220_00001067

Ex. 5 - Deliberative Process

Erin – what is the current status of the response to Question #3

Thanks

Bill

From: Senn, John

Sent: Monday, March 13, 2017 11:36 AM

To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Charmley, William <charmley.william@epa.gov>

Cc: Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Millett, John <Millett.John@epa.gov>

Subject: RE: GHG Standards Q and A - due Monday

Here is some language the Evan Belser put together for No. 2—thanks,

John

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Birgfeld, Erin
Sent: Friday, March 10, 2017 2:34 PM
To: Orlin, David <Orlin.David@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Charmley, William <charmley.william@epa.gov>
Cc: Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Millett, John <Millett.John@epa.gov>
Subject: GHG Standards Q and A - due Monday

Hi gang,

Just so we are all on the same page, the press office asked OGC, OECA and OTAQ to weigh in on these Q and A's on the CAFE/GHG standards. Here is the initial draft for review. It still needs input from OTAQ technical staff, but though I'd share anyway. Nancy has asked that we provide input on Monday.

I am happy to consolidate input on Monday.

Thanks and have a great weekend.

Best,

Erin

ED_001220_00001067-00004

ED_001220_00001067

From: Millett, John
Sent: Friday, March 10, 2017 10:16 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>
Subject: Re: Q's that need A's

So we're all on the same page. Offices that should take first crack at the answers. --

1 --OGC

2 -- OECA

3 -- OAR

4 -- I'm not aware of the information necessary to respond to this.

John Millett

202.510.1822

On Mar 10, 2017, at 10:07 AM, Drinkard, Andrea <Drinkard.Andrea@epa.gov> wrote:

I'm adding Ben and Erin.

From: Grantham, Nancy
Sent: Friday, March 10, 2017 10:00 AM
To: Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Grantham, Nancy

<Grantham.Nancy@epa.gov>
Subject: Fwd: Q's that need A's

As part of our comms prep for cafe rollout next week - we need assistance with answers for these questions-- unfortunately on a fast turnaround - thx ng

Sent from my iPhone

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: March 10, 2017 at 9:45:56 AM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Cc: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>
Subject: Q's that need A's

Here are few questions. Nancy, are you sending this to OP or OAR?

Catherine C. Milbourn
Office of Media Relations
Office of the Administrator
U.S. EPA HQ
202-564-7849 (office)
202-420-8648 (mobile)
Milbourn.cathy@epa.gov

<CAFE Questions.docx>

ED_001220_00001067-00007

ED_001220_00001067

To: Gonzalez, Gail[Gonzalez.Gail@epa.gov]
From: Charmley, William
Sent: Mon 3/13/2017 2:30:04 PM
Subject: Please print 10 copies of the attached.
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx
ATT00001.txt

ED_001220_00001069-00001

ED_001220_00001069

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Charmley, William
Sent: Mon 3/13/2017 2:29:25 PM
Subject: MTE
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx
ATT00001.txt

ED_001220_00001072-00001

ED_001220_00001072

To: Manning, Bryan[manning.bryan@epa.gov]; Michael Samulski (samulski.michael@epa.gov)[samulski.michael@epa.gov]; Audette, Lucie[audette.lucie@epa.gov]
From: Charmley, William
Sent: Wed 3/8/2017 3:18:05 PM
Subject: FW: OTAQ Daily News Brief - article on ICAO

Matt and Bryan –

Do we know who represented the United States at thie ICAO Council meeting that just happened? Was it someone from FAA?

Thanks

Bill

Aviation International News

[ICAO Council Adopts New Aircraft CO2 Emissions Standard](#)

The council of the International Civil Aviation Organization (ICAO) adopted a new carbon dioxide emissions standard for aircraft, the first such design certification standard among world industry sectors, the organization announced on March 6. Approval by the 36-nation council codifies recommendations made by a committee of experts in February 2016. The standard applies to new aircraft type designs as of 2020 and to designs already in production as of 2023. Aircraft that are already in production must meet the standard by 2028 or be sufficiently modified, ICAO said. It is contained in a new Volume III to Annex 16 of the Chicago

ED_001220_00001087-00001

ED_001220_00001087

Convention that created the United Nations aviation body. Boeing in a statement said that it is “fully committed to meeting the new standard and will put our resources to work to ensure that our products meet the standard as well as customer requirements.” The U.S. manufacturer noted that current-production 787 and 737 Max airliners were designed to meet or exceed emissions requirements. The 777X, which Boeing expects to begin delivering in 2020, will be the world’s largest and most fuel-efficient twin-engine jet, it declared.

From: Richards, David

Sent: Wednesday, March 08, 2017 9:48 AM

To: Acevedo, Frank <acevedo.francisco@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Argyropoulos, Paul <Argyropoulos.Paul@epa.gov>; Audette, Lucie <audette.lucie@epa.gov>; Barba, Daniel <Barba.Daniel@epa.gov>; Beardslee, Renee <Beardslee.Renee@epa.gov>; Beardsley, Megan <Beardsley.Megan@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Bizer-Cox, Daniel <Bizer-Cox.Daniel@epa.gov>; Blubaugh, Jim <Blubaugh.Jim@epa.gov>; Bradish, Tracey <bradish.tracey@epa.gov>; Brusstar, Matt <brusstar.matt@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Bynum, Cheryl <bynum.cheryl@epa.gov>; Caldwell, Amy <caldwell.amy@epa.gov>; Charmley, William <charmley.william@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Clark, Sarah <clark.sarah@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Dickinson, David <Dickinson.David@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Dotzel, Kathryn <dotzel.kathryn@epa.gov>; Drake, Kerry <Drake.Kerry@epa.gov>; Fowlkes, Sarah <fowlkes.sarah@epa.gov>; Galano, Fidel <Galano.Fidel@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Haley, Mike <Haley.Mike@epa.gov>; Hassan, Nora <hassan.nora@epa.gov>; Haugen, David <haugen.david@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Henning, Julie <henning.julie@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Imfeld, Sterling <imfeld.sterling@epa.gov>; Jackman, Dana <jackman.dana@epa.gov>; Jackson, Cleophas <jackson.cleophas@epa.gov>; Johnson, Dennis <Johnson.Dennis@epa.gov>; Keller, Jennifer <Keller.Jennifer@epa.gov>; Kolowich, Bruce <kolowich.bruce@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>; Lakin, Matt

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<Lakin.Matthew@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Levin, David <Levin.David@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Lo, Doris <Lo.Doris@epa.gov>; Machiele, Paul <machiele.paul@epa.gov>; Maguire, Andrea <Maguire.Andrea@epa.gov>; Manners, Mary <manners.mary@epa.gov>; McCubbin, Courtney <McCubbin.Courtney@epa.gov>; Meekins, Tanya <Meekins.Tanya@epa.gov>; Michaels, Harvey <Michaels.Harvey@epa.gov>; Miller, Patrick <miller.patrick@epa.gov>; Mitchell, George <Mitchell.George@epa.gov>; Moltzen, Michael <Moltzen.Michael@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Nelson, Brian <nelson.brian@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Patulski, Meg <patulski.meg@epa.gov>; Peralta, Maria <Peralta.Maria@epa.gov>; Revelt, Jean-Marie <revelt.jean-marie@epa.gov>; Samulski, Michael <samulski.michael@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Schenk, Ruth <schenk.ruth@epa.gov>; Schweinfurth, Rob <Schweinfurth.Rob@epa.gov>; Scoville, Pat <Scoville.Pat@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Spears, Matthew <spears.matthew@epa.gov>; Spieth, John <Spieth.John@epa.gov>; Storhok, Ines <storhok.ines@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; Sun, Lisa <Sun.Lisa@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; VanGessel, Benjamin <vangessel.benjamin@epa.gov>; Vawters, Katie <Vawters.Katie@epa.gov>; Watkins, Erica <Watkins.Erica@epa.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; Weihrauch, John <Weihrauch.John@epa.gov>; Wilcox, Jason <Wilcox.Jason@epa.gov>; Witkowski, Nicolas <witkowski.nicolas@epa.gov>; Yarbrough, Cody <yarbrough.cody@epa.gov>; Zaremski, Sara <zaremski.sara@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>

Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

Detroit News

[Senators call on EPA not to roll back mpg standards](#)

Washington — Eleven Democratic senators on Tuesday called on the Environmental Protection Agency not to roll back federal fuel-economy standards for cars and trucks, arguing the move would harm consumers and lead to costly litigation. The EPA and U.S. Department of

Transportation under President Donald Trump are expected as early as this week to reopen the review of greenhouse gas emission standards that require automakers to produce car and truck fleets averaging more than 50 miles per gallon by 2025. Corporate Average Fuel Economy standards ramp up incrementally from the 35-plus miles per gallon required for 2017 models already in showrooms. The fuel-economy standards were supposed to be reviewed in 2018, but after a brief comment period that ended Dec. 30, the EPA pushed through portions of the regulations just days before Trump took office. The Auto Alliance, a trade group which represents automakers including the Detroit Three, has said this “unnecessarily politicized” the midterm review of the emission standards by moving to finalize the regulations ahead of schedule. The senators, led by Ed Markey of Massachusetts, wrote to EPA Administrator Scott Pruitt, saying the auto emissions standards are both economically feasible and technologically achievable for the industry, and that they enhance national security by reducing the nation’s reliance on foreign oil.

Aviation International News

ICAO Council Adopts New Aircraft CO2 Emissions Standard

The council of the International Civil Aviation Organization (ICAO) adopted a new carbon dioxide emissions standard for aircraft, the first such design certification standard among world industry sectors, the organization announced on March 6. Approval by the 36-nation council codifies recommendations made by a committee of experts in February 2016. The standard applies to new aircraft type designs as of 2020 and to designs already in production as of 2023. Aircraft that are already in production must meet the standard by 2028 or be sufficiently modified, ICAO said. It is contained in a new Volume III to Annex 16 of the Chicago Convention that created the United Nations aviation body. Boeing in a statement said that it is “fully committed to meeting the new standard and will put our resources to work to ensure that our products meet the standard as well as customer requirements.” The U.S. manufacturer noted that current-production 787 and 737 Max airliners were designed to meet or exceed emissions requirements. The 777X, which Boeing expects to begin delivering in 2020, will be the world’s largest and most fuel-efficient twin-engine jet, it declared.

Reuters

Autos bosses focus on technology rather than PSA-Opel

The auto industry is facing seismic changes with the rise of electric vehicles, automated driving and car sharing set to eclipse even big mergers such as PSA's purchase of Opel, executives at the Geneva auto show said. Peugeot maker PSA Group (PEUP.PA) said on Monday it had agreed to buy loss-making Opel from General Motors (GM.N), creating Europe's second-biggest carmaker behind Volkswagen (VOWG_p.DE) and sparking speculation of more consolidation. However, some auto executives gathering in Geneva said the deal was unlikely to alter the landscape on its

own, with changing consumer habits and new rivals in Silicon Valley and China all likely to have a much bigger impact on carmakers. "My feeling is that the industry as a whole and brand positioning will change in the next 10 or 15 years, and that comes in addition to traditional consolidation," said Herbert Diess, head of Volkswagen's (VW) passenger car division. "We are really in a transitionary phase for the industry. There are new competitors on the horizon like Tesla or Chinese ventures," Diess told reporters, adding that he did not expect a wave of Opel-style mergers.

Exxon to invest \$20 billion on U.S. Gulf Coast refining projects

Exxon Mobil Corp (XOM.N), the world's largest publicly traded oil producer, said on Monday it would invest \$20 billion through 2022 to expand its chemical and oil refining plants on the U.S. Gulf Coast. The investments at 11 sites should create 35,000 temporary construction jobs and 12,000 permanent jobs, Chief Executive Darren Woods said in a speech at CERAWeek, the world's largest gathering of energy executives. Some of the expansions began in 2013, but the scope of the project is now growing and the timeline extended, Exxon said. Woods ran Exxon's refining division before becoming CEO two months ago, and the new spending benefits a sector with which he has significant experience and comfort. Investments in the high-margin projects should help ease concerns from Wall Street that Exxon's growth potential - especially in oil and gas exploration and production - is sliding. "Exxon Mobil is building a manufacturing powerhouse along the U.S. Gulf Coast," Woods said. "These businesses are leveraging the shale revolution to manufacture cleaner fuels and more energy-efficient plastics."

White House weighs U.S. biofuels program change, no position yet -official

The Trump administration is reviewing the possibility of a key change to U.S. biofuels policy requested by oil refiners and Carl Icahn, the billionaire investor and special advisor on regulations to President Donald Trump, a White House official said on Monday. The administration has no position "either way on this issue at this time," the White House official confirmed to Reuters. The statements come after news last week that Icahn had reached out to the White House regarding the change. The debate centers on the Renewable Fuel Standard (RFS), a 2005 policy that requires increasing volumes of biofuels to be added to gasoline and diesel each year. Oil refiners including Valero Energy Corp and CVR Energy Inc currently have to show environmental regulators they are meeting those annual mandates, and have urged the government to push this compliance further downstream to fuel blenders and integrated oil companies. Opponents of the change say it will complicate ensuring compliance and that it could threaten the future of the RFS policy that sets the annual requirements for use of biofuels with gasoline and diesel. Confusion over Trump's plans for RFS sparked wild swings in energy and agricultural markets last week. Carl Icahn, who owns a majority stake in CVR, said he had reached out to the White House about the issue.

U.S. to probe some Ford imports of hybrid electric vehicles, parts

The U.S. International Trade Commission said on Tuesday it has launched a patent-infringement investigation into imports of certain hybrid electric vehicles and parts by Ford Motor Co. The probe was sought by Paice LLC and Abell Foundation Inc, both privately owned companies in Baltimore, which allege that the imports infringe their patents, the ITC said in a statement. The two companies are seeking a limited exclusion order and cease and desist orders, it said.

Biofuels Magazine

Renewable Fuels Nebraska opposes 'any change' to RFS point of obligation

Renewable Fuels Nebraska, a trade body for the US ethanol industry, has issued a statement stating that it is "strongly opposed to any change in the point of obligation". The statement follows last week's news of rumours from the Trump administration that it would remove oil refiner's obligation to blend ethanol with petro under the Renewable Fuel Standard (RFS) programme. In response to unconfirmed reports concerning the possibility of a change to the point of obligation under the RFS, RFN executive director Mark Palmer said: "Since its inception in 2005, the RFS has been a pillar of our domestic energy policy. Recently, there have been calls for a change in the RFS by moving the point of obligation. "RFN remains strongly opposed to any change in the Point of Obligation if it would undermine the integrity of that important program. RFN is committed to the RFS because it is good public policy, good for consumers, and good for Nebraska. "The challenge facing the Nebraska ethanol industry today is access to the consumer. RFN supports measures that would eliminate barriers to the increased sale of E15 and open new markets for domestic renewable fuels."

Iowa Governor maintains that Trump will support ethanol producers

Iowa Governor Terry Branstad has said that he has been assured President Donald Trump's administration will support producers of ethanol and biodiesel fuels, according to media reports. According to the Des Moines Reporter, Branstad was aware of reports to change the point of obligation in relation to the Renewable Fuels Standard (RFS). "I know the rumors and I can tell you who was involved, and I can tell you they are not true," Branstad told reporters, according to a report in the Des Moines Reporter. He added that he has talked with his son, Eric Branstad, who works in the Trump administration, and that his son told him that "his is not going to happen" The news follows an announcement last week by trade body Fuels America cutting its ties with counterpart Renewable Fuels Association (RFA) after it discovered that a Trump official had told the RFA that Trump would sign an executive order shifting the burden for blending ethanol and biodiesel into the nation's fuel supply from oil refiners to fuel retailers. The Renewable Fuel Standard (RFS) would be maintained, but responsibility for compliance would be shifted from refiners to fuel blenders, the RFA was told. The move, critics said, would hurt

Iowa farmers and consumers by hindering the widespread use of ethanol and biodiesel. The White House subsequently distanced itself from the reports. Branstad said he shared concerns about a possible shift of responsibility for blending biofuels to retailers. The agreement allegedly involved the Renewable Fuels Association and Trump adviser Carl Icahn, a billionaire investor in CVR Refining, a Texas energy company.

Chicago Tribune

[Bowling to auto industry pressure, Trump to reconsider emissions standards, says source](#)

The Trump administration plans to open the door to a possible reconsideration of greenhouse gas emission standards for cars and light trucks that has been sought by automakers, according to a person familiar with the plans. The Environmental Protection Agency in the final days of the Obama administration decided to lock in the emissions standards through 2025 that had been negotiated with the industry in 2011. That decision will be withdrawn for reconsideration as early as next week, said the person, who would only discuss the plans on the condition of anonymity because they have not been made public. An EPA spokeswoman declined to comment. It will be one of a series of actions taken by the Trump administration recently to reconsider or reverse Obama-era regulations opposed by industry.

Forbes

[Seeking Survival, Coal Industry Wants To Be Part Of The Low-Carbon Economy](#)

During President Trump's address to the nation, he explained that his administration would remove regulations -- including those tied to the coal industry -- to create an economic expansion. But even the coal sector realizes that its future may be more closely linked to investments in low-carbon technologies. Now the coal operators are pushing for public incentives to motivate new capital to flow into ultra-efficient plants and those that are able to capture carbon releases. The result, they say, will produce power plants as clean as today's natural gas units -- a roughly 45% efficiency rate, which is greater than the current 33% figure and which means fewer emissions on the backend. That's a position generally endorsed by former Energy Secretary Ernest Moniz, who served under President Obama. "The coal industry must build, own and operate these new plants. ...," Moniz said last fall before the Energy Innovation Forum. "Getting the tax credits ... would be a very, very big deal. Having the tax credits in place and the trajectory for carbon reductions, in my view, is what the investment community needs."

LA Times

California won't meet its climate change goals without a lot more housing density in its cities

To meet the bold new climate change goals put in place last year, California will work to put millions of electric cars on the road, revolutionize its dairy industry and generate half of all power from solar panels and other renewable sources. But those efforts will come up short, warn state regulators, without dramatic changes to how Californians live and travel. The state has pledged to reduce its greenhouse gas emissions to 40% below 1990 levels by 2030. To do so, Southern Californians will have to drive nearly 12% less by that date than they did five years ago, cutting their miles on the road every day from 22.8 to 20.2, according a Los Angeles Times estimate based on data from state and regional climate and planning officials. These driving reductions mean that Californians will have to walk, bike and use mass transit much more frequently than they do now. By 2030, residents will have to travel by foot four times more frequently than they did in 2012, alongside a nine-fold increase in bicycling over the same time, and a substantial boost in bus and rail ridership, climate officials say.

Green Car Reports

New York state electric-car rebate program to launch this month

New York state has finally issued details on its effort to step up its efforts to promote electric cars. The Empire State is one of eight so-called "ZEV states" that have adopted California emissions standards. But New York does not mandate automakers to sell zero-emission vehicles within its borders, and currently does not offer purchase incentives to consumers. That will change within this month, as legislators plan to launch an electric-car rebate program, according to the Associated Press. The program, which officials hope to launch by April 1, will offer a \$2,000 rebate for the purchase of a new battery-electric car or plug-in hybrid. Rebates are also nominally available for hydrogen fuel-cell vehicles, although no such cars are sold in New York state at this time.

Associated Press

Cuomo: NY to Install More Electric Vehicle Charging Stations

ALBANY, N.Y. (AP) — New York state is embarking on a campaign to install 450 new charging stations for electric vehicles. Gov. Andrew Cuomo announced the effort on Monday. The new charging stations will be located in Buffalo, Rochester, Syracuse, Utica, Albany, the Hudson Valley, Westchester County, New York City and Long Island. Cars, trucks and other transportation vehicles are the largest contributor to climate change in the state. The Democratic governor says the addition of new charging stations will encourage the use of electric vehicles and help the state reduce its overall carbon emissions. The effort also includes public outreach campaigns including public test drives of electric vehicles and incentives for businesses that buy electric vehicles or install charging stations.

International

Bloomberg

London's Toxic Smog Triggers Business Action Against Illegal Air

London's toxic air is bad for business. That's the conclusion of commercial groups making their own plans to fight pollution for fear the government's failure to tackle emissions levels that break legal limits is driving customers and workers away. At least 15 of the city's 42 so-called business improvement districts, which were established a decade ago to fight urban grime and crime, are implementing programs to protect the environment. After a raft of studies linking dangerous levels of pollution to ill health and impaired fetal brain development, business groups are looking at the cost to companies. From the swanky shops along Regent Street to transport hubs in King's Cross and London Bridge, they're installing monitors, paying for green spaces and limiting truck deliveries to rein in smog. With Prime Minister Theresa May's government focused on withdrawing Britain from the European Union, local authorities including London Mayor Sadiq Khan have been left on their own to work on air quality. Those issues are draining 20 billion pounds (\$24 billion) a year from the economy, according to a study by the Royal College of Physicians.

Platts

EU biomass rules 'fail to account' for GHG emissions

London, 23 February (Argus) — New EU rules fail to account for emissions for biomass combustion properly and risk creating perverse incentives to burn the fuel, according to a report from UK-based policy institute Chatham House. Under European Commission proposals biomass emissions will continue to be zero-rated at the point of combustion after 2021 and therefore are not included either in UK carbon budgets or the EU emissions trading scheme (ETS). The commission has sought to justify this by accounting for biomass emissions within the land use, land-use change and forestry (LULUCF) sector, assuming that as long as enough trees are planted to replace those that are used to make the fuel feedstock, biomass combustion can be accounted for as being carbon neutral. But there are a number of problems with this approach, according to the Chatham House report entitled: "Woody Biomass for Power and Heat: Impacts on the Global Climate." The biggest is the lack of proper accounting rules and forest management practices in the regions producing the most biomass. The US, Canada, and Russia, all significant exporters of woody biomass, do not adequately account for emissions in the LULUCF sector as they are not parties to the Kyoto Protocol, raising the prospect that not enough trees are being planted to replaced felled ones, or that they are being planted over too

long a time period.

Forbes

Electric Cars For The Masses Go Missing In Geneva, But They Are Coming

GENEVA, Switzerland – Visitors to the annual car show here might wonder where all the new electric cars are hiding, but they can save their energy; there aren't any new ones, at least not any affordable ones. There are a few examples of expensive electric playthings, and concept cars which drive themselves, but that's another revolution waiting in the wings for the technology to catch up. At the last big European car show in Paris last October, the new Opel Ampera e (European version of the Chevy Bolt) and longer range Renault Zoe were leading the new wave of battery-only new cars for the masses. Late last year investment banker Morgan Stanley revised its estimate for electric car sales up to between 10 and 15% of the global market by 2025, to what it said were more than three times the current average of expectations. The current global level is less than 2%, but sales still refuse to embrace the brave new world expected by experts.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

To: Olechiw, Michael[olechiw.michael@epa.gov]; Helfand, Gloria[helfand.gloria@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]; Shelby, Michael[Shelby.Michael@epa.gov]
Cc: Simon, Karl[Simon.Karl@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Lie, Sharyn[Lie.Sharyn@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]
From: Charmley, William
Sent: Mon 3/6/2017 1:10:22 PM
Subject: Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

Dear all,

Late last week in the context of **Ex. 5 - Deliberative Process**

Ex. 5 - Deliberative Process the EPA Final Determination, we saw a reference from the new Administration (I don't necessarily mean EPA, it could be from the White House, DOT, or perhaps EPA) to the following article. The initial Administration draft talking point/headliner message associated with this article was

"The Obama era CAFÉ standards cost American jobs. The National Center for Policy Analysis says these standards pushed manufacturing and jobs to Mexico."

Ex. 5 - Deliberative Process

This bullet point had a reference to the following blog/web article, from the National Center for Policy Analysis:

<http://retirementblog.ncpa.org/cafe-standards-distort-auto-production-and-push-jobs-south/#sthash.4PmummPG.dpbs>

Ex. 5 - Deliberative Process

Thanks

Bill

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To: Grundler, Christopher[grundler.christopher@epa.gov]; Cook, Leila[cook.leila@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Haugen, David[haugen.david@epa.gov]
Cc: Bunker, Byron[bunker.byron@epa.gov]
From: Charmley, William
Sent: Mon 3/6/2017 1:10:06 PM
Subject: Draft - talking points for Chris for his 10am meeting this morning with the OTAQ Light-duty GHG MTE team
Talking Points for Chris meeting with OTAQ team, March 6, 2017.docx

Dear Chris and everyone –

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Chris is going to be meeting with the Team this morning at 10am. There is also a call-in number, as many members of the team are in D.C., and also 1 in Ohio and one in California. Also, I may not be in the room in person, I have an outside engagement this morning and may not make it to work until right around 10am, or I may be late.

Ex. 5 - Deliberative Process

I told Chris I would send him some talking points – which are copied below. I also have attached a word version, which has just a few comment fields in it. Don't bother sending me specific comments – just send them to Chris, as I won't be able to do anything with them.

Thanks

Bill

Deliberative Material – Internal EPA Process – Do Not Cite or Quote

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

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Does anyone else want to add anything? Are there any questions from the team?

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ED_001220_00001091

From: Charmley, William
Location: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE
Importance: Normal
Subject: FW: MTE Update
Start Date/Time: Mon 3/6/2017 3:00:00 PM
End Date/Time: Mon 3/6/2017 4:00:00 PM

-----Original Appointment-----

From: Olechiw, Michael
Sent: Friday, March 03, 2017 4:13 PM
To: Olechiw, Michael; Charmley, William; Grundler, Christopher; Alson, Jeff; Midterm Review
Subject: MTE Update
When: Monday, March 06, 2017 10:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE

Colleagues,

Many of you may have heard that the Administrator has decided to take action on the MTE Final Determination. While we do not yet know with certainty what that action will be, or the exact timing associated with the announcement, this meeting is being set to communicate what we do know and to discuss what this could potentially mean for us going forward.

Call-in:

Ex. 6 - Personal Privacy

ED_001220_00001093-00001

ED_001220_00001093

From: Charmley, William
Location: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE
Importance: Normal
Subject: FW: MTE Update
Start Date/Time: Mon 3/6/2017 3:00:00 PM
End Date/Time: Mon 3/6/2017 4:00:00 PM

-----Original Appointment-----

From: Olechiv, Michael
Sent: Friday, March 03, 2017 4:13 PM
To: Olechiv, Michael; Charmley, William; Grundler, Christopher; Alson, Jeff; Midterm Review
Subject: MTE Update
When: Monday, March 06, 2017 10:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE

Colleagues,

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Call-in:

Ex. 6 - Personal Privacy

ED_001220_00001094-00001

ED_001220_00001094

From: Charmley, William
Location: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE
Importance: Normal
Subject: FW: MTE Update
Start Date/Time: Mon 3/6/2017 3:00:00 PM
End Date/Time: Mon 3/6/2017 4:00:00 PM

-----Original Appointment-----

From: Olechiw, Michael
Sent: Friday, March 03, 2017 4:13 PM
To: Olechiw, Michael; Charmley, William; Grundler, Christopher; Alson, Jeff; Midterm Review
Subject: MTE Update
When: Monday, March 06, 2017 10:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE

Colleagues,

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Call-in:

Ex. 6 - Personal Privacy

ED_001220_00001098-00001

ED_001220_00001098

To: Orlin, David[Orlin.David@epa.gov]
From: Charmley, William
Sent: Fri 3/3/2017 6:22:42 PM
Subject: RE: MTE talking points.docx

David –

3 comments:

1. I think we should consider providing some context for the comment on the first bullet point. This could be in a comment field, but we should explain the following:

Ex. 5 - Deliberative Process

2. Also in the first bullet point, you should consider changing your updates as follows;

Ex. 5 - Deliberative Process

3. I also don't think we need to try and word-smith the second bullet point

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

That's it.

From: Orlin, David

Sent: Friday, March 03, 2017 12:52 PM

To: Charmley, William <charmley.william@epa.gov>

Subject: MTE talking points.docx

Here's what I had as the bare minimum edits for legal accuracy:

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

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ED_001220_00001099

To: Orlin, David[Orlin.David@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
From: Charmley, William
Sent: Fri 3/3/2017 1:14:07 PM
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 3, 2017, at 8:02 AM, Orlin, David <Orlin.David@epa.gov> wrote:

Ex. 5 - Deliberative Process

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: Schnare, David
Sent: Friday, March 03, 2017 7:22 AM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>
Cc: Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

Sarah:

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ED_001220_00001100

Ex. 5 - Deliberative Process

dschnare

From: Dunham, Sarah
Sent: Thursday, March 2, 2017 8:34 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>
Cc: Schnare, David <schnare.david@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Kevin, David, Ryan-

Ex. 5 - Deliberative Process

On Mar 2, 2017, at 6:59 PM, Minoli, Kevin <Minoli.Kevin@epa.gov> wrote:

David- Below you will find a response to the questions regarding the procedural requirements that will attach to each phase of a reconsideration of the MTE. Credit goes to David Orlin in our Air and Radiation Law Office. We are comfortable with you sharing this within EPA or the Executive Branch if needed. Thanks, Kevin

Kevin S. Minoli

ED_001220_00001100-00002

ED_001220_00001100

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

ED_001220_00001100-00004

ED_001220_00001100

Appendix:

EPA's regulation governing the Mid-Term Evaluation:

40 CFR 86.1818-12(h)

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

(i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;

(ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;

(iii) The feasibility and practicability of the standards;

(iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;

(v) The impact of the standards on the automobile industry;

(vi) The impacts of the standards on automobile safety;

(vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and

(viii) The impact of the standards on other relevant factors.

(2) The Administrator shall make the determination required by this paragraph (h) based upon a record that includes the following:

(i) A draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;

(ii) Public comment on the draft Technical Assessment Report;

(iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and

(iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: "Schnare, David" <schnare.david@epa.gov>
Date: March 2, 2017 at 7:12:19 AM EST
To: "Minoli, Kevin" <Minoli.Kevin@epa.gov>, "Schmidt, Lorie" <Schmidt.Lorie@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Kevin:

Ex. 5 - Deliberative Process

ED_001220_00001100-00007

ED_001220_00001100

Ex. 5 - Deliberative Process

dschnare

From: Schnare, David

Sent: Thursday, March 2, 2017 5:29 AM

To: Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy

Cc: Smith, Loren (OST) <Loren.Smith@dot.gov>; Jackson, Ryan

<jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO

Ex. 6 - Personal Privacy; McCown, Brigham (OST)

<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)

<marty.fiorentino@dot.gov>; Fulton, Finch (OST)

<Finch.Fulton@dot.gov>; Pugliese, Anthony (OST)

<anthony.Pugliese@dot.gov>; Moran, John S. EOP/WHO

Ex. 6 - Personal Privacy

Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

dschnare

Sent from my iPhone

On Mar 2, 2017, at 12:27 AM, Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Can the group do a call at 9:30 tomorrow?

Sent from my iPhone

On Mar 1, 2017, at 11:55 PM, Smith, Loren (OST)

<Loren.Smith@dot.gov> wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Loren Smith

USDOT

Ex. 6 - Personal Privacy

On Mar 1, 2017, at 11:04 PM, Catanzaro, Michael J.

EOP/WHO **Ex. 6 - Personal Privacy** wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST) [<mailto:Loren.Smith@dot.gov>]

Sent: Wednesday, March 1, 2017 7:35 PM

To: Schnare, David <schnare.david@epa.gov>

Cc: Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy; Jackson, Ryan

<jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO

Ex. 6 - Personal Privacy; McCown, Brigham (OST)

<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)

<marty.fiorentino@dot.gov>; Fulton, Finch (OST)

<Finch.Fulton@dot.gov>; Pugliese, Anthony (OST)

<anthony.Pugliese@dot.gov>

Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:14 PM, Schnare, David
<schnare.david@epa.gov> wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:11 PM, Catanzaro, Michael J.
EOP/WHO <[Ex. 6 - Personal Privacy](#)> wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST)
[mailto:Loren.Smith@dot.gov]
Sent: Tuesday, February 28, 2017 6:02 PM
To: Schnare, David <schnare.david@epa.gov>;
jackson.ryan@epa.gov; Smith, Ja'Ron K. EOP/WHO
<[Ex. 6 - Personal Privacy](#)>; Catanzaro, Michael J.
EOP/WHO <[Ex. 6 - Personal Privacy](#)>;
McCown, Brigham (OST)
<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)
<marty.fiorentino@dot.gov>; Fulton, Finch (OST)
<Finch.Fulton@dot.gov>
Subject: CAFE discussion draft: joint DOT-EPA notice
Importance: High

Gentlemen, as discussed yesterday. Attached please find DOT/NHTSA's initial discussion draft for moving forward on CAFÉ/GHG standards for light-duty vehicles.

We look forward to your comments.

+++

Loren Smith

U.S. Department of Transportation

West Building – W85-115

loren.smith@dot.gov

Ex. 6 - Personal Privacy

<MTE reg.docx>

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Charmley, William
Sent: Wed 3/1/2017 9:45:39 PM
Subject: What the regs say

Chris –

Look at paragraph (h)(1)(vii). It says that in making the Final Determination, one of the many things the Administrator shall take under consideration is “The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy Standards and a national harmonized program”

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ED_001220_00001104

standards for the manufacturer. If the Administrator does not establish alternative standards for an eligible manufacturer prior to 12 months before the first model year to which the alternative standards would apply, the manufacturer may request an extension of the exemption under § 86.1801-12(k) or an extension of previously approved alternative standards, whichever may apply.

(6) *Restrictions on credit trading.* Manufacturers subject to alternative standards approved by the Administrator under this paragraph (g) may not trade credits to another manufacturer. Transfers between car and truck fleets within the manufacturer are allowed, and the carry-forward provisions for credits and deficits apply.

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

- (i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- (ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- (iii) The feasibility and practicability of the standards;
- (iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- (v) The impact of the standards on the

paragraph (h) based upon a record that includes the following:

- (i) A draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;
- (ii) Public comment on the draft Technical Assessment Report;
- (iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and
- (iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

■ 14. Section 86.1823-08 is amended by revising paragraph (m)(2)(iii) to read as follows:

§ 86.1823-08 Durability demonstration procedures for exhaust emissions.

* * * * *

(m) * * *

(2) * * *

(iii) For the 2012 through 2016 model years only, manufacturers may use alternative deterioration factors. For N₂O, the alternative deterioration factor to be used to adjust FTP and HFET emissions is the deterioration factor determined for (or derived from, using good engineering judgment) NO_x emissions according to the provisions of this section. For CH₄, the alternative deterioration factor to be used to adjust FTP and HFET emissions is the deterioration factor determined for (or derived from, using good engineering judgment) NMOG or NMHC emissions according to the provisions of this section.

* * * * *

■ 15. Section 86.1829-01 is amended by revising paragraph (b)(1)(iii) to read as follows:

ED_001220_00001104-00003

ED_001220_00001104

To: Moran, Robin[moran.robin@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]
From: Charmley, William
Sent: Thur 2/23/2017 5:57:25 PM
Subject: Fwd: CARB Waivers - CA Senate Hearing, other press
[2017SenateEnvironmentalQualityCommitteeTestimony.February.2017.FINAL.rmfrank.docx](#)
[ATT00001.htm](#)
[lev_vs_zev.2017.pdf](#)
[ATT00002.htm](#)
[waiver.hearing.background.on.ltrhead2.pdf](#)
[ATT00003.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "Dickinson, David" <Dickinson.David@epa.gov>
Date: February 23, 2017 at 10:03:37 AM EST
To: "Simon, Karl" <Simon.Karl@epa.gov>, "Charmley, William" <charmley.william@epa.gov>, "Olechiw, Michael" <olechiw.michael@epa.gov>, "Orlin, David" <Orlin.David@epa.gov>, "Kataoka, Mark" <Kataoka.Mark@epa.gov>, "Hengst, Benjamin" <Hengst.Benjamin@epa.gov>
Subject: CARB Waivers - CA Senate Hearing, other press

Karl et al -

As you may know the CA Senate Environmental Quality Committee held a hearing yesterday (2/22) re the federal Clean Air Act and California Waivers – see:

<http://senv.senate.ca.gov/informationalhearings>

Attached are a few background documents associated with the hearing, it was also livestreamed and can be accessed online.

I also draw your attention to a CEI article below which sets out a course of

action relating to the waiver and MTE, along with an article related to the hearing yesterday.

David D

Will Trump EPA Challenge California's De Facto Authority to Regulate Fuel Economy?

Marlo Lewis, Jr. • February 17, 2017

Former Oklahoma Attorney General Scott Pruitt is now Administrator of the U.S. Environmental Protection Agency (EPA). Pruitt led the coalition of 27 states, more than two dozen trade associations, and numerous non-profit groups who are challenging the legality of the Obama administration's marquee climate policy, the so-called Clean Power Plan (CPP). We can expect the Trump administration to take formal action soon to begin unraveling the CPP.

What about the "mobile source" side of Obama's climate policy legacy—the EPA and California's de-facto regulation of fuel economy via greenhouse gas (GHG) vehicle emission standards? Should we expect rollback to begin on that front as well?

At Pruitt's January 18 nomination hearing, Sens. Kamala Harris (D-Calif.) and Ed Markey (D-Mass.) pressed Pruitt for his position on California's authority under the Clean Air Act (CAA) to issue its own motor vehicle emission standards, which typically have been more stringent than federal standards. The Act authorizes California to set its own standards if the EPA grants the state a waiver of federal preemption.

Pruitt acknowledged California's statutory authority to issue motor vehicle emission standards, but would not commit in advance to grant future waiver requests. Asked by Harris about his "intention," Pruitt replied: "I don't know that, without going through the process to determine that, Senator, and would not want to presume the outcome." Asked by Markey whether he "supports the current California waiver for greenhouse gas standards," Pruitt said it "would be evaluated" but he would not "prejudge the outcome" at the hearing. You can read the Q&A's [in full here](#).

This somewhat arcane matter is a very big deal. California has the largest auto market of any state. Moreover, the [CAA's Section 177](#) authorizes other states to

adopt standards for which California has been granted a waiver. “This ends up dictating the automobile market, something that has rankled some in the auto industry for decades,” explains reporter [Ingrid Lobet](#). “It’s not uncommon for states representing 40 percent of the automobile market to choose California rules.”

More importantly, unlike other auto emission standards, which apply to individual vehicles, greenhouse gas motor vehicle emission standards apply to entire classes of motor vehicles on average—rather like the federal Corporate Average Fuel Economy (CAFE) standards. Indeed, as explained below, motor vehicle GHG standards implicitly and substantially regulate fuel economy. Consequently, EPA waivers granted to California over the past eight years effectively make the state a full partner in determining both fuel economy standards and national climate policy for motor vehicles.

A review of previous GHG waivers should be part of the Trump administration’s plans to roll back President Obama’s climate policy regime. That may happen soon to address the “[midnight waiver](#)” outgoing that Obama EPA Administrator Gina McCarthy granted on December 29, 2016, allowing California to adopt GHG standards for model year (MY) 2014 and later medium- and heavy-duty trucks.

Waiver Process: Background

The [Clean Air Act’s Section 209\(a\)](#) prohibits states, and subdivisions thereof, from adopting or attempting to enforce motor vehicle emission standards. However, [CAA §209\(b\)](#) directs the EPA to grant California a waiver of federal preemption if the state determines that its “standards will be, in the aggregate, at least as protective of public health and welfare as the federal standards.” On the other hand, “No such waiver shall be granted if the Administrator finds” that:

1. California’s protectiveness determination is “arbitrary and capricious”;
2. The state “does not need such standards to meet compelling and extraordinary conditions”; or
3. The state standards and accompanying enforcement actions are “not consistent” with [CAA §202](#), the provision authorizing EPA regulation of motor vehicle emissions.

That three-pronged test, at least as interpreted by the EPA, virtually guarantees every California waiver request will be granted. Although a particular California standard might be less stringent than the corresponding federal standard, there is essentially no chance California standards “in the aggregate” will be less “protective.” Similarly, it is extremely unlikely California would ever enforce its standards inconsistently with the Clean Air Act.

California’s “compelling and extraordinary conditions” refer to the state’s peculiar topography, meteorology, and large number of vehicles, which make California air pollution problems more intractable than those of other states. Consequently, if

“such standards” refer to California’s separate vehicle emissions program as a *whole*, the state will always “need” said standards—at least until the air is so clean California would no longer ask for waivers anyway.

Unsurprisingly, the EPA has always granted California’s waiver requests—with one notable exception. In March 2008, George W. Bush EPA Administrator Steven Johnson denied the state’s request for a waiver to adopt GHG emission standards for motor vehicles. However, during her first days as Obama EPA Administrator, in February 2009, Lisa Jackson began a proceeding to reconsider Johnson’s denial. She granted the waiver five months later. In so doing, Jackson positioned the EPA and the California Air Resources Board (CARB) to coerce auto industry support for President Obama’s climate policies.

Motor Vehicle GHG Standards Are De-Facto Fuel Economy Standards

Motor vehicle greenhouse gas standards implicitly and substantially regulate fuel economy. As the EPA and the National Highway Traffic Safety Administration (NHTSA) once acknowledged in a moment of candor, carbon dioxide (CO₂) constitutes 94.9 percent of vehicular GHG emissions, and “there is a single pool of technologies ... that reduce fuel consumption and thereby CO₂ emissions as well” (75 FR 25372). Greenhouse gas and mileage standards are so intimately related that the EPA, NHTSA, and CARB use vehicular CO₂ emissions to calculate fuel economy standards.

Or consider CARB’s 2004 Staff Report presenting the agency’s plan to implement AB 1493, the state’s GHG motor vehicle emissions statute. All of CARB’s recommended technologies for reducing vehicular GHG emissions are fuel-saving technologies.

Even the text of AB 1493 implies that CARB is to regulate fuel economy. CARB’s GHG standards are to be “cost-effective,” defined as “Economical to an owner or operator of a vehicle, taking into account the full life-cycle costs of the vehicle.” CARB reasonably interprets this to mean the standards must reduce lifetime vehicle “operating costs” more than they increase showroom sticker prices (Staff Report, p. 148). The overwhelming lion’s share of “operating expenses” are expenditures for fuel. CARB cannot regulate motor vehicle GHGs in a cost-effective manner unless it regulates fuel economy.

How the 2009 Waiver Empowered the Obama Administration to Coerce the Auto Industry

Congress delegated the power to prescribe fuel economy standards to NHTSA, not the EPA. The EPA must be consulted, but its job is to enforce compliance with fuel economy standards, not determine them (Energy Independence and Security Act, Sec. 102). Moreover, the 1975 Energy Policy and Conservation Act (EPCA) expressly prohibits states from regulating fuel economy. Per EPCA, states “may not

adopt or enforce laws or regulations related to fuel economy standards.” That is a broad statement of preemption. It prohibits not only overt fuel economy standards but also any state law, regulations, or enforcement actions “related to” such standards.

The 2009 GHG waiver confronted the financially distressed auto industry with the existential threat of a market-balkanizing fuel economy “patchwork.” You might be wondering how that could be so. Wouldn’t there only be two sets of standards, California and federal, as is the case with other motor vehicle emission standards? On paper yes, but in practice, there could be as many different fuel economy regimes as there are states adopting the California standards.

Here’s why. As noted above, under CAA §177, whenever the EPA grants California a waiver to adopt separate vehicle emission standards, it simultaneously enables other states to opt into the California program. The 2009 waiver thus deputized those states, too, to implicitly regulate fuel economy.

Again, fuel economy standards apply not to each individual vehicle but to entire fleets or segments of fleets *on average*. That means each automaker would have to reshuffle the mix of vehicles delivered for sale in each “California” state to achieve the same average fuel economy—the same average grams of CO2 per mile—as required in California. If all states opt into the California program, each automaker would have to continually adjust its production and sales to meet the same fleet average CO2/fuel economy standards in 50 separate markets—exactly the sort of chaos Congress enacted the EPCA preemption to prevent.

Having thus imperiled the auto industry, the Obama administration made automakers an offer they could not refuse. In closed-door negotiations run by Obama climate czar Carol Browner, the auto companies agreed to support the EPA’s GHG motor vehicle emission standards and CARB’s newfound role as fuel economy regulator in return for the assurance that California and other states would accept compliance with EPA standards as compliance with their own. Circumstantial evidence also suggests the Obama administration conditioned the availability of bailout money on automakers’ support for a new “National Vehicle Program” jointly administered by the EPA, NHTSA, and CARB.

Dubbed the “Historic Agreement” by proponents, the deal paid off big time in June 2010. Sen. Lisa Murkowski (R-AK) had introduced a Congressional Review Act resolution of disapproval to overturn the legal force and effect of the EPA’s Endangerment Rule—the legal prerequisite for the agency’s motor vehicle GHG standards and all future climate policy rules. The resolution was defeated 47-53. Automakers were the most influential industry to lobby against the measure. They warned that if Congress were to overturn the Endangerment Rule, “the historic agreement creating the One National Program for regulating vehicle fuel economy and greenhouse gas emissions would collapse,” subjecting automakers to “multiple standards”—a “compliance nightmare all across the country.”

The defeat of the Murkowski resolution then allowed the EPA to adopt GHG standards for motor vehicles, which in turn feed up the agency's extension of CAA permitting programs to "major" stationary sources of GHG emissions.

Of course it's impossible to say whether the Murkowski resolution would have obtained the 51 votes needed to prevail had the auto industry lobbied for rather than against it. But the waiver undeniably gave the Obama administration a lever to divide and conquer industry opponents in the formative stage of the EPA's career as climate policymaker.

Time to Reconsider Jackson's Reconsideration

In his March 2008 denial of California's waiver request, Bush EPA administrator Johnson sensibly argued that California's "compelling and extraordinary conditions" are the state's geography, meteorology, and large mobile population, which cause severe "local and regional air pollution." Those California-specific conditions have no "close causal ties" to the "global air pollution" linked to climate change.

Johnson made three key points.

1. GHG concentrations are essentially uniform throughout the globe, and are not affected by California's geography and meteorology.
2. California's vehicles emit GHGs, but so do mobile and stationary sources throughout the world. The resulting "global pool" of GHG emissions is not any more concentrated in California than anywhere else.
3. Even if one assumes "extraordinary and compelling" refers not to the "global air pollution" itself but its potential impacts, such as heat waves, drought, and sea-level rise, California's vulnerability is not "sufficiently different" from the rest of the nation to merit waiving federal preemption of state emission standards. As my CEI colleague Sam Kazman quipped at the time, "They call it global warming, not California warming."

One might also simply ask why California needs a separate vehicle emissions program in the first place. Due to the aforementioned compelling and extraordinary conditions, the state has traditionally needed tougher motor vehicle emission standards to meet federal air quality standards. But CO₂ is not an air quality contaminant, and federal air quality standards for GHGs do not exist. Hence the Clean Air Act rationale for California having its own vehicle emissions program has no intelligible application to GHG emissions.

In her rejection of Johnson's denial of the waiver, EPA Administrator Jackson argued that Johnson asked the wrong question. He asked whether California needs the specific standards for which it requested a waiver, whereas the test in CAA §209(b) is simply "whether California needs a separate motor vehicle emissions program" (74 FR 32759). However, that is a question to which the answer is known in advance. How convenient!

Jackson noted that in all previous waiver requests, the EPA only asked whether California continued to need its own separate program, not whether it needed the particular standard at issue. Johnson acknowledged that as well. However, he argued, there was an obvious justification for the perfunctory character of the EPA's "need" review in previous waiver requests. Previous requests were for emission standards addressing the local and regional air pollution created by the state's "compelling and extraordinary conditions." GHG standards do not address California-specific conditions.

The statutory language is vague enough to support Johnson's decision. The provision states: "No such waiver shall be granted if the Administrator determines ... that such State does not need such State standards to meet compelling and extraordinary conditions." The EPA assumes "such" refers to California's standards "in the aggregate"—that is, the vehicle emissions program as a whole. But it could also refer to the standards for which specific waivers are requested. Indeed, why should waivers that are not related to California's "compelling and extraordinary conditions" qualify for the same automatic approval as waivers that are?

If that had been Congress's intent, Congress would have written a different statute. As the Chamber of Commerce argued in its reply brief submitted to the D.C. Circuit Court of Appeals in November 2010:

But if Congress intended to give California free rein to add to its program any standard it chooses, subject only to a general assessment of the state's continuing need for that "program," the statute would look radically different. Rather than requiring Section 209(b)(1)(B) review each time California adopts a new "standard," the statute would limit EPA's role to periodic reviews of California's "need" for a "program" "as a whole," with EPA issuing a categorical preemption waiver at the completion of each review. Likewise, if it were Congress's intent to permit California-specific standards that have nothing to do with California-specific "conditions," Congress would have omitted the requirement for "compelling and *extraordinary* conditions"—a term that plainly requires a comparison to conditions in other states or to the nation as a whole.

Moreover, while CAA §209(b) does not ask the EPA to consider the potential conflict between a California waiver request and other federal statutes, that is a proper concern of the President, who must take care that all laws of the United States be "faithfully executed." The EPA cannot approve state-level motor vehicle GHG programs without flouting the EPCA prohibition against state adoption or enforcement of laws or regulations "related to" fuel economy.

Trump's Opportunity

President Trump wants to revitalize U.S. manufacturing and end the EPA's regulatory overreach. An important short-term fix would be to put a stay on the EPA's Mid-Term Evaluation (MTE) of model year 2022-2025 fuel economy

standards for passenger cars and light trucks, and reopen the MTE to consider lower GHG/Fuel Economy standards for MY 2022-2025.

As [explained previously](#), on January 13, the EPA finalized the MTE 14 months ahead of schedule in order to confront President Trump with a fait accompli. The ultimate midnight regulation, the MTE would lock in GHG standards the agency tentatively adopted in 2012—more than a decade before millions of the covered vehicles are even manufactured.

The EPA's MTE is legally flawed. As the [Auto Alliance](#) points out, by issuing an MTE ahead of and uncoordinated with NHTSA's corresponding assessment, the agency flouted its obligation under the [2012 motor vehicle rule](#) to implement a "harmonized single national GHG/Fuel Economy program in which the EPA and NHTSA, along with California's Air Resources Board ('ARB'), would issue their draft TAR [Technical Assessment Report] and subsequent MTE determinations at the same time." Most automakers also oppose the EPA's MTE on economic and technical grounds. They warn it will raise vehicle costs for model years 2022-2025 beyond what millions of prospective auto buyers are willing to pay (in an era of low gasoline prices).

Ultimately, though, President Trump's goal should be liberate the auto industry from the fear of a fuel economy "patchwork" that empowers CARB to push NHTSA and the EPA to continually ratchet up fuel economy standards regardless of vehicle affordability and consumer acceptance. The critical first step is for the EPA to commence a process to reconsider the March 2009 waiver that made California a full partner with the federal government in regulating fuel economy and determining climate policy for motor vehicles.

Fearing President Trump's next steps, California lawmakers review their options under Clean Air Act

Chris Megerian

Sen. Bob Wicker (left) held a hearing on the Clean Air Act on Wednesday. (Rich Pedroncelli / Associated Press)

In a sign of uneasiness over President Trump's environmental agenda, state lawmakers hosted a hearing Wednesday to discuss how California's air quality policies rely on federal regulations.

Although the state is allowed to pursue stricter rules than federal standards under the nearly five-decade-old Clean Air Act, such steps require a waiver from the federal government. Trump's choice to lead the U.S. Environmental

Protection Agency, former Oklahoma Atty. Gen. Scott Pruitt, has signaled he may be more skeptical of the state's requests than previous administrators, who granted requests nearly every time they were submitted.

"Nothing in the law has changed to justify the EPA withholding our waiver," said Senate President Pro Tem Kevin de León (D-Los Angeles), who testified at the hearing. "The only thing that has changed is the balance of political power in Washington, D.C."

The waivers have been an important tool for California's efforts to improve air quality in polluted areas and tackle global warming. Other states also can choose to follow California's lead, meaning waiver requests made from Sacramento can have nationwide implications.

"If Washington doesn't want to lead on cleaning up our air or fighting climate change, it should stay out of our way," De León said.

In an interview after the hearing, Sen. Bob Wieckowski (D-Fremont) said it may be more difficult for California to hit its ambitious target for slashing greenhouse gas emissions without new waivers, particularly when it comes to requiring more zero emission vehicles in the state.

"I don't know if we have any other choice if we're going to meet these air quality standards," he said.

But absent a "good healthy relationship" with Washington, he said, "it's probably better to delay" asking for additional waivers.

Although new requests may be tougher under the Trump administration, state regulators are less worried about legal threats to waivers that already have been granted.

"The state may not receive the same level of cooperation, but we anticipate that our existing waivers ... will not be significantly compromised," said Kurt Karperos, deputy executive officer at the California Air Resources Board.

However, the state could be in a bind if the federal government loosens rules under the Clean Air Act but refuses to grant California a waiver to keep the previous, higher standards.

"Then we're stuck," said Richard Frank, director of the California Environmental Law and Policy Center at the UC Davis.

David Dickinson

202-343-9256

Dickinson.David@epa.gov

ED_001220_00001120-00010

ED_001220_00001120

To: Olechiw, Michael[olechiw.michael@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Orlin, David[Orlin.David@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]
From: Charmley, William
Sent: Wed 2/22/2017 12:52:55 PM
Subject: FW: Request to Withdraw Final Determination Re. MY 2022-2025 GHG Standards
[Request to Withdraw Final Determination.pdf](#)

From: Julia Rege [mailto:JRege@globalautomakers.org]
Sent: Tuesday, February 21, 2017 3:19 PM
To: Pruitt, Scott <Pruitt.Scott@epa.gov>; pruittgscott@epa.gov
Cc: John Bozzella <jbozzella@globalautomakers.org>; secretariescheduler@dot.gov; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Rebecca S. Yoon <rebecca.yoon@dot.gov>; James Tamm <james.tamm@dot.gov>; Kevin.Green@dot.gov; Alberto.Ayala@arb.ca.gov; Ellen Gleberman <egleberman@globalautomakers.org>; Charles Haake <chaake@globalautomakers.org>; Annemarie Pender <apender@globalautomakers.org>
Subject: Request to Withdraw Final Determination Re. MY 2022-2025 GHG Standards
Importance: High

Dear Administrator Pruitt:

On behalf of John Bozzella, President and CEO of Global Automakers, I am sending you the attached correspondence related to the EPA's Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, which was announced by the Agency on January 13, 2017. A hard copy of this letter has been sent to your office via FedEx as well.

We welcome the opportunity to further discuss this matter with you at your earliest convenience.

Sincerely, Julia

ED_001220_00001127-00001

ED_001220_00001127

Julia M. Rege

Director, Environment & Energy

Association of Global Automakers, Inc. (Global Automakers)

1050 K Street, NW, Suite 650

Washington, DC 20001

202.650.5559 (direct)

202.650.5555 (main)

jrege@globalautomakers.org

GlobalAutomakers   

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Cc: Grundler, Christopher[grundler.christopher@epa.gov]
To: Orlin, David[Orlin.David@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
From: Charmley, William
Sent: Tue 2/21/2017 6:10:35 PM
Subject: Fwd: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
[Letter to EPA Admin. Pruitt Feb. 21, 2016 Signed.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: Susan Conti <sconti@autoalliance.org>
Date: February 21, 2017 at 1:02:29 PM EST
To: "pruitt.scott@epa.gov" <pruitt.scott@epa.gov>, "pruitt.gscott@epa.gov" <pruitt.gscott@epa.gov>
Cc: "marianne.mcinerney@dot.gov" <marianne.mcinerney@dot.gov>, "grundler.christopher@epa.gov" <grundler.christopher@epa.gov>, Bill Charmley <charmley.william@epa.gov>, "olechiw.michael@epa.gov" <olechiw.michael@epa.gov>, "Kevin.Green@dot.gov" <Kevin.Green@dot.gov>, "james.tamm@dot.gov" <james.tamm@dot.gov>, "rebecca.yoon@dot.gov" <rebecca.yoon@dot.gov>, "annette.hebert@arb.ca.gov" <annette.hebert@arb.ca.gov>, "michael.mccarthy@arb.ca.gov" <michael.mccarthy@arb.ca.gov>, Chris Nevers <CNevers@autoalliance.org>, "David Schwietert" <DSchwietert@autoalliance.org>, Gloria Bergquist <GBERGQUIST@autoalliance.org>, John Whatley <JWhatley@autoalliance.org>
Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

The Alliance is not asking EPA to make a different Final Determination at this time. All we

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are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

Mitch Bainwol

President and CEO

ED_001220_00001129-00002

ED_001220_00001129

To: Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]
From: Charmley, William
Sent: Wed 2/15/2017 3:30:46 PM
Subject: RE: Industry Chiefs to Trump: Give Us Clarity, Stability

Robin –

I had not seen this article in the Detroit News, but I did see the Borg Warner CEO James Verrier in the press yesterday – he wrote an editorial/commentary in Fortune, which I copied below;

<http://fortune.com/2017/02/13/donald-trump-fuel-efficiency/>

Commentary

auto

What's Blocking Adoption Of More Fuel-Efficient Cars

James Verrier

Feb 13, 2017

As Donald Trump is now in office as America's new president, it's worth reminding the world that if his administration does indeed roll back regulations supporting clean vehicle technology, that does not mean that the progress will halt completely. The rate of improvement is what matters the most. There's a way to balance clean energy with the needs of consumers, automakers and governments.

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The automotive industry has made progress towards a cleaner, more energy-efficient world. In the last decade alone, suppliers, manufacturers, government regulators and consumers have cooperated in unprecedented ways to ensure the vehicles we drive every day are cleaner and more efficient. One example is agreement on long-term fuel economy standards that provides the industry time to plan, make long-term business decisions and gives consumers a wide variety of vehicles that are increasingly more fuel-efficient. We should all work to continually build on this momentum.

In order to make the biggest positive impact on the environment, new technologies need to make their way into the mainstream quickly in a meaningful way — not in piecemeal, but in high volume. The technology can't be too advanced; too expensive or force consumers to compromise. This would turn them off and push them to delay their purchase. It is also not acceptable for the technology to be transparent and affordable, but make little improvement. It has to be just right.

The U.S. Federal regulations that have to be “just right” are called CAFE (Corporate Average Fuel Economy), which determine the required rate of light-vehicle fuel economy and CO₂ improvement through 2025 and are currently being debated. The debate must factor in costs and how likely consumers are willing to adopt new vehicles into their daily lives. It cannot be a decision based purely on what technology is available, which could set the rate too high. Nor can it be decided on a general notion that less regulation is good, which could disconnect us with the standards being pursued across the world. It is in the best interest of all those involved in the debate — automakers, industry groups and the administration -- to harmonize U.S. discussions with what's happening around the globe in order to efficiently make the biggest positive impact on the environment.

I believe there is a universal desire for clean, energy-efficient vehicles. While we cannot predict the future of CAFE regulations in the United States, our hope is that we embrace the progress we've made and work together to balance consumer demands with environmental needs. Focusing on the proper rate of improvements that result in high-volume technology solutions on the road quickly is good for consumers, the industry and the environment.

James Verrier is president and chief executive officer of BorgWarner Inc., a Fortune 500 company focused on clean and efficient propulsion technologies for combustion, hybrid and electric vehicles.

From: Moran, Robin

Sent: Wednesday, February 15, 2017 10:25 AM

To: Charmley, William <charmley.william@epa.gov>; Olechiw, Michael

ED_001220_00001136-00002

ED_001220_00001136

<olechiw.michael@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>
Subject: FW: Industry Chiefs to Trump: Give Us Clarity, Stability

Borg Warner CEO says don't go backward on CAFE.

<http://www.detroitnews.com/story/business/autos/2017/02/14/industry-chiefs-trump-give-us-clarity-stability/97915938/>

Trump's willingness to reach out and speak directly to business leaders is a positive, said James Verrier, president and CEO of Borg Warner. At the same time, he said he wants Trump to leave progress made on Corporate Average Fuel Economy standards alone.

"Do not slow down the pace on CAFE standards," he said. "We've come a long way as an industry and we need to keep going forward. Don't go backwards and don't slow down."

From: NADA Headlines [mailto:nadaheadlines@nada.org]
Sent: Wednesday, February 15, 2017 10:20 AM
To: Moran, Robin <moran.robin@epa.gov>
Subject: Industry Chiefs to Trump: Give Us Clarity, Stability

[View Web Version](#)

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February 15, 2017			
		Quotable "Environment"	

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Inside this issue

- [!\[\]\(746d018fdf6ab02bf5fb7681133e8b29_img.jpg\) Industry Chiefs to Trump: Give Us Clarity, Stability](#)
- [!\[\]\(5daa6eee1904cb6b9d765700250de764_img.jpg\) Carmakers: Don't Overregulate Self-Driving Car Testing](#)
- [!\[\]\(d72e437c7cc5947bc0b147aba6602563_img.jpg\) U.S. Court Gives Initial Approval to Volkswagen Vehicle Emissions Settlement](#)
- [!\[\]\(0d2a89e6d0cbcd8e0459b972b9332401_img.jpg\) Toyota Sees Plug-In Hybrids Catching on Faster than Conventional Hybrids](#)
- [!\[\]\(cdcd8a42e5993b465235781ccc1c8555_img.jpg\) Feb. 16 Webinar: NADA and FTC to Discuss the Recently Revised Buyers Guide](#)
- [!\[\]\(c0c9434f3698c901303014555ccb5687_img.jpg\) 2017 NADA Dealership Workforce Study Open for Participation](#)
- [!\[\]\(4f9bd4c242eb94a69f6647adc92289eb_img.jpg\) Hyundai Connects Soldiers with Their Families](#)

Top Stories**[!\[\]\(e3f443b9578f18c0325a655158a32b0d_img.jpg\) Industry Chiefs to Trump: Give Us Clarity, Stability](#)**

The heads of major suppliers in the auto industry are looking for clarity and stability from a new presidential administration that, to date, has offered little of either. Despite Donald Trump's meetings with leaders of the country's top manufacturers — including the Detroit Three — the supporting network of parts suppliers remain uncertain of what's to come. Tuesday, during a meeting on mobility issues hosted by the Detroit Economic Club, the heads of three major auto suppliers offered their takes on what they need from the Trump administration.

Source: The Detroit News

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[!\[\]\(0c99009af15ad3378c58522433fbd236_img.jpg\) Carmakers: Don't Overregulate Self-Driving Car Testing](#)

Automakers pushed members of Congress on Tuesday to give them space to develop self-driving cars as lawmakers consider federal regulations for the emerging technology. Mike Abelson, vice president of global strategy at General Motors Co., told members of the U.S. House Energy and Commerce Committee that federal regulations for motor vehicles will have to be updated to clear the way for self-driving cars. He cautioned lawmakers about over-regulating the new technology.

Source: The Detroit News

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[!\[\]\(c1f32534a493397209d2857ba81a6e9d_img.jpg\) U.S. Court Gives Initial Approval to Volkswagen Vehicle Emissions Settlement](#)

Objectors can now raise any concerns before final hearing that could come as soon as May 11

Volkswagen AG won a U.S. court's initial blessing Tuesday for a roughly \$1.2 billion settlement reached with drivers of larger diesel-

powered vehicles affected by the auto maker's diesel-emissions scandal. The deal, which applies to around 77,000 diesel vehicles with 3-liter engines, is one of the last unresolved pieces left in the U.S. court case brought over the diesel crisis. Volkswagen continues to face private litigation and government probes abroad related to the revelation that 11 million cars world-wide were equipped with software that allows the diesel vehicles to dupe emissions tests. U.S. regulators first disclosed the misconduct in September 2015.

Source: The Wall Street Journal

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Toyota Sees Plug-In Hybrids Catching on Faster than Conventional Hybrids

Toyota Motor Corp.'s chairman, who led the development of the Toyota Prius, expects the latest plug-in hybrid vehicles (PHVs) will catch on with consumers far more rapidly than the original Prius did. Known as the "father of the Prius" for his role in popularizing the world's best-selling hybrid car, Takeshi Uchiyamada said he expected to sell 1 million plug-in hybrids in less than 10 years, the time it took for sales of its conventional hybrid vehicles to hit that mark.

Source: Reuters

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Feb. 16 Webinar: NADA and FTC to Discuss the Recently Revised Buyers Guide

Join NADA and FTC attorney John Hallerud in a webinar covering the changes to the Used Car Rule and the revised Buyers Guide. Learn how to properly produce, use and complete the revised Buyers Guide, and ask your questions directly to the FTC. This webinar is open to dealers, dealership staff, dealer attorneys, dealership compliance professionals, and dealership forms providers. [Click here](#) to register.

Date: Thursday, Feb. 16, 2017

Time: 1 p.m. ET

Duration: 75 minutes

Source: NADA

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2017 NADA Dealership Workforce Study Open for Participation

For participating in the study, dealerships will receive two complimentary reports.

With a retail workforce topping 1 million and the industry poised for growth, dealerships need to focus on hiring and keeping talented employees. The NADA Dealership Workforce Study (DWS) provides one-of-a-kind analysis of dealership pay plans and benefit packages, retention and turnover, employee benefits, work

schedules and demographics. It is based on actual payroll data and questionnaire responses submitted by NADA and ATD members.
The DWS is open for participation now through April 28, 2017, at www.nadaworkforcestudy.com.

In return for participating in the study, dealerships will receive two complimentary reports: (1) *Automotive Retail: National and Regional Trends in Compensation, Benefits and Retention* and (2) a custom report, which includes comparisons of the dealership(s) to peers nationally, regionally, by state and brand. **All data must be submitted by April 28, 2017.** To participate in the study, go to www.nadaworkforcestudy.com to begin. For questions, email WorkforceStudy@nada.org.

Source: NADA Dealership Operations

[\[back to top\]](#)

Hyundai Connects Soldiers with Their Families

The Super Bowl is known for the commercials during the game but this year, one automaker placed theirs after the contest was over. Hyundai's ad, called "A Better Super Bowl," visually transported three soldiers to Houston's NRG Stadium using 360-degree pods that placed them in a suite with their family members attending the game.

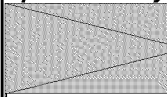
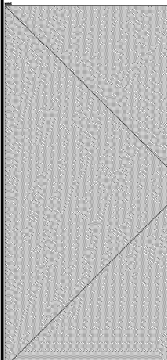
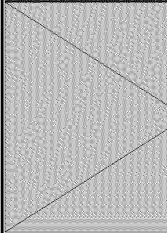
Source: Automotive News

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Past Articles

- Feb. 14 - [2017 NADA Dealership Workforce Study Open for Participation](#)
- Feb. 13 - [Tax Threat Heightens Concern about Affordability](#)
- Feb. 10 - [Mexican Tariff Could Hit Lower-Income Car Buyers](#)
- Feb. 9 - [Nissan Profit Climbs as SUV Sales Pick Up](#)
- Feb. 8 - [GM Aims SUVs at Shrinking Margin After Record Annual Profit](#)

"Environmental awareness has become a bigger issue today than it was 20 years ago, and demand for environmental conscious products has

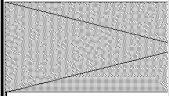
	<p>increased."</p> <p>-- Toyota Motor Corp. Chairman Takeshi Uchiyamada, Reuters, Feb. 15</p> <p>Sponsored by</p>  <p>Automotive Forum -- April 11</p>  <p>MyDealership Videos</p>  <p>NADA</p>	
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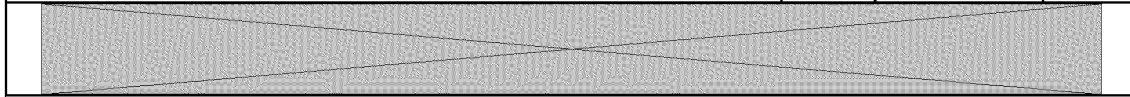
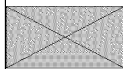
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Videos

Introducing
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Upcoming
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Feb. 15 --

	<p>Webinars</p> <p><u>Three Wasteful Digital Marketing Mistakes That Can Cost You Sales (12 p.m.)</u></p> <p><u>Feb. 16 -- FTC Webinar: Review of the Revised Buyers Guide (1 p.m.)</u></p> <p><u>Feb. 22 -- F&I Compliance: Steps to Prevent Regulatory Issues (12 p.m.)</u></p> <p>NADA members can view past webinars on-demand at no charge at <u>NADA University Online</u>. Members must create an NADA account before viewing.</p> 	
	<p>NADA Chairman's Commentary</p> <p><u>The Year at a Glance: A Final</u></p>	

	<p>Message From Your 2016 Chairman</p>	
		
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To: Kataoka, Mark[Kataoka.Mark@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Orlin, David[Orlin.David@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]
Cc: Simon, Karl[Simon.Karl@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
From: Charmley, William
Sent: Mon 2/13/2017 2:14:09 PM
Subject: Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump
[WHAutoIndustryLtr_021017.pdf](#)

Dear all –

We received a copy of this letter in the past few days.

Over the weekend Chris asked me if we could verbally discuss with David Orlin and Mark Kataoka a few questions that are on Chris's mind:

Ex. 5 - Deliberative Process and Attorney Client

Once we have had an opportunity to discuss, then we could schedule a meeting with Chris.

Karl, Lisa and Ben – please let me know if you would like to participate in this discussion (both the ASD/OGC discussion, and then the meeting with Chris G.)

Thanks

Bill

March 22, 2017

Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, D.C. 20460

Re: 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission Standards

Dear Administrator Pruitt:

As the environmental agency heads for the states of Connecticut, Delaware, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington, and the District of Columbia, we write to urge you to maintain the U.S. Environmental Protection Agency's (EPA's) "Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards." While the record suggests that more stringent standards may be appropriate, we agree with EPA's January 13, 2017 decision to keep the current national greenhouse gas (GHG) standards for model year (MY) 2022-2025 to provide automobile manufacturers with regulatory certainty. We also support maintaining these national standards in order to maximize environmental and economic benefits and to ensure that the United States continues as a world leader in advanced vehicles. In addition, we strongly urge you to respect the independent authority of California to implement its own standards and the right of other states to opt into those California standards to meet the environmental challenges we face.

As part of the 2012 rulemaking establishing the MY 2017-2025 light-duty vehicle GHG standards, which the automobile manufacturers strongly endorsed, EPA made a commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025. After conducting a robust evaluation of an extensive technical record and providing multiple opportunities for public input, EPA determined that the standards for MY 2022-2025 are still appropriate under section 202(a) of the federal Clean Air Act. EPA's completion of the Midterm Evaluation ahead of schedule does not provide grounds to reopen or alter EPA's determination, nor does it change the facts supporting the decision. The record clearly shows that technologies needed to meet the standards are here today, automakers are expected to meet the standards at lower costs than previously estimated, and many other technologies in active development may provide even more cost effective compliance options. The record also establishes that the standards will save consumers money on fuels that will then be available to invest in other areas of the economy, provide public health and welfare benefits, and will not negatively impact the economic viability of the automobile industry or vehicle safety.

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In addition, we strongly urge you to resist industry lobbying to attempt to revoke the waiver issued to California to implement its own GHG standards. You have often spoken of the importance of states' rights, and the right of California to establish and enforce standards that are needed to meet its environmental challenges is fundamental to the Clean Air Act, as is the right of other states to opt into the California standards. California's authority to adopt its own standards has been recognized for the past half century by EPA Administrators on a bipartisan basis. Any effort to revoke EPA's waiver decision for California's standards would be unprecedented, run afoul of the statutory criteria for granting or denying a waiver in section 209(b) of the federal Clean Air Act, and undermine our state rights. In granting a waiver for California's GHG standards, EPA determined that California met its burden and an even stronger waiver case could be made today. Moreover, our states continue to have broad bipartisan support for the authority Congress granted to states in section 177 of the Clean Air Act to adopt and enforce California standards that are more protective of public health and welfare.

For these reasons, we respectfully request that you preserve EPA's current GHG standards for MY 2022-25 and leave California's waiver intact.

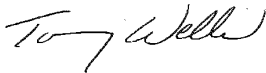
Sincerely,



Robert Klee
Commissioner
Connecticut Department of Energy and Environmental Protection



Shawn Garvin
Secretary
Delaware Department of Natural Resources and Environmental Control



Tommy Wells
Director
D.C. Department of Energy and Environment



Ben Grumbles
Secretary
Maryland Department of the Environment



Martin Suuberg
Commissioner
Massachusetts Department of Environmental Protection



Basil Seggos
Commissioner
New York Department of Environmental Conservation



Richard Whitman
Director
Oregon Department of Environmental Quality



Patrick McDonnell
Acting Secretary
Pennsylvania Department of Environmental Protection



Janet Coit
Director
Rhode Island Department of Environmental Management



Maia Bellon
Director
Department of Ecology
State of Washington



Emily Boedecker
Commissioner
Vermont Department of Environmental Conservation

cc: Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Mary Nichols
Chairman
California Air Resources Board
1001 "I" Street
Sacramento, California 95814

The Secretary of the Department of Transportation, Elaine Chao, and the Administrator of the Environmental Protection Agency, Scott Pruitt, signed the following Notice on March 13, 2017 and we are submitting it for publication in the Federal Register. While we have taken steps to ensure the accuracy of this Internet version of the notice, it is not the official version of the notice. Please refer to the official version in a forthcoming Federal Register publication, which will appear on the Government Printing Office's FDSys website (www.gpo.gov/fdsys/search/home.action). Once the official version of this document is published in the Federal Register, this version will be removed from the Internet and replaced with a link to the official version.

6560-50-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 523, 531, 533, 536 and 537

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86 (§ 86.1818-12(c))

[FRL-XXXX-XX-XXX]

Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles

AGENCY: Environmental Protection Agency (EPA) and Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA).

ACTION: Notice.

SUMMARY: EPA announces its intention to reconsider the Final Determination of the Mid-Term Evaluation of greenhouse gas (GHG) standards for model year (MY) 2022-2025 light-duty vehicles and to coordinate its reconsideration with the parallel process to be undertaken by the DOT's NHTSA regarding Corporate Average Fuel Economy (CAFE) standards for cars and light trucks for the same model years.

FOR FURTHER INFORMATION CONTACT: William Charmley, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, Fuel Emissions Laboratory/OAR, 2565 Plymouth Road, Ann Arbor, MI 48105, telephone (734) 214-4446. Email:

charmley.william@epa.gov and Rebecca Schade, Office of the Chief Counsel, National

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This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590;
telephone: (202) 366-2992.

SUPPLEMENTARY INFORMATION: By this notice, EPA announces its intention to reconsider its Final Determination of the Mid-Term Evaluation of GHG standards for MY 2022-2025 light-duty vehicles. The EPA has inherent authority to reconsider past decisions and to revise, replace or repeal a decision to the extent permitted by law and supported by a reasoned explanation. *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). In 2012, EPA committed to continuing to coordinate development of its Clean Air Act (CAA) section 202(a)(1) (42 U.S.C. 7521(a)) emission standards with NHTSA's development of CAFE standards for light-duty vehicles, but did not do so in development and publication of EPA's January 12, 2017 Midterm Evaluation of standards conducted under 40 CFR 86.1818-12(h) of EPA's regulations. EPA now announces it will reconsider that determination in coordination with NHTSA.

The Mid-Term Evaluation was established to review standards set in a 2012 joint rulemaking by the EPA and NHTSA, which set federal GHG emissions and CAFE standards for MY 2017 and beyond for light-duty vehicles. 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Final Rule, 77 FR 62,624 (Oct. 15, 2012). These standards, codified for EPA at 40 C.F.R. 86.1818-12, apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles (i.e., sport utility vehicles, cross-over utility vehicles and light trucks), collectively referred to in this notice as light-duty vehicles.

This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

The EPA and NHTSA finalized separate sets of standards under their respective statutory authorities. EPA set GHG standards (including standards for emissions of carbon dioxide (CO₂), nitrous oxide, methane and air conditioning refrigerants) for MY 2017-2025 passenger cars and light-trucks under section 202(a) of the CAA. NHTSA sets national CAFE standards under the Energy Policy and Conservation Act (EPCA), as amended by the Energy Independence and Security Act (EISA) of 2007 (49 U.S.C. 32902). NHTSA set final CAFE standards for MY 2017-2021 light-duty vehicles and issued augural standards for MYs 2022-2025.

The 2012 rulemaking establishing these standards included a regulatory requirement for the EPA to conduct a Mid-Term Evaluation of the GHG standards established for MYs 2022-2025. 77 Fed. Reg. 62,625 (October 15, 2012), codified at 40 CFR 86.1818-12(h). In July 2016, EPA, NHTSA, and the California Air Resources Board (CARB) released for public comment a jointly prepared Draft Technical Assessment Report, which examined a range of issues relevant to GHG emissions and CAFE standards for MYs 2022–2025. 81 Fed. Reg. 49,217 (July 27, 2016). In November, 2016, EPA issued a proposed determination for the Mid-Term Evaluation. 81 Fed. Reg. 87,927 (Dec. 6, 2016). On January 12, 2017, the EPA Administrator signed the Final Determination of the Mid-Term Evaluation of light-duty vehicle GHG emissions standards for MYs 2022– 2025.

Under 40 CFR 86.1818-12(h), no later than April 1, 2018, the EPA Administrator must determine whether the GHG standards previously established under 40 CFR 86.1818-12(c) for MYs 2022-2025 are appropriate under section 202(a) of the CAA, in light of the record then before the Administrator. Given that CO₂ makes up the vast majority of the GHGs that EPA regulates under section 202(a), and given that the technologies available for regulating CO₂

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emissions do so by improving fuel economy (which NHTSA regulates under EPCA/EISA), NHTSA's views with regard to what CAFE standards would be maximum feasible for those model years is an appropriate consideration in EPA's determining what GHG standards would be appropriate under the CAA. See 40 CFR 86.1818-12(h)(1)(vii) (listing as one of the factors EPA should consider in the Mid-Term Evaluation "[t]he impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program"). However, NHTSA has not yet considered what CAFE standards would be the maximum feasible standards for MYs 2022-2025. Accordingly, EPA has concluded that it is appropriate to reconsider its Final Determination in order to allow additional consultation and coordination with NHTSA in support of a national harmonized program.

For its part, NHTSA will continue to engage with stakeholders as it works to develop a Notice of Proposed Rulemaking to set CAFE standards for MYs 2022-2025. As explained in the 2012 final rule, this proposal will be part of "a de novo rulemaking conducted...with fresh inputs and a fresh consideration and balancing of all relevant factors, based on the best and most current information before the agency at that time." 77 Fed. Reg. 62,652. A final rule for MY 2022 is statutorily required to be issued by NHTSA by April 1, 2020.

In accord with the schedule set forth in EPA's regulations, the EPA intends to make a new Final Determination regarding the appropriateness of the MY 2022-2025 GHG standards no later than April 1, 2018.

Dated: _____

This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

Elaine L. Chao
Secretary, Department of Transportation

Dated: _____

E. Scott Pruitt
Administrator, Environmental Protection Agency

**Final Determination on the
Appropriateness of the Model Year
2022-2025 Light-Duty Vehicle
Greenhouse Gas Emissions Standards
under the Midterm Evaluation**



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Appropriateness of the Model Year
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U.S. Environmental Protection Agency



EPA-420-R-17-001
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Executive Summary

The 2012 rulemaking establishing the National Program for federal greenhouse gas (GHG) emissions and corporate average fuel economy (CAFE) standards for model years (MY)2017-2025 light-duty vehicles included a regulatory requirement for the Environmental Protection Agency (EPA) to conduct a Midterm Evaluation (MTE) of the GHG standards established for model years (MY)2022-2025.¹ In this final order, the Administrator is making a final adjudicatory determination (hereafter "determination") that, based on her evaluation of extensive technical information available to her and significant input from the industry and other stakeholders, and in light of the factors listed in the 2012 final rule establishing the MY2017-2025 standards, the MY2022-2025 standards remain appropriate under section 202 (a) (1) of the Clean Air Act. This action leaves those standards entirely as they now exist, unaltered. The regulatory status quo is unchanged. This final order constitutes a final agency action. See 76 FR 48763 (Aug. 9, 2011).

This Final Determination follows the November 2016 Proposed Determination issued by the EPA Administrator and the July 2016 release of a Draft Technical Assessment Report (TAR), issued jointly by the EPA, the National Highway Traffic Safety Administration (NHTSA), and the California Air Resources Board (CARB). Opportunities for public comment were provided for both the Draft TAR and the Proposed Determination. In the Draft TAR, the agencies examined a wide range of issues relevant to GHG emissions standards for MY2022-2025, and shared with the public their initial technical analyses of those issues. The Draft TAR was required by EPA's regulations as the first step in the Midterm Evaluation process. In developing the Proposed Determination, the Administrator considered public comments on the Draft TAR and EPA updated its analyses where appropriate in response to comments and to reflect the latest available data. The Administrator has likewise considered public input on the Proposed Determination in developing this Final Determination.

As the final step in the MTE, the Administrator must determine whether the MY2022-2025 GHG standards, established in 2012, are still appropriate under section 202(a)(1) of the Clean Air Act (Act), in light of the record before the Administrator, given the latest available data and information. EPA's regulations establish April 1, 2018, as the latest date for such a determination, but otherwise do not constrain the Administrator's discretion to select an earlier determination date. The Administrator is choosing to make the Final Determination now, recognizing that long-term regulatory certainty and stability are important for the automotive industry and will contribute to the continued success of the program, which in turn will reduce emissions, improve fuel economy, deliver significant fuel savings to consumers, and benefit public health and welfare.

EPA received more than 100,000 public comments on the Proposed Determination, with comments from about 60 organizations and the rest from individuals. These public comments have informed the Administrator's Final Determination, and EPA has responded to those comments in the accompanying Response to Comments (RTC) document. This record²

¹ 40 CFR 86.1818-12(h).

² This record, the basis for the Administrator's determination, is contained in EPA Docket ID No. EPA-HQ-OAR-2015-0827.

represents the most current information available, as informed by public comment, and provides the basis for the Administrator's Final Determination, as called for in the 2012 rule.

The EPA regulations state that in making the required determination, the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

- The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- The feasibility and practicability of the standards;
- The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- The impact of the standards on the automobile industry;
- The impacts of the standards on automobile safety;
- The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and
- The impact of the standards on other relevant factors.³

This Final Determination is the Administrator's final decision on whether or not the MY2022-2025 standards are appropriate under section 202(a)(1) of the Clean Air Act, in light of the record now before the Administrator. EPA's regulations specify that the determination shall be "based upon a record that includes the following:

- A Draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;
- Public comment on the Draft Technical Assessment Report;
- Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and
- Such other materials the Administrator deems appropriate."⁴

The EPA has now concluded all the required steps in the MTE process and the record upon which the Administrator is making this Final Determination reflects all the elements specified in the regulations. As discussed above, EPA issued (jointly with NHTSA and CARB) the July 2016 Draft Technical Assessment Report (TAR) and sought public comment on it. EPA updated

³ 40 CFR 86.1818-12(h)(1).

⁴ 40 CFR 86.1818-12(h)(2).

its Draft TAR assessment in response to public comments as part of the November 2016 Proposed Determination. EPA also sought public comment on the Proposed Determination that the GHG standards for MY2022-2025 remain appropriate under section 202 (a)(1) of the Act. If those comments had included information that led the Administrator to the determination that the standards are inappropriate, EPA would then have had to initiate a rulemaking seeking to amend those standards, as specified in the MTE regulation.⁵ However, no factual evidence came to light in the public comments or otherwise that leads the Administrator to a different conclusion than the one set forth in the Proposed Determination. The Administrator is thus making this Final Determination that the standards remain appropriate, and that no further action under the Midterm Evaluation is necessary. Thus the standards remain unchanged and the regulatory status quo is unaltered. See also 76 FR 48763 (Aug. 9, 2011) (“[t]he MY2022-2025 GHG standards will remain in effect unless and until EPA changes them by rulemaking”).

EPA’s updated analyses presented in the Proposed Determination built upon and were directly responsive to public comments on the Draft TAR. The Administrator has fully considered public comments submitted in response to the Proposed Determination, and EPA has responded to comments in the accompanying Response to Comments (RTC) document. The Administrator believes that there has been no information presented in the public comments on the Proposed Determination that materially changes the Agency’s analysis documented in the Proposed Determination. Therefore, the Administrator considers the analyses presented in the Proposed Determination⁶ as the final EPA analyses upon which her Final Determination is based.

The Administrator notes that, in response to EPA’s solicitation of comment on the topic, several commenters spoke to the need for additional incentives or flexibilities in the out years of the program including incentives that could continue to help promote the market for very advanced technologies, such as electric vehicles. She notes that her determination, based on the record before her, is that the MY2022-2025 standards currently in effect are feasible (evaluated against the criteria established in the 2012 rule) and appropriate under section 202, and do not need to be revised. This conclusion, however, neither precludes nor prejudices the possibility of a future rulemaking to provide additional incentives for very clean technologies or flexibilities that could assist manufacturers with longer term planning without compromising the effectiveness of the current program. The EPA is always open to further dialogue with the manufacturers, NHTSA, CARB and other stakeholders to explore and consider the suggestions made to date and any other ideas that could enhance firms’ incentives to move forward with and to help promote the market for very advanced technologies, such as electric vehicles (EVs), plug-in hybrid electric vehicles (PHEVs), and fuel cell vehicles (FCEVs).

The basis for the Administrator’s assessment supporting her decision that the MY2022-2025 standards are appropriate is summarized below.

The Standards Are Feasible at Reasonable Cost, Without Need for Extensive Electrification.
As part of our technical assessment of the technologies available to meet the MY2022-2025 GHG standards, we present a range of feasible, cost-effective compliance pathways to meet the

⁵ 40 CFR 86.1818-12(h) (final sentence).

⁶ Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, EPA-420-R-16-020, and accompanying Technical Support Document, EPA-420-R-16-021, November 2016.

MY2022-2025 standards. This analysis demonstrates that compliance can be achieved through a number of different technology pathways reflecting predominantly the application of technologies already in commercial production. The EPA also considered further developments in technologies where there is reliable evidence that those technologies could be feasibly deployed by 2025. The standards are in fact devised so as not to force manufacturers into a single compliance path, and the analysis showing multiple compliance pathways indicates that the standards provide each manufacturer with the flexibility to apply technologies in the way it views best to meet the needs of its customers. Moreover, given the rapid pace of automotive industry innovation, we believe there are, and will continue to be, emerging technologies that will be available in the MY2022-2025 time frame that could perform appreciably better at potentially lower cost than the technologies modeled in EPA's assessment. We have already seen this type of innovative development since the MY2017-2025 GHG standards were originally promulgated in 2012, including expanded use of continuously variable transmissions and introduction of higher expansion ratio, naturally aspirated gasoline engines (Atkinson). Updated information also shows that some of the technologies we did anticipate in 2012 are costing less, and are more effective, than we anticipated at that time.

EPA further projects that the MY2022-2025 standards can be met largely through advances in gasoline vehicle technologies, such as improvements in engines, transmissions, light-weighting, aerodynamics, and accessories, and, as noted, that there are multiple available compliance pathways based on the predominant use of these technologies. This analysis is consistent with both agencies' findings in the 2012 final rulemaking (FRM). Table ES-1 shows fleet-wide penetration rates for a subset of the technologies EPA projects could be used to comply with the MY2025 standards. The analyses further indicate that very low levels of strong hybrids and electric vehicles (both plug-in hybrid electric vehicles (PHEV) and electric vehicles (EV)) will be needed to meet the standards. EPA analyzed a central case low-cost pathway as well as multiple sensitivity cases, all of which show that compliance can be achieved through a number of different technology pathways without extensive use of strong hybrid or electric vehicles. These sensitivity cases include various fuel price scenarios, cost markups, and technology penetrations (e.g., lower Atkinson penetration, lower mass reduction, alternative transmissions). See Table ES-1, presenting the sensitivity cases as a range of technology penetrations and per-vehicle costs. These costs are lower than those projected in the 2012 rule; at that time, the EPA projected that average per-vehicle costs, although reasonable, would be about \$1,100.⁷

Table ES-1 Selected Technology Penetrations (Absolute) and Per-Vehicle Average Costs (2015\$) to Meet MY2025 GHG Standards (Incremental to the Costs to Meet the MY2021 Standards)¹

	Final Determination	
	Primary Analysis	Range of Sensitivities Analyzed
Turbocharged and downsized gasoline engines (%)	34%	31 - 41%
Higher expansion ratio, naturally aspirated gasoline engines (%)	27%	5 - 41%
8 speed and other advanced transmissions ² (%)	93%	92 - 94%
Mass reduction (%)	9%	2 - 10%

⁷ 77 FR 62853, October 15, 2012; Draft Technical Assessment Report, Table 12.44.

Off-cycle technology ³	26%	13 - 51%
Stop-start (%)	15%	12 - 39%
Mild Hybrid (%)	18%	16 - 27%
Strong Hybrid (%)	2%	2 - 3%
Plug-in hybrid electric vehicle ⁴ (%)	2%	2%
Electric vehicle ⁴ (%)	3%	2 - 4%
Per vehicle cost (2015\$)	\$875	\$800 - \$1,115

Notes:

¹ Percentages shown are absolute rather than incremental. Values based on AEO 2016 reference case.

² Including continuously variable transmissions (CVT).

³ In addition to modeling the off-cycle credits of stop-start and active aerodynamics, EPA also assessed additional off-cycle technologies as unique technologies that can be applied to a vehicle and that reduce CO₂ emissions by either 1.5 g/mi or 3 g/mi. See Proposed Determination Appendix C.1.1.1.3.

⁴ Electric vehicle penetrations include the California Zero Emission Vehicle (ZEV) program.

The Standards Will Achieve Significant CO₂ and Oil Reductions. Based on various assumptions, including the U.S. Department of Energy's Annual Energy Outlook (AEO) 2016 reference case projections of the car/truck mix out to 2025, the footprint-based GHG standards curves for MY2022-2025 are projected to achieve an industry-wide fleet average carbon dioxide (CO₂) target of 173 grams/mile (g/mi) in MY2025 (Table ES-2). The projected fleet average CO₂ target represents a 2-cycle GHG emissions compliance level equivalent to 51.4 mpg-e (if all reductions were achieved exclusively through fuel economy improvements).⁸ EPA projects that this GHG compliance level of 51.4 mpg-e could be met by automakers with average real world/label fuel economy of about 36 mpg. Given that the MY2016 real world fleet average fuel economy is about 26 mpg, this means that the fleet must improve real world fuel economy by about 10 mpg over the 9-year period from 2016 to 2025, or about one mpg per year.⁹

As a sensitivity, Table ES-2 also includes target projections based on two AEO 2016 scenarios in addition to the AEO 2016 reference case: a low fuel price case and a high fuel price case. Under the footprint-based standards, the program is designed to ensure significant GHG reductions across the fleet, and each automaker's standard automatically adjusts based on the mix (size and volume) of vehicles it produces each model year. Thus, as shown in Table ES-2, different fuel price cases translate into different projections for the car/truck fleet mix (e.g., with a higher truck share shown in the low fuel price case, and a lower truck share shown in the high fuel price case), which in turn leads to varying projections for the CO₂ targets and MPG-e levels projected for MY2025. These estimated CO₂ target levels reflect changes in the latest projections about the MY2025 fleet mix compared to the projections in 2012 when the standards were first established.

In our analysis for this Final Determination, we are applying the same footprint-based curves to the updated fleet projections for MY2025. It is important to keep in mind that the updated

⁸ The projected MY2025 target of 173 g/mi represents an approximate 50 percent decrease in GHG emissions relative to the fuel economy standards that were in place in 2010. It is clear from current GHG manufacturer performance data that many automakers are earning air conditioner refrigerant GHG credits that reduce GHG emissions, but do not improve fuel economy. Accordingly, the projected MY2025 target of 173 g/mi represents slightly less than a doubling of fuel economy relative to the standards that were in place in 2010.

⁹ U.S. EPA, Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends: 1975 Through 2016," November 2016, www.epa.gov/fuel-economy/trends-report.

MY2025 fleet wide projections reflected in this Final Determination are still projections-- based on the latest available information, which will likely continue to change with future projections - - and that the actual GHG emissions/fuel economy level achieved in MY2025 will not be determined until the manufacturers have completed their MY2025 production. Put another way, each manufacturer will not know what its individual standard is until MY2025, since that individual standard is determined by the type and number of vehicles the manufacturer chooses to produce.

Table ES-2 Projections for MY2025: Car/Truck Mix, CO₂ Target Levels, and MPG-equivalent¹

	2012 Final Rule	Final Determination		
	AEO 2011 Reference	AEO 2016 Reference	AEO 2016 Low	AEO 2016 High
Fuel Price in 2025 (\$/gallon) ²	\$3.87	\$2.97	\$1.97	\$4.94
Car/truck mix	67/33%	53/47%	44/56%	63/37%
CO ₂ (g/mi)	163	173	178	167
MPG-e ³	54.5	51.4	49.9	53.3

Notes:

¹ The CO₂ and MPG-e values shown here are 2-cycle compliance values. Projected real-world values are detailed in the Proposed Determination TSD Chapter 3; for example, AEO reference fuel price case, real-world CO₂ emissions performance would be 233 g/mi and real-world fuel economy would be about 36 mpg.

² AEO 2011 fuel price is 2010\$ (equivalent to \$4.21 in 2015\$); AEO 2016 fuel prices are 2015\$.

³ Mile per gallon equivalent (MPG-e) is the corresponding fleet average fuel economy value if the entire fleet were to meet the CO₂ standard compliance level through tailpipe CO₂ improvements that also improve fuel economy. This is provided for illustrative purposes only, as we do not expect the GHG standards to be met only with fuel efficiency technology.

EPA estimates that over the vehicle lifetimes the MY2022-2025 standards will reduce GHG emissions by 540 million metric tons and reduce oil consumption by 1.2 billion barrels, as shown in Table ES-3.

Table ES-3 Cumulative GHG and Oil Reductions for Meeting the MY2022-2025 Standards (Vehicle Lifetime Reductions)

	Final Determination ¹
GHG reduction (million metric tons, MMT CO ₂ e)	540
Oil reduction (billion barrels)	1.2

Note:

¹ Values based on AEO 2016 reference case.

The Standards Will Provide Significant Benefits to Consumers and to the Public. The net benefits of the MY2022-2025 standards are nearly \$100 billion (at 3 percent discount rate). Table ES-4 presents the societal monetized benefits associated with meeting the MY2022-2025 standards. The EPA also evaluated the benefit-costs of additional scenarios (AEO 2016 high and low fuel price scenarios). See Proposed Determination Section IV.A. In all cases, the net benefits far exceed the costs of the program. It is also notable that in all cases, the benefits (excluding fuel savings) and the fuel savings, each independently, exceed the costs. That is, the

benefits exceed the costs without considering any fuel savings, and likewise fuel savings exceed the costs even without considering any other benefits.

Table ES-4 GHG Analysis of Lifetime Costs & Benefits to Meet the MY2022-2025 GHG Standards (for Vehicles Produced in MY2021-2025)¹ (Billions of \$)

	Final Determination ²	
	3 Percent Discount Rate	7 Percent Discount Rate
Vehicle Program	-\$33	-\$24
Maintenance	-\$3	-\$2
Fuel	\$92	\$52
Benefits ¹	\$42	\$32
Net Benefits	\$98	\$59

Notes:

¹All values are discounted back to 2016. See the Proposed Determination Appendix C for details on discounting social cost of GHG and non-GHG benefits, and for a discussion that the costs and benefits reflect some early compliance with the MY2025 standard in MY2021.

²Values based on AEO 2016 reference case and 2015\$.

When considering the payback of an average MY2025 vehicle compared to a vehicle meeting the MY2021 standards, we believe one of the most meaningful analyses is to look at the payback for consumers who finance their vehicle, as the vast majority of consumers (nearly 86 percent) purchase new vehicles through financing. The average loan period is over 67 months. Consumers who finance their vehicle with a 5-year loan would see payback within the first year. Consumers who pay cash for their vehicle would see payback in the fifth year of ownership. Consumers would realize net savings of \$1,650 over the lifetime of their new vehicle (i.e., net of increased lifetime costs and lifetime fuel savings). Even with the lowest fuel prices projected by AEO 2016 (see Proposed Determination Appendix C), approximately \$2 per gallon in 2025, the lifetime fuel savings significantly outweigh the increased lifetime costs.

Table ES-5 Payback Period and Net Lifetime Consumer Savings for an Average MY2025 Vehicle Compared to the MY2021 GHG Standards

	Final Determination ¹
Payback period – 5-year loan purchase ² (years)	<1
Payback period – Cash purchase (years)	5
Net Lifetime Consumer Savings (\$, discounted at 3%)	\$1,650

Notes:

¹ Values based on AEO 2016 reference case and 2015\$

² Using an interest rate of 4.25 percent.

The Auto Industry is Thriving and Meeting the Standards More Quickly than Required. While the Final Determination focuses on the MY2022-2025 standards, we note that the auto industry, on average, has out-performed the first four years of the light-duty GHG standards (MY2012-2015). This has occurred concurrently with a period during which the industry successfully rebounded after a period of economic distress. The recently released GHG Manufacturer

Performance Report for the 2015 Model Year shows that the National Program is working even at low fuel prices and automakers are over-complying with the standards, notwithstanding that the MY2015 standard was the most stringent to date, and that the increase in stringency from the previous model year was also the most pronounced to date.¹⁰ Further, concurrently with outperforming the GHG standards, sales have increased for seven straight years, for the first time in 100 years, to an all-time record high in 2016, reflecting positive consumer response to vehicles meeting the standards.

The Administrator's Final Determination is that the MY2022-2025 standards remain appropriate. In light of the pace of progress in reducing GHG emissions since the MY2022-2025 standards were adopted, the success of automakers in achieving the standards to date while vehicle sales are strong, the projected costs of the standards, the impact of the standards on reducing emissions and fuel costs for consumers, and the other factors identified in 40 CFR 86.1818-12(h), the Administrator concludes that the record does not support a conclusion that the MY2022-2025 standards should be revised to make them less stringent. The Administrator did consider whether it would be appropriate to propose to amend the standards to increase their stringency. In her view, the current record, including the current state of technology and the pace of technology development and implementation, could support a proposal, and potentially an ultimate decision, to adopt more stringent standards for MY2022-2025. However, she also recognizes that regulatory certainty and consequent stability is important, and that it is important not to disrupt the industry's long-term planning. Long lead time is needed to accommodate significant redesigns. The Administrator also believes a decision to maintain the current standards provides support to a timely NHTSA rulemaking to adopt MY2022-2025 standards, as well as to the California Air Resources Board to consider in its review of the California GHG vehicle standards for MY2022-2025 as part of its Advanced Clean Cars program,¹¹ and thus to a harmonized national program. The Administrator consequently has concluded that it is appropriate to provide the full measure of lead time for the MY2022-2025 standards, rather than adopting (or, more precisely, proposing to adopt) new, more stringent standards with a shorter lead time.

¹⁰ “Greenhouse Gas Emission Standards for Light-duty Vehicles, Manufacturer Performance Report for the 2015 Model Year, November 2016, EPA-420-R-16-014.<https://www.epa.gov/regulations-emissions-vehicles-and-engines/ghg-emission-standards-light-duty-vehicles-manufacturer>.”

¹¹ California adopted its own GHG standards for MY2017-2025 in 2012 prior to EPA and NHTSA finalizing the National Program. Through direction from its Board in 2012, CARB both adopted a “deemed to comply” provision allowing compliance with EPA’s GHG standards in lieu of CARB’s standards, and committed to participate in the Midterm Evaluation (https://www.arb.ca.gov/msprog/consumer_info/advanced_clean_cars/consumer_acc_mtr.htm).

I. Introduction

A. Background on the Midterm Evaluation

The Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA) have conducted two joint rulemakings to establish a coordinated National Program for federal greenhouse gas (GHG) emissions and corporate average fuel economy (CAFE) standards for light-duty vehicles. Light-duty vehicles, which include passenger cars, sport utility vehicles, crossover utility vehicles, minivans, and pickup trucks, make up about 60 percent of all U.S. transportation-related GHG emissions and fuel consumption.¹² The agencies finalized the first set of National Program standards covering model years (MYs) 2012-2016 in May 2010¹³ and the second set of standards, covering MY2017-2025, in October 2012.¹⁴ The National Program is one of the most significant federal actions ever taken to reduce domestic GHG emissions and improve automotive fuel economy, establishing standards that increase in stringency year-over-year from MY2012 through MY2025 and projected to reach a level that nearly doubles fuel economy and halves GHG emissions compared to MY2010.

Through the coordination of the National Program with the California Air Resources Board's GHG standards, automakers can build one single fleet of vehicles across the U.S. that satisfies all GHG/CAFE requirements, and consumers can continue to have a full range of vehicle choices that meet their needs.¹⁵ In addition, the Canadian government has adopted standards aligned with the U.S. EPA GHG standards through MY2025, further facilitating manufacturers' ability to produce vehicles satisfying harmonized standards.¹⁶ Most stakeholders strongly supported the National Program, including the auto industry, automotive suppliers, state and local governments, labor unions, NGOs, consumer groups, veterans groups, and others. In the agencies' 2012 final rules, the National Program was estimated to reduce carbon dioxide (CO₂) emissions by 6 billion metric tons and reduce oil consumption by 12 billion barrels over the lifetime of MY2012-2025 vehicles. The standards are projected to provide significant savings for consumers due to reduced fuel use and consequent reduced fuel expenditures.

The 2012 final rule established standards through MY2025 to provide substantial lead time and regulatory certainty to the industry. Recognizing the rule's long time frame, EPA's rule establishing GHG standards for MY2017-2025 light-duty vehicles included a requirement for the agency to conduct a Midterm Evaluation (MTE) of the MYs 2022-2025 GHG standards. Through the MTE, EPA must determine whether the GHG standards for MY2022-2025,

¹² Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2014, EPA Publication number EPA 430-R-16-002, April 15, 2016. Overall transportation sources account for 26 percent of total U.S. GHG emissions.

¹³ 75 FR 25324, May 7, 2010.

¹⁴ 77 FR 62624, October 15, 2012.

¹⁵ Subsequent to the adoption of California-specific GHG standards for MYs 2017-2025 and the adoption of the Federal standards for MY2017 and beyond, CARB adopted a "deemed to comply" provision in furtherance of a National Program whereby compliance with the federal GHG standards would be deemed to be compliance with California's GHG program.

¹⁶ EPA has coordinated with Environment and Climate Change Canada (ECCC) and Transport Canada throughout the Midterm Evaluation, including collaborating on a number of technology research projects. See Draft Technical Assessment Report Chapter 2.2.3, p. 2-8.

established in 2012, are still appropriate, within the meaning of section 202(a)(1) of the Clean Air Act, in light of the record before the Administrator, given the latest available data and information. See 40 CFR 86.1818-12(h). The MTE regulations provide that if the Administrator were to make a determination that the standards are not appropriate, based upon consideration of the decision factors in the regulation and the factual record available to the Administrator at the time of the determination, then the EPA would initiate a rulemaking to amend the standards to make them either more or less stringent. See 40 CFR 86.1818-12(h) (final sentence). This regulatory provision to conduct a rulemaking is limited only to the situation where the Administrator makes a determination that the standards are not appropriate and should be changed, to be either more or less stringent, and not to the situation where the Administrator, as in the case of this Final Determination, determines that the standards are appropriate and should not be changed. See 77 FR 62784 (Oct. 15, 2012) (stating that if EPA concludes the standards are appropriate it will “announce that final decision and the basis for EPA’s decision” and if the EPA decides the standards are not appropriate, it will “initiate a rulemaking to adopt standards that are appropriate under section 202(a)”).

In the 2012 rulemaking, the EPA stated its intention that the MTE would entail “a holistic assessment of all of the factors considered in standards setting,” and “the expected impact of those factors on manufacturers’ ability to comply, without placing decisive weight on any particular factor or projection.” See 77 FR 62784 (Oct. 15, 2012). Indeed, the analyses supporting this MTE have been as robust and comprehensive as that in the original setting of the MY2017-2025 standards, *Id.*, although the nature of the decision-making the EPA has undertaken based on those analyses is very different, as established by design of the MTE regulations. In the 2012 rule, the EPA was faced with establishing the MY2017-2025 standards, while in this Final Determination the EPA has evaluated those standards in light of developments to date in order to determine if the existing standards are appropriate. *Id.* In gathering data and information throughout the MTE process, the EPA has drawn from a wide range of sources, including vehicle certification data, research projects and vehicle testing programs initiated by the agencies, input from stakeholders, and information from technical conferences, published literature, studies published by various organizations, and the many public comments.

In July 2016, EPA, NHTSA, and CARB jointly issued for public comment a Draft Technical Assessment Report (TAR) examining a wide range of issues relevant to the MY2022-2025 standards.¹⁷ For the EPA, the Draft TAR was the first formal step in the MTE process as required under EPA’s regulations.¹⁸ The Draft TAR was a technical report, not a decision document. It was an opportunity for all three agencies to share with the public their technical analyses relating to the appropriateness of the MY2022-2025 standards.

The EPA received over 200,000 public comments on the Draft TAR, including about 90 comments from organizations and the rest from individuals. The organization commenters included auto manufacturers and suppliers, environmental and other non-governmental organizations (NGOs), consumer groups, state and local governments and their associations, labor unions, fuels and energy providers, auto dealers, academics, national security experts,

¹⁷ 81 FR 49217, July 27, 2016.

¹⁸ See 40 CFR 86.1818-12(h)(2)(i).

veteran's groups, and others. These comments presented a range of views on whether the standards should be retained, or made more or less stringent, and, in some cases, provided additional factual information that EPA considered in updating its analyses in support of the Administrator's Proposed Determination. The EPA also considered the few additional comments received after the close of the comment period on the Draft TAR.¹⁹

On November 30, 2016, EPA Administrator issued a proposed adjudicatory determination²⁰ proposing to find that the MY2022-2025 standards remain appropriate under the Clean Air Act. Because the Administrator was proposing that there be no change to the MY2022-2025 standards currently in the regulations, in other words that there be no change in the standards' stringency, the Proposed Determination did not include a Notice of Proposed Rulemaking. See section 86.1818-12(h). In this Final Determination, the Administrator has once again considered public comments -- those received on the Proposed Determination. The EPA received more than 100,000 comments on the Proposed Determination, with about 60 comments from organizations and the rest from individuals. The EPA responds to the public comments in the accompanying Response to Comments (RTC) document.

The EPA regulations state that in making the required determination, the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

- The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- The feasibility and practicability of the standards;
- The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- The impact of the standards on the automobile industry;

¹⁹ After the close of the comment period on the Draft TAR, EPA received and docketed additional comments from Volkswagen, the Electric Drive Transportation Association, and the Alliance of Automobile Manufacturers (a non-technical comment), all of which the EPA considered in the Proposed Determination.

²⁰ As noted in the Proposed Determination, and discussed more fully in the Response to Comments, the determination is not a rulemaking. None of EPA's rules, the Administrative Procedures Act, or the Clean Air Act require that the determination be made by rulemaking. EPA is properly exercising its discretion to proceed by adjudication. The final determination evaluates the technical record and concludes that the current standards are appropriate. As with past mid-course evaluations of Title II rules, where the EPA evaluates standards and decides not to change them, it need not undertake, and is not undertaking, a rulemaking. For example, in the final rule for heavy-duty engine standards (66 FR 5063, January 18, 2001), EPA announced regular biennial reviews of the status of the key emission control technology. EPA subsequently issued those reviews in 2002 and 2004, without going through rulemaking. See EPA Report 420-R-02-016; EPA Report 420-R-04-004. Or for instance, in the final rule for the Nonroad Tier 3 standards (63 FR 56983, Oct 23, 1998), EPA committed to reviewing the feasibility of the standards by 2001 and to adjust them by rulemaking if necessary. In 2001, without engaging in rulemaking, the EPA published a report, see EPA Report 420-R-01-052, accepted comments, and concluded publicly that the standards remained technologically feasible. (Memorandum: "Comments On Nonroad Diesel Emissions Standards: Staff Technical Paper," from Chet France to Margo Oge, June 4, 2002).

- The impacts of the standards on automobile safety;
- The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and
- The impact of the standards on other relevant factors.²¹

The preamble to the 2012 final rule further listed ten relevant factors that the agencies will consider at a minimum during the MTE. The EPA in fact addressed all of these issues in the Draft TAR, and considered them further in the Proposed Determination and in this Final Determination.²²

- Development of powertrain improvements to gasoline and diesel powered vehicles;
- Impacts on employment, including the auto sector;
- Availability and implementation of methods to reduce weight, including any impacts on safety;
- Actual and projected availability of public and private charging infrastructure for electric vehicles, and fueling infrastructure for alternative fueled vehicles;
- Costs, availability, and consumer acceptance of technologies to ensure compliance with the standards, such as vehicle batteries and power electronics, mass reduction, and anticipated trends in these costs;
- Payback periods for any incremental vehicle costs associated with meeting the standards;
- Costs for gasoline, diesel fuel, and alternative fuels;
- Total light-duty vehicle sales and projected fleet mix;
- Market penetration across the fleet of fuel efficient technologies;
- Any other factors that may be deemed relevant to the review.²³

In the 2012 final rule, the agencies projected that the MY2025 standards would be met largely through advances in conventional vehicle technologies, including advances in gasoline engines (such as downsized/turbocharged engines) and transmissions, vehicle weight reduction, improvements in aerodynamics, more efficient accessories, and lower rolling resistance tires. The agencies also projected that vehicle air conditioning systems would continue to improve by becoming more efficient and by increasing the use of alternative refrigerants and lower leakage systems. The EPA estimated that some increased electrification of the fleet would occur through the expanded use of stop/start and mild hybrid technologies, but projected that the MY2025 standards could be met with only about five percent of the fleet being strong hybrid electric vehicles (HEVs) and only about two percent of the fleet to be electric vehicles (EV) or plug-in hybrid electric vehicles (PHEVs).²⁴ All of these technologies were available at the time of the

²¹ 40 CFR 86.1818-12(h).

²² 76 FR 48673 (Aug. 9, 2011) and 77 FR 62784, October 15, 2012.

²³ Among the other factors deemed relevant and addressed in the Draft TAR and Proposed Determination, EPA's analysis examined the potential impact of the California Zero Emission Vehicle (ZEV) program, which California has revised since the 2012 final rule. EPA also examined the availability and use of credits, including credits for emission reductions from air conditioning improvements and from off-cycle technologies.

²⁴ For comparison to vehicles for sale today, an example of a mild HEV is GM's eAssist (Buick Lacrosse), a strong HEV is the Toyota Prius, an EV is the Nissan Leaf, and a PHEV is the Chevrolet Volt.

2012 final rule, some on a limited number of vehicles while others were more widespread, and the agencies projected that manufacturers would be able to meet the standards through significant efficiency improvements in the technologies, as well as through increased usage of these and other technologies across the fleet.

Since the 2012 final rule, vehicle sales have been strong, hitting an all-time high of 17.5 million vehicles in 2015, gas prices have dropped significantly, and truck share of the fleet has increased. At the same time, auto manufacturers have over-complied with the GHG program for each of the first four years of the program (MY2012-2015), and the industry as a whole has built a substantial bank of credits from the initial years of the program.²⁵ Technologies that reduce GHG emissions are entering the market at rapid rates, including more efficient engines and transmissions, aerodynamics, light-weighting, improved accessories, low rolling resistance tires, improved air conditioning systems, and others. Manufacturers are also using certain technologies that the agencies did not consider in their evaluation in the 2012 rule, including non-hybrid Atkinson cycle gasoline engines and 48-volt mild hybrid systems. Other technologies are being utilized at greater rates than the agencies projected, such as continuously variable transmissions (CVTs). These additional technologies have resulted in projected compliance pathways which differ slightly from those in the 2012 final rule with respect to some of the specific technologies expected to be applied to meet the future standards. However, the conclusions of the 2012 Final Rule, the July 2016 Draft TAR, the November 2016 Proposed Determination, and this Final Determination are very similar: that advanced gasoline vehicles will be the predominant technologies that manufacturers can use to meet the MY2025 standards. This assessment is similar to the conclusion of a 2015 study by the National Academy of Sciences which also found that the 2025 standards could be achieved primarily with advanced gasoline vehicle technologies.²⁶ As discussed below, the standards are also projected to be achievable through multiple feasible technology pathways at reasonable cost -- less than projected in the 2012 rulemaking -- and with significant direct benefit to consumers in the form of net savings due to purchasing less fuel.

The Administrator notes that, in response to EPA's solicitation of comment on the topic, several commenters spoke to the need for additional incentives or flexibilities in the out years of the program including incentives that could continue to help promote the market for very advanced technologies, such as electric vehicles. She notes that her determination, based on the record before her, is that the MY2022-2025 standards currently in effect are feasible (evaluated against the criteria established in the 2012 rule) and appropriate under section 202, and do not need to be revised. This conclusion, however, neither precludes nor prejudices the possibility of a future rulemaking to provide additional incentives for very clean technologies or flexibilities that could assist manufacturers with longer term planning without compromising the effectiveness of the current program. The EPA is always open to further dialog with the manufacturers, NHTSA, CARB and other stakeholders to explore and consider the suggestions made to date and any other ideas that could enhance firms' incentives to move forward with and

²⁵ "Greenhouse Gas Emission Standards for Light-duty Vehicles, Manufacturer Performance Report for the 2015 Model Year, November 2016, EPA-420-R-16-014.

²⁶ "Cost, Effectiveness and Deployment of Fuel Economy Technologies for Light-Duty Vehicles," National Research Council of the National Academies, June 2015, Finding 2.1 (p. 2-83).

to help promote the market for very advanced technologies, such as electric vehicles (EVs), plug-in hybrid electric vehicles (PHEVs), and fuel cell vehicles (FCEVs).

B. Background on the Light-duty Vehicle GHG Standards

The GHG emissions standards are attribute-based standards, based on vehicle footprint.²⁷ In other words, the standards are based on a vehicle's size: larger vehicles have numerically higher GHG emissions targets and smaller vehicles have numerically lower GHG emissions targets. Manufacturers are not compelled to build vehicles of any particular size or type, and each manufacturer has a unique fleetwide standard for each of its car and truck fleets that reflects the light-duty vehicles it chooses to produce in a given model year. Each automaker's standard automatically adjusts each year based on the vehicles (sizes and volumes) it produces. With fleetwide averaging, a manufacturer can produce some models that exceed their target, and some that are below their target. This approach also helps preserve consumer choice, as the standards do not constrain consumers' opportunity to purchase the size of vehicle with the performance, utility and safety features that meet their needs. In addition, manufacturers have available many other flexibility provisions, including banking and trading of credits across model years and trading credits across manufacturers.

The footprint curves for the MY2012-2025 GHG standards, illustrating the year-over-year stringency increases, are shown below in Figure I.1 and Figure I.2.²⁸

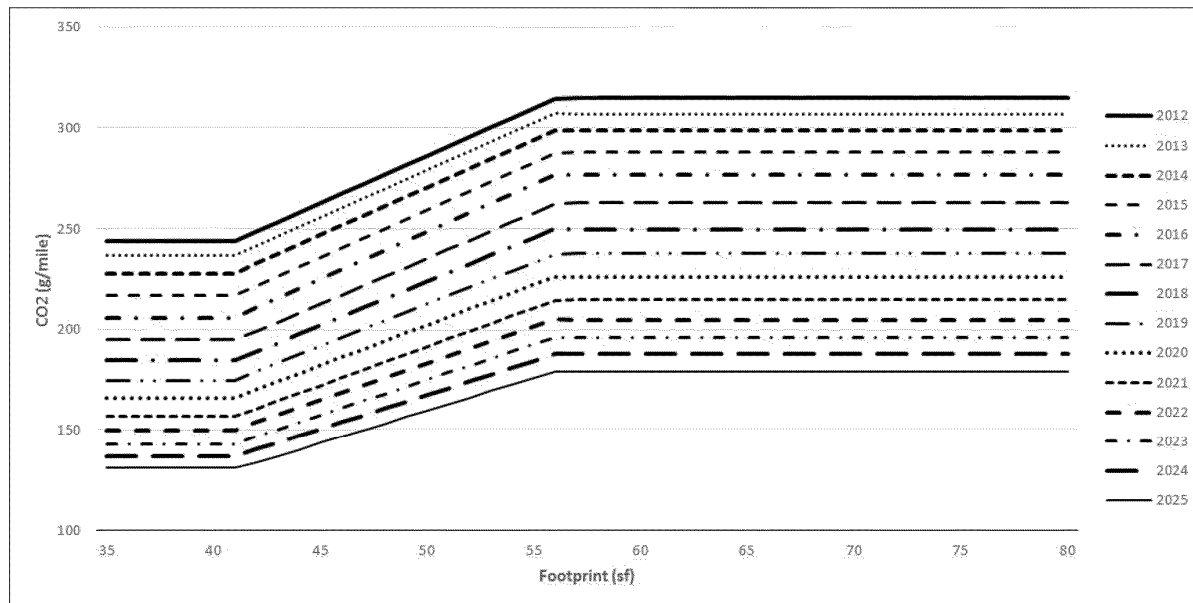


Figure I.1 CO₂ (g/mile) Passenger Car Standards Curves

²⁷ Footprint is defined as a vehicle's wheelbase multiplied by its average track width—in other words, the area enclosed by the points at which the wheels meet the ground.

²⁸ See 40 CFR 86.1818-12(c).

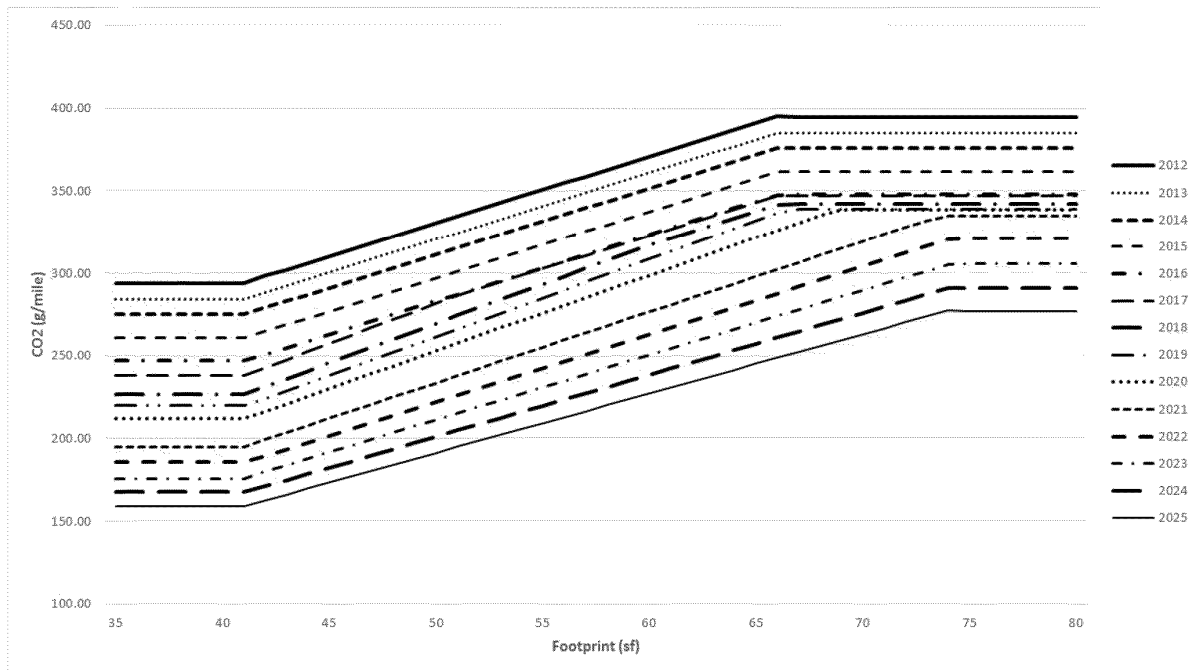


Figure I.2 CO₂ (g/mile) Light Truck Standards Curves

C. Climate Change Science

In the Proposed Determination, the EPA presented an overview of climate change science as laid out in the climate change assessments from the National Academies, the U.S. Global Change Research Program, and the Intergovernmental Panel on Climate Change. The EPA summarized the impacts to human health, to ecosystems, and to physical systems in the United States and around the world, from heat waves to sea level rise to disruptions of food security. Impacts to vulnerable populations such as children, older Americans, persons with disabilities, those with low incomes, indigenous peoples, and persons with preexisting or chronic conditions were also highlighted. The most recent assessments have confirmed and further expanded the science that supported the 2009 Endangerment and Cause or Contribute Findings for Greenhouse Gases Under section 202(a) of the Clean Air Act; Final Rule (74 FR 66496, December 15, 2009), as discussed in the more recent 2016 Finding That Greenhouse Gas Emissions from Aircraft Cause or Contribute to Air Pollution That May Reasonably Be Anticipated to Endanger Public Health and Welfare (81 FR 54422, August 15, 2016). Furthermore, the climate system continues to change: in 2015, CO₂ concentrations grew by more than 2 parts per million, reaching an annual average of 401 ppm, sea level continued to rise at 3.3 mm/year since the satellite record started in 1993, Arctic sea ice continues to decline, and glaciers continue to melt.²⁹ 2016 was the

²⁹ Blunden, J. and D. S. Arndt, Eds., 2016: State of the Climate in 2015. Bull. Amer. Meteor. Soc., 97 (8), S1–S275, DOI:10.1175/2016BAMSStateoftheClimate.

warmest year in the global average surface temperature record going back to 1880, the third year in a row of record temperatures.

II. The Administrator's Assessment of Factors Relevant to the Appropriateness of the MY2022-2025 Standards

Through the Midterm Evaluation, the Administrator must determine whether the GHG standards for model years 2022-2025, established in 2012, are still appropriate, within the meaning of section 202(a)(1) of the Clean Air Act, given the latest available data and information in the record before the Administrator.³⁰ In this final order, the Administrator is making a final determination that the GHG standards currently in place for MYs 2022-2025 remain appropriate under the Clean Air Act. The consequence of this determination is that the standards remain unchanged, there is no alteration in the rules, and the regulatory status quo continues. The Administrator has fully considered public comments submitted on the Proposed Determination, and the EPA has responded to comments in the accompanying Response to Comments (RTC) document. The Administrator believes that there has been no information presented in the public comments on the Proposed Determination that materially changes the Agency's analysis documented in the Proposed Determination.³¹ Therefore, the Administrator considers the analyses presented in the Proposed Determination as the final the EPA analyses upon which this Final Determination is based.

The EPA regulations³² state that in making the required determination, the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

- (i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- (ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- (iii) The feasibility and practicability of the standards;
- (iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- (v) The impact of the standards on the automobile industry;
- (vi) The impacts of the standards on automobile safety;
- (vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and
- (viii) The impact of the standards on other relevant factors.³³

³⁰ See 40 CFR 86.1818-12(h).

³¹ Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, EPA-420-R-16-020, and accompanying Technical Support Document, EPA-420-R-16-021, November 2016. In adopting the midterm evaluation provisions, EPA indicated that it "expect[ed] to place primary reliance on peer-reviewed studies" and on "NAS reports" in making midterm evaluation determinations. 77 FR 62787. EPA has in fact done so. See Draft TAR Section 2.2.1 and 2.2.3.

³² See 40 CFR 86.1818-12(h)(1)(i) through (viii).

³³ 40 CFR 86.1818-12(h)(1).

Below we discuss each of these factors in light of the analyses upon which this Final Determination is based.

(i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology; (ii) the cost on the producers or purchasers of new motor vehicles or new motor vehicle engines; (iii) the feasibility and practicability of the standards

Several of the factors relate to the technology assessment -- technology availability and effectiveness, lead time for introducing technologies, and the costs, feasibility and practicability of the standards. On the basis of EPA's extensive technical analyses contained in the Proposed Determination, and after consideration of the additional comments received by the agency, the Administrator finds that there will be multiple technologies available at reasonable cost to allow the industry to meet the MY2022-2025 standards, with the majority in commercial production today, and others under active development with reliable evidence of feasibility and availability in the market by 2025. See Proposed Determination Sections II and IV.A, and TSD Chapter 2. As in the 2012 FRM, The Administrator further finds that the MY2025 standards can be achieved with very low levels of strong hybrid or plug-in electrified vehicles. The EPA's extensive review of the literature, including but not limited to the 2015 NAS study, makes it clear that advanced gasoline vehicle technologies will continue to improve between now and 2025. In addition, the significant technology advances that have already occurred in just the four years since the 2012 final rule are a strong indication that technology will continue to advance, with clear potential for additional innovation over the next eight years.

The EPA projects a range of potential compliance pathways for each manufacturer and the industry as a whole to meet the MY2022-2025 standards (see Proposed Determination Table IV.5 and Appendix C which show a "central case" and eight sensitivity cases). This analysis indicates that the standards can be met largely through utilization of a suite of advanced gasoline vehicle technologies, with modest penetration of stop-start and mild hybrids and relatively low penetrations of strong hybrids, PHEVs and EVs. The 2015 National Academy of Sciences study on fuel economy technologies similarly found that the 2025 standards would be achieved largely through improvements to a range of technologies that can be applied to a gasoline vehicle without the use of strong hybrids, PHEV, or EV technology. It is important to underscore that EPA's projected technology penetrations are meant to illustrate one of many possible technology pathways to achieve compliance with the MY2022-2025 GHG standards. The rules do not mandate the use of any particular form of technology; the standards are performance-based and thus manufacturers are free to select among the suite of technologies they best believe is right for their vehicles to achieve compliance. As we have seen in recent years with the rapid advances in a wide range of GHG-reduction technologies, we expect that ongoing innovation will result in further improvements to existing technologies and the emergence of others.

As we note throughout this document, the EPA carefully considered and responded in detail to all of the significant public comments as part of the record for the Proposed Determination. Some industry commenters have expressed the view that the EPA did not in fact consider their technical comments. As described in the Proposed Determination and Chapter 2 of the TSD, a number of changes the EPA made to its analysis between the Draft TAR and the Proposed Determination were in response to those technical comments highlighted by the Alliance of Automobile Manufacturers and Global Automakers. These included updating the baseline fleet to a MY2015 basis, better accounting for certain technologies in that baseline fleet, improving

the vehicle classification structure to improve the resolution of cost-effectiveness estimates applied in the OMEGA model, updating effectiveness estimates for certain advanced transmission technologies, conducting additional sensitivity analyses (including those where certain advanced technologies are artificially constrained), and adding quality assurance checks of technology effectiveness into the ALPHA and Lumped Parameter Model. See Proposed Determination Appendix A at A-1 and A-2. EPA consulted with NHTSA and CARB as part of the process of developing the Proposed Determination. The Final Determination is based on an administrative record at the very least as robust as that for the 2012 FRM, including extensive state-of-the-art research projects conducted by EPA and consultants to both agencies, data and input from stakeholders, multiple rounds of public comment, information from technical conferences, published literature, and studies published by various organizations. EPA put primary emphasis on the many peer-reviewed studies, as well as on the National Academy of Sciences 2015 report on fuel economy technologies.

Auto industry commenters believe that EPA's analysis generally overestimates the effect of advanced gasoline technologies, that these technologies will not be sufficient to meet the standards, and that higher levels of electrified vehicles will be needed to meet the MY2022-2025 standards. The EPA has carefully considered these comments and our assessment is that the commenters are not considering the possibility of applying the full range of road load reduction and non-electrified powertrain technologies broadly across high volume models, and in the combinations, that the EPA assessed in the Proposed Determination and Draft TAR. In some cases, the auto industry comments, including the Alliance of Automobile Manufacturers (Alliance), are based on the premise that the only possible technologies available in MY2025 will be represented by technology already contained in the fleet today (more specifically, that contained in the Draft TAR's MY2014 baseline fleet), and that those technologies will not improve in efficiency. The EPA disagrees with this assertion; several recently released engines have already demonstrated efficiencies that exceed those in the MY2014 fleet.³⁴ These actual engines illustrate that improvement has continued beyond the assumed basis of the comments, and it is highly unlikely that even these recent developments represent the limit of achievable efficiencies in the future. EPA's assessment is consistent with the MY2015 NAS report, in which the committee wrote that in the context of increasingly stringent fuel economy and GHG emissions standards, "gasoline-fueled spark ignition (SI) engine will continue to be the dominant powertrain configuration even through 2030 (pg S-1)."³⁵ Setting aside the assumption that the best available technologies today will undergo no improvement in future years (a premise the auto industry has disproved time and again), the commenters do not even allow for the recombination of existing technologies, and thus severely and unduly limit potential effectiveness increases obtainable by MY2025. The EPA notes that events have already disproven this assumption; as one specific example, Ford introduced a 10-speed automatic transmission on the MY2017 F150 paired with a turbocharged downsized engine, which represents a technology combination that was not previously available and was therefore not considered (and would be deemed impossible) by the Alliance comments. NGO commenters, on

³⁴ These engines include the 1.5L Honda turbo, Volkswagen's EA888-3B Miller cycle, and Hyundai-Kia's 2.0L Atkinson cycle engine.

³⁵ The 2015 NAS report also included an example technology pathway which illustrated how the application of conventional, non-electrified technologies would enable the example midsize car to meet its MY2025 footprint target (pp 8-18, 8-19).

the other hand, believe that EPA's analysis is robust and that, if anything, EPA's assessment of technologies is overly conservative as we did not consider additional technologies expected to be in the market in the MY2022-2025 timeframe.

The EPA also has carefully considered comments and issues related to powertrain improvements, including advanced engine technologies and improvements to transmission technologies. See 76 FR 48763 and 77 FR 62784. A key technology the EPA assessed in the Draft TAR and Proposed Determination to be available at reasonable cost is the Atkinson Cycle engine in non-hybrid applications. The Atkinson Cycle architecture has already been demonstrated in production domestically (Mazda, Toyota, Hyundai-Kia), enhanced with cooled exhaust gas recirculation (Mazda), and in Europe further enhanced with cylinder deactivation (Volkswagen). These production examples are consistent with EPA engine modeling and initial hardware testing that shows synergies between the use of cooled exhaust gas recirculation and cylinder deactivation with Atkinson Cycle engines. See TSD Chapter 2.3.4.1.4. In addition, and as explained in TSD Chapter 2.3.4.1.8.3 and further below, the EPA conducted sensitivity analyses constraining penetration of Atkinson-cycle engines and found that there are other cost-effective compliance paths available which rely chiefly on engine technology alternatives, rather than on electrification. We did not receive information in the comments on the Proposed Determination that provided a basis for reaching a different conclusion. Among these alternative technology paths are increased penetration of gasoline direct injected, turbo-downsized engines (a chief technology in the agencies' 2012 FRM assessment). The EPA has carefully considered and addressed the comments questioning the effectiveness values the EPA estimated for this technology; the EPA continues to believe these estimates are well grounded. The EPA explained in detail why the engine configuration used in its effectiveness estimates is representative, why the friction reduction assumptions are sound based on the use of coatings and other materials and technologies throughout the engine's moving components, and why the production engines cited as alternatives in the comments are not representative of feasible effectiveness values in 2025 given that they lack various technologies that improve efficiency (including variable valve lift, external cooled exhaust gas recirculation, sequential turbocharging, and higher peak cylinder pressure capability). See TSD Chapter 2.3.4.1.9.1.

The EPA is projecting average per vehicle costs of \$875 across the fleet (see Table ES-1 and Proposed Determination Table IV.5).³⁶ These costs are lower than those projected in the 2012 rule, which the EPA estimated at about \$1,100 (see Table 12.44 of the Draft TAR). The EPA found in the 2012 rule that these (higher) costs were reasonable, even without considering the payback in the form of less fuel used, which more than offsets these costs. See 77 FR 62663-62665, 62880 and 62922. Consequently, the EPA regards these lower estimated per-vehicle costs to be reasonable. Furthermore, the projected reduced fuel expenditures more than offset the estimated increase in vehicle cost even with lower assumptions of fuel cost. EPA's analysis finds that consumers who finance their vehicle with a 5-year loan would see payback within the first year; consumers who pay cash for their vehicle would see payback in the fifth year of

³⁶ Across eight sensitivity cases, average per-vehicle costs ranged from \$800-\$1,115. See Proposed Determination Table IV.5.

ownership. Consumers would realize net savings of \$1,650 over the lifetime of their new vehicle (i.e., net of increased lifetime costs and lifetime fuel savings).

This decrease in estimated per-vehicle cost is not surprising—technology to achieve environmental improvements has often proved to be less costly than EPA’s initial estimates.³⁷ Captured in these cost estimates, we project significant increases in the use of advanced engine technologies, comprising more than 60 percent of the fleet across a range of engines including turbo-downsized 18 bar and 24 bar, naturally-aspirated Atkinson cycle, and Miller cycle engines. We also see significant increases of advanced transmission technology projected to be implemented on more than 90 percent of the fleet, which includes continuously variable transmissions (CVTs) and eight-speed automatic transmissions. Stop-start technology and mild hybrid electrification are projected to be used on 15 percent and 18 percent, respectively, of the fleet. Similar to the analysis in the 2012 FRM, the EPA is projecting very low levels of strong hybrids (2 percent) and EV/PHEVs (5 percent) as absolute levels in the fleet (in the central case analysis, see Table ES-1).³⁸

The EPA has considered the feasibility of the standards under several different scenarios of future fuel prices and fleet mix, as well as other sensitivity cases (e.g., different assumptions about technologies or credit trading) (see Proposed Determination Section IV.A and Appendix C), which showed only very small variations in average per-vehicle cost or technology penetration mix. Thus, our conclusion that there are multiple ways the MY2022-2025 standards can be met with a wide range of technologies at reasonable cost, and predominantly with advanced engine technologies, holds across all these scenarios.

These technology pathway findings are similar to the types of technologies that EPA projected in establishing the standards in the 2012 rule, although the specific technologies within the advanced engine, advanced transmission, and mild hybrid categories have been updated from the 2012 rule to reflect the current state of technological development (hence the lower estimated per vehicle cost than in the 2012 rule). For example, additional engine technologies, such as the naturally aspirated Atkinson cycle and Miller cycle noted above, were not even considered by the agencies in the 2012 rule yet are in production vehicles today. Similarly, transmission technology has developed such that CVTs are now emerging as a more popular choice for manufacturers than the dual-clutch transmissions we had mainly considered in 2012.³⁹ Mild hybrid technology also has developed, with more sophisticated 48-volt systems now offering a more cost-effective option than the 110-volt systems we had considered in the 2012 rule. The fact that these technologies have developed and improved so rapidly in the past four years since the MY2022-2025 standards were established provides a strong indication that the pace of innovation is likely to continue. The EPA expects that this trend will continue, likely affording

³⁷ U.S. EPA, National Center for Environmental Economics (2014). “Retrospective Study of the Costs of EPA Regulations: A Report of Four Case Studies.” EPA 240-F-14-001, [https://yosemite.epa.gov/ee/epa/eeerm.nsf/vwAN/EE-0575.pdf/\\$file/EE-0575.pdf](https://yosemite.epa.gov/ee/epa/eeerm.nsf/vwAN/EE-0575.pdf/$file/EE-0575.pdf) including its literature review, Chapter 1.1.

³⁸ Note that a portion of the five percent EV/PHEV penetration is attributed to the California Zero Emission Vehicle (ZEV) program which is included in our reference case. See TSD Section 1.2.1.1. The incremental penetration of EV/PHEVs needed to meet the EPA GHG standards is projected to be less than one percent. See Proposed Determination Appendix C.1.1.3.2, Tables C.19-C.22, p. A-136-137.

³⁹ 77 FR 62852-62883; October 15, 2012.

manufacturers even more technology options, and at potentially lower cost, than the Administrator was able to consider at this time for the Final Determination.

EPA's analysis indicates that the effectiveness of the technologies evaluated provides manufacturers with a feasible, reasonable mix of technologies that are predominantly in production today, though not always in combination. For example, a manufacturer may have moved to an advanced turbo-downsized engine design and applied aerodynamic improvements, but not yet applied more advanced transmission or applied further mass reduction opportunities. In addition, there are some straightforward improvements to these technologies that are anticipated and well-documented in the record. See, e.g., Proposed Determination TSD Chapters 2.2.3.4 through 2.2.3.11, and 2.2.7.2 through 2.2.7.5. Most of the automaker comments to the Proposed Determination regarding feasibility did not account for the possibility of using a broad slate of technologies in combination. A few manufacturers have shared with the EPA confidential business information illustrating technology walks (or “techwalks”), which show the cumulative effects of the application of various technologies applied to a given vehicle model. However, while the techwalks provided include some of the same advanced technologies considered by EPA, none of the techwalks include a fuller range of conventional technologies in the combinations described in the Proposed (and Final) Determination. Some are missing very reasonable vehicle technologies, some are missing very reasonable engine technologies, and some are missing very reasonable transmission technologies. Because the manufacturer example techwalks don't include all technologies in the appropriate combinations and in some cases don't include the appropriate credit values, the examples show a shortfall (as would be expected) of about 20-40 g/mi depending on the vehicle. This resulting gap between the EPA and manufacturer-supplied projections would be eliminated if a broader set of the available technologies described in the Final Determination were included in their analysis and appropriate credit values were used.

Moreover, the EPA believes there is ample lead time between now and MY2022-2025 for manufacturers to continue implementing additional technologies into their vehicle production such that the MY2022-2025 standards can be achieved.

In considering whether lead time for the MY2022-2025 standards is adequate, the EPA recognizes that these standards were first established in 2012, providing the auto manufacturers with up to 13 years of lead time for product planning to meet these standards. In the 2012 rule, the EPA concluded that, “EPA agrees that the long lead time in this rulemaking should provide additional certainty to manufacturers in their product planning. The EPA believes that there are several factors that have quickened the pace with which new technologies are being brought to market, and this will also facilitate regulatory compliance.”⁴⁰ As noted, in setting the standards in 2012, the EPA was beginning to see that technologies were being brought to market at a quickened pace, and this trend has clearly continued over the past four years (see Proposed Determination Section II). The EPA's 2016 CO₂ and Fuel Economy Trends report provides even further evidence of the rapid pace at which manufacturers are bringing advanced technologies into the fleet. For example, GM, Honda and Hyundai have implemented advanced transmissions on 80-90 percent of their fleets within the past five years. Over that same period, GM and Ford have implemented turbocharged engines on 25 percent and 40 percent of their fleets,

⁴⁰ 77 FR 62880; October 15, 2012.

respectively. Given that the EPA projects that the fleet as a whole could reach the 2025 standards with penetrations of 27 percent turbo-downsized 18 bar engines, and 7 percent turbo-downsized 24 bar engines, these penetration rates are clearly achievable given the pace with which some manufacturers have already implemented similar technologies.⁴¹ With respect to the issue of lead time for the Atkinson engine technology, many of the building blocks necessary to operate an engine in Atkinson mode are already present in the MY2016 fleet (including gasoline direct injection (GDI), increased valve phasing authority, higher compression ratios, and (in some instances) cooled exhaust gas recirculation (cEGR)). Some of the potential packaging obstacles mentioned in comments, such as exhaust manifold design, should not be an impediment because more conventional manifold designs (not requiring a revamping of vehicle architecture) are both available and demonstrated in non-hybrid Atkinson cycle applications. There thus should be sufficient lead time before MY2022 to adopt the technology, since it could be incorporated without needing to be part of a major vehicle redesign.

Indeed, technology adoption rates and the pace of innovation have accelerated even beyond what EPA expected when initially setting these standards, which will further aid in addressing any potential for lead time concerns. By the time manufacturers must meet the MY2025 standards, since the standards were set in 2012, they will have had up to 13 years of lead time for product planning and at least 2-3 product redesign cycles, and at present manufacturers still have 5 to 8 years of lead time until the MY2022-2025 standards, with at least 1-2 redesign cycles.⁴²

The EPA has also evaluated the progress of the existing fleet in meeting standards in future model years. See the Proposed Determination TSD Appendix C. This assessment shows that more than 100 individual MY2016 vehicle versions, or about 17 percent of the fleet, already meet future footprint-based CO₂ targets for MY2020 with current powertrains and air conditioning improvements. These figures do not include off-cycle credits in assessing compliance. In light of the fact that manufacturers are reporting an average of 3 g/mi of off-cycle credits across the fleet for 2015, with some manufacturers reporting more than 4 g/mi off-cycle credits, the share of the MY2016 fleet that can already meet the MY2020 footprint-based CO₂ targets -- four years ahead of schedule-- is actually even higher.

Notably, the majority of these vehicles are gasoline powertrains, and the vehicles include nearly every vehicle type, including midsize cars, SUVs, and pickup trucks, and span nearly every major manufacturer. It is important to note that because of the fleetwide averaging structure of the standards, not all vehicles are required to be below their individual targets, and in fact EPA expects that manufacturers will be able to comply with the standards with roughly 50 percent of their production meeting or falling below the footprint based targets. This analysis is another indication that the fleet is on track to meet future standards, especially given the 5 to 8 years of lead time remaining to MY2022-2025.

Consequently, evaluating the factors the EPA is required to consider under 40 CFR 86.1818(h)(1) (i), (ii), and (iii) of the mid-term evaluation rules, based on the current record before the Administrator, there is available and effective technology to meet the MY2022-2025 standards, it is available at reasonable cost to the producers and purchasers of new motor

⁴¹ EPA 2016 CO₂ and Fuel Economy Trends Report, Figures 6.2, 6.3 and 6.5.

⁴² Redesign cycles are summarized in the Proposed Determination Appendix A and are discussed in greater detail in the 2012 FRM final Joint Technical Support Document, EPA-420-R-12-901, at Chapter 3.5.1.

vehicles or new motor vehicle engines, there is adequate lead time to meet those standards, and the standards are thus feasible and practicable. Moreover, this most recent analysis remains consistent with the key conclusions reached in the 2012 FRM: there are multiple compliance paths based chiefly on deployment of advanced gasoline engine technologies with minimal needed penetration of strong hybrid or full electric vehicles, projected per vehicle costs are lower than in the 2012 FRM, and the cost of the lower emitting technology is fully paid back by the associated fuel savings.

(iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers

The EPA also has considered the impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers, again as required by the Midterm Evaluation rules. Light-duty vehicles are significant contributors to the U.S. GHG emissions inventory—responsible for 61 percent of U.S. transportation GHG emissions and 16 percent of total U.S. GHG emissions in 2014—and thus must be a critical part of any program to reduce U.S. GHG emissions. EPA projects that the MY2022-2025 standards will reduce GHG emissions annually by more than 230 million metric tons (MMT) by 2050, and nearly 540 MMT over the lifetime of MY2022-2025 vehicles. See Proposed Determination Section IV.A.4, Table IV.6, and Appendix C.2. These projected GHG reductions associated with the MY2022-2025 standards are significant compared to total light-duty vehicle GHG emissions of 1,100 MMT in 2014.⁴³ See Proposed Determination Section IV and Table IV.6.

These standards are projected to reduce oil consumption by 50 billion gallons and to save U.S. consumers nearly \$92 billion in fuel cost over the lifetime of MY2022-2025 vehicles. See Proposed Determination Table IV.8 and IV.13, respectively. On average for a MY2025 vehicle (compared to a vehicle meeting the MY2021 standards), consumers will save more than \$2,800 in total fuel costs over that vehicle's lifetime, with a net savings of \$1,650 after taking into consideration the upfront increased vehicle costs. See Proposed Determination Table IV.12, 3 percent discount rate case. EPA considers a range of societal benefits of the standards, including the social costs of carbon and other GHGs, health benefits, energy security, the value of time saved for refueling, and others.

Benefits are projected to far outweigh the costs, with net benefits totaling nearly \$100 billion over the lifetime of MY2022-2025 vehicles (3 percent discount rate). See Proposed Determination Section IV.A.6 and Table IV.13. As was the case when the EPA first established the MY2022-2025 standards in the 2012 rule, this analysis also supports a conclusion that the standards remain appropriate – and indeed will provide enormous benefits -- from the standpoint of impacts of the standards on emissions, oil conservation, energy security, and fuel savings.

(v) The impact of the standards on the automobile industry

EPA has assessed the impacts of the standards on the automobile industry. We have estimated the costs required to meet the MY2022-2025 standards at about \$33 billion (see

⁴³ Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2014, EPA 430-R-16-002, April 15, 2016.

Proposed Determination Section IV.A and Table IV.13), with an average per-vehicle cost of about \$875 (see Proposed Determination Section IV.A and Tables IV.4 and IV.5). These costs are less than those originally projected when the EPA first established these standards in the 2012 rule; at that time, we had projected an average per vehicle cost of approximately \$1,100 (see Table 12.44 of the Draft TAR). The Administrator found those (higher) projected costs to be reasonable in the 2012 rule, and finds the lower projected costs shown in our current analysis continues to support the appropriateness of the standards.

In addition to costs, the EPA has assessed impacts on the auto industry in terms of potential impacts on vehicle sales. See Proposed Determination Section III and Appendix B and TSD Chapter 4. As part of these assessments, the EPA has evaluated a range of issues affecting consumers' purchases of vehicles, which also addresses a portion of the factor, "the cost on the producers or purchasers of new motor vehicles or new motor vehicle engines" (emphasis added, 40 CFR 86.1818-12(h)(ii)). EPA's assessments indicate that, to date, there is little, if any, evidence that consumers have experienced adverse effects from the standards. Vehicle sales continue to be strong, with annual increases for seven straight years, through 2016, for the first time in 100 years, and record sales in 2016. These sales increases are likely due not to the standards, but rather to economic recovery from the 2008-2009 recession. Nevertheless, at the least, we find no evidence that the standards have impeded sales. We also have not found any evidence that the technologies used to meet the standards have imposed "hidden costs" in the form of adverse effects on other vehicle attributes. See Proposed Determination Appendix B.1.4 and B.1.5.2. Similarly, we have not identified significant effects on vehicle affordability to date. See Proposed Determination Appendix B.1.6. We recognize that the standards will have some impact on the price of new vehicles, but we do not believe that the standards have significantly reduced the availability of vehicle model choices for consumers at any particular price point, including the lowest price vehicle segment. *Id.* at Appendix B.1.6.1. Given the lead time provided since the 2012 rule for automakers to achieve the MY2022-25 standards, and the evidence to date of consumer acceptance of technologies being used to meet the standards, the EPA expects that any effects of the standards on the vehicle market will be small relative to market responses to broader macroeconomic conditions.

The main argument in the public comments on both the Draft TAR and the Proposed Determination that the standards will have an adverse impact on the industry is that the standards, although achievable, will require extensive electrification of the fleet to do so, and this will result in more expensive vehicles -- and an emerging technology -- which consumers will be reluctant to purchase. Our analysis, however, indicates that there are multiple compliance pathways which would need only minimal (less than 3 percent) of strong hybrids and electric vehicles, and that the great bulk of technologies used would be based on improvements to gasoline internal combustion engines. This is true not only in the agency's primary analysis, but also in a series of sensitivity analyses (assuming, among other things, significantly less use of the Atkinson engine technology, and a wide range of fuel prices). See Table ES-1 and the Proposed Determination Section IV.A.3 and Appendix C.1. This analysis is also consistent with findings of the 2015 NAS study (as well as each agency's findings in the 2012 FRM).⁴⁴ Consequently, the EPA does believe that the evidence supports the claim of the comments on this point.

⁴⁴ "Cost, Effectiveness and Deployment of Fuel Economy Technologies for Light-Duty Vehicles," National Research Council of the National Academies, June 2015.

The EPA also carefully considered the issue of whether there has been consumer acceptance of the new fuel efficiency technologies. As noted, industry sales are at a record high, with sales increasing for seven consecutive years for the first time since the 1920's. These sales trends provide no evidence of consumer reluctance to purchase the new technologies. Moreover, professional auto reviews found generally positive associations with the existence of the technologies. See Section B.1.5.1.2 of the Appendix to the Proposed Determination. The evidence to date thus supports consumer acceptance of the new technologies.

Another potential impact on the automobile industry that the EPA has assessed is the potential for impacts on employment. EPA's assessment projects job growth in the automotive manufacturing sector and automotive parts manufacturing sector due specifically to the need to increase expenditures for the vehicle technologies needed to meet the standards. We do not attempt to quantitatively estimate the total effects of the standards on the automobile industry, due to the significant uncertainties underlying any estimate of the impacts of the standards on vehicle sales. Nor do we quantitatively estimate the total effects on employment at the national level, because such effects depend heavily on the state of overall employment in the economy. We further note that, under conditions of full employment, any changes in employment levels in the regulated sector due to the standards are mostly expected to be offset by changes in employment in other sectors. See the Proposed Determination Appendix B.2. The Administrator finds that, while the standards are likely to have some effect on employment, this effect (whether positive or negative) is likely to be small enough that it will be unable to be distinguished from other factors affecting employment, especially macroeconomic conditions and their effect on vehicle sales.

The Administrator thus finds, based on the current record, that the standards will impose reasonable per vehicle costs (and less than those projected in the 2012 FRM), that there is no evidence of the standards having an adverse impact on vehicle sales or on other vehicle attributes, or on employment in the automotive industry sector. Given these assessments of potential impacts on costs to the auto industry and average per-vehicle costs, consumers' purchases of vehicles, and employment, the Administrator finds that the potential impacts on the automobile industry support a conclusion that the MY2022-2025 standards remain appropriate and should not be changed.

(vi) The impacts of the standards on automobile safety

The EPA has assessed the potential impacts of the standards on automobile safety. In the Proposed Determination, consistent with the Draft TAR's safety assessment, the EPA assessed the potential of the MY2022-2025 standards to affect vehicle safety. In the Draft TAR (Chapter 8), the agencies reviewed the relationships between mass, size, and fatality risk based on the statistical analysis of historical crash data, which included a new analysis performed by using the most recent available crash data. The EPA used this updated analysis⁴⁵ in the Proposed Determination to calculate the estimated safety impacts of the modeled mass reductions over the lifetimes of new vehicles in response to MY2022-2025 standards. See the Proposed

⁴⁵ Puckett, S.M. and Kindelberger, J.C. (2016, June). Relationships between Fatality Risk, Mass, and Footprint in Model Year 2003-2010 Passenger Cars and LTVs – Preliminary Report. Washington, DC: National Highway Traffic Safety Administration.

Determination Section III.C.1 and Appendix B.3.1. EPA’s analysis finds that the fleet can achieve modest levels of mass reduction as one technology among many to meet the MY2022-2025 standards without any net increase in fatalities. The 2015 NAS study further found that the footprint-based standards are likely to have little effect on vehicle and overall highway safety.⁴⁶ Therefore, the Administrator finds that the existing MY2022-2025 standards will have no adverse impact on automobile safety. There is no evidence in the public comments that suggests a different conclusion.

(vii) The impact of the greenhouse gas emission standards on the corporate average fuel economy standards and a national harmonized program

The EPA has assessed the impacts of the standards on the CAFE standards and a national harmonized program. EPA notes that NHTSA has established augural standards for MY2022-2025 and must by statute undertake a *de novo* notice and comment rulemaking to establish final standards for these model years. Under the Energy Policy and Conservation Act (EPCA) statute, as amended by the Energy Independence and Security Act (EISA), NHTSA must establish final standards at least 18 months before the beginning of each model year.⁴⁷ That statute requires the Secretary of Transportation to consult with the EPA Administrator in establishing fuel economy standards.⁴⁸ The EPCA/EISA statute includes a number of factors that NHTSA must consider in deciding maximum feasible average fuel economy, including “the effect of other motor vehicle standards of the Government on fuel economy.”⁴⁹ Thus, in determining the CAFE standards for MY2022-2025, NHTSA can take into consideration the light-duty GHG standards, and indeed did so in initially establishing the MY2017-2021 CAFE standards and the augural MY2022-2025 standards. See 77 FR 62669, 62720, 62803-804. The EPA believes that by providing information on our evaluation of the current record and our determination that the existing GHG standards for MY2022-2025 are appropriate, we are enabling, to the greatest degree possible, NHTSA to take this analysis and the GHG standards into account in considering the appropriate CAFE standards for MY2022-2025.

The EPA recognizes that in 2012, when we discussed the mid-term evaluation, we expressed an intent that if EPA’s determination was that the standards should not change, the EPA would issue its final determination concurrently with NHTSA’s final rule adopting fuel economy standards for MY2022-2025. See 77 FR at 62633. Our intent was to align the agencies’ proceedings for MYs 2022-2025 and to maintain a joint national program. *Id.* The EPA remains committed to a joint national program that aligns, as much as possible, the requirements of EPA, NHTSA, and CARB. The Administrator concludes, however, that providing her determination that the GHG standards remain appropriate now, rather than waiting until after NHTSA has proposed standards, allows NHTSA to fully account for the GHG standards and is more likely to align the agencies’ determinations. Thus, the Administrator finds that her determination takes

⁴⁶ “Cost, Effectiveness and Deployment of Fuel Economy Technologies for Light-Duty Vehicles,” National Research Council of the National Academies, June 2015, Finding 10.2.

⁴⁷ 42 U.S.C. 32902(a).

⁴⁸ 42 U.S.C. 32902(b)(1).

⁴⁹ 42 U.S.C. 32902(f).

account of the relationship between GHG standards and fuel economy standards and supports the goal of a national harmonized program.⁵⁰

In an action separate from this Final Determination, the EPA will be responding to a petition received from the auto industry trade associations, the Alliance of Automobile Manufacturers and Global Automakers, regarding several provisions that they request be harmonized between the EPA GHG standards and the NHTSA CAFE standards.⁵¹ On December 21, 2016, NHTSA signed a Federal Register notice signaling its plan to consider the NHTSA-specific requests from the auto industry petition. The EPA likewise intends, in the near future, to continue working together with NHTSA, the Petitioners and other stakeholders, as we carefully consider the requests made in the June 2016 petition, and possible ways to further harmonize the national program.

(viii) The impact of the standards on other relevant factors

In addition to the above factors, the Administrator has also considered the factor of regulatory certainty -- which relates closely to the issue of lead time discussed above. Regulatory certainty gives the automakers the time they need to conduct long-term planning and engineering to meet future standards. Indeed, the 2012 standards covered a long period of time – 13 years—in order to provide the industry with a lengthy period of stability and certainty. Thus, the Midterm Evaluation called for rule changes only if the Administrator found the existing standards to be no longer feasible and appropriate. Clearly, as discussed above, the automakers' response to technology development and deployment in the face of the regulatory certainty provided by the MY2012-2021 standards, which are not subject to the midterm evaluation, has exceeded EPA's projections set out in the original 2012 rule. Having the same certainty on the level of the MY2022-2025 standards can now enable manufacturers to continue unimpeded their existing long-term product planning and technology development efforts, which, in turn, could lead to even further, and perhaps sooner, breakthroughs in technology. These efforts could contribute to the continued success of the industry and the GHG standards program, which in turn would benefit consumers through fuel savings and the public through reduced emissions. Initiating a rulemaking now to change the standards would disrupt the industry's planning for future product lines and investments. Thus, the Administrator finds that regulatory certainty is an important consideration in assessing the appropriateness of the standards.

⁵⁰ The MTE rules themselves do not require concurrent timing with any aspect of NHTSA's rulemaking. Moreover, there is uncertainty as to whether the NHTSA rulemaking would be complete by the date on which EPA is mandated to make a final determination, so that the expressed hope (in the 2012 preamble) of concurrent proceedings may be overtaken by events in any case.

⁵¹ "Petition for Direct Final Rule with Regard to Various Aspects of the Corporate Average Fuel Economy Program and the Greenhouse Gas Program," submitted by the Alliance of Automobile Manufacturers and the Association of Global Automakers to EPA and NHTSA, June 20, 2016.

III. Final Determination

Having considered available information on each of the above factors required by the regulations, under 40 CFR 86.1818-12(h)(1), the Administrator is determining that the GHG standards currently in place for MYs 2022-2025 are appropriate under section 202(a)(1) and (2) of the Clean Air Act. The Administrator has fully considered public comments submitted on the Proposed Determination, and there has been no information provided through the comments that compels or persuades the Administrator to alter her Proposed Determination. The consequence of this final determination is a continuation of the current regulatory status quo. The regulations themselves are unaltered as a result of this determination.

In the Administrator's view, the record clearly establishes that, in light of technologies available today and improvements we project will occur between now and MY2022-2025, it will be practical and feasible for automakers to meet the MY2022-2025 standards at reasonable cost that will achieve the significant GHG emissions reduction goals of the program, while delivering significant reductions in oil consumption and associated fuel savings for consumers, significant benefits to public health and welfare, and without having material adverse impact on the industry, safety, or consumers. The Administrator recognizes that not all of the technologies available today have been implemented in a widespread manner, but she also recognizes that the purpose of the Midterm Evaluation is to assess whether the standards remain appropriate in light of the pace of compliance and technological development in the industry. As discussed above, the technological development of advanced gasoline vehicle technologies has surpassed EPA's expectations when we initially adopted the standards. Although we anticipated in 2012 that the standards could be met primarily using advanced gasoline engine and transmission technologies, the range of technology development has been more extensive and effective than anticipated. The industry's vibrancy, initiative, and ingenuity is to be commended. The Administrator concludes that the MY2022-2025 standards could be largely met simply by implementation of these technologies, but we recognize that we are at the mid-point of these standards phasing-in and it would be unreasonable, in light of past developments, ongoing investment by the industry, and EPA's extensive review of the literature on future technologies and improvements to existing technologies, to expect that no further technology development would occur that could be implemented for MY2022-2025 vehicles. In the Draft TAR and Proposed Determination, the EPA was not even able to consider all of the technologies being developed because of the rapid pace of development. As discussed in the Proposed Determination (see Section II and Appendix B), the EPA did not consider several technologies that we know are under active development and may potentially provide additional cost-effective technology pathway options for meeting the MY2025 standards; examples of such technologies include electric boosting, dynamic cylinder deactivation, and variable compression ratio. A significant difference between the industry analysis and that of the EPA is over the extent to which electric vehicle production will be needed to meet the standards. Many of industry's comments regarding cost, consumer acceptance, and other factors primarily stem from their view that significant EV penetration will be required. As discussed earlier, the Administrator has considered the report of the National Academy of Sciences and information and data from the auto industry, and she has determined based on the technical record before her that the industry's conclusions do not take into account the possibility of applying the full range of road load reduction and non-electrified powertrain technologies broadly across high volume models, and in the combinations, that the EPA assessed in the Proposed Determination and Draft TAR. In addition, the automotive industry has been

characterized throughout its history by continued innovation and adoption of ever-improving technologies to improve fuel economy and lower emissions while simultaneously providing a range of vehicles to customers with the features they desire (safety, driveability, etc.). Thus, in light of the pace of progress in reducing GHG emissions since the MY2022-2025 standards were adopted, the success of automakers in achieving the standards to date while vehicle sales are strong, the projected costs of the standards, the impact of the standards on reducing emissions and fuel costs for consumers, and the other factors identified in 40 CFR 86.1818-12(h) and discussed above, the Administrator concludes that the record does not support a conclusion that the MY2022-2025 standards should be revised to make them less stringent.

The Administrator has also considered whether, in light of these factors and the record (including public comments urging more stringent standards), it would be appropriate to make the standards more stringent. She recognizes that the current record, including the current state of technology and the pace of technology development and implementation, could support a decision to adopt more stringent standards for MY2022-2025 (or, put more precisely, could support a decision to initiate rulemaking proposing to amend the standards to increase their stringency). The EPA found in 2012 that the projected standards were feasible at reasonable cost, and the current record shows that the standards are feasible at even less cost and that there are more available technologies (particularly advanced gasoline technologies) than projected in 2012, and that the benefits outweigh the costs by nearly \$100 billion. These factors could be the basis for a proposal to amend the standards to increase the standards' stringency. Moreover, one could point to the overall need to significantly reduce greenhouse gases in the transportation sector even further, especially given expected growth in vehicle travel. The Administrator also recognizes, however, that regulatory certainty is an important and critical consideration. Regulatory certainty gives the automakers the time they need to conduct long-term planning and engineering that could lead to major advancements in technology while contributing to the continued success of the industry and the GHG standards program, which in turn will benefit consumers and reduce emissions. She also believes a decision to maintain the current standards provides support to a timely NHTSA rulemaking to adopt MY2022-2025 standards and a harmonized national program. Thus, the Administrator has concluded that it is appropriate to provide the full measure of lead time for the MY2022-2025 standards, rather than initiating rulemaking to adopt new, more stringent standards with a shorter lead time and significant uncertainty in the interim which would impede on-going technological improvements and innovation.

Accordingly, the Administrator concludes that in light of all the prescribed factors, and considering the entire record, the current MY2022-2025 standards are appropriate.

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Parts 523, 531, 533, 536 and 537****ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 86 (§ 86.1818-12(c))****[FRL-XXXX-XX-XXX]****Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles**

AGENCY: Environmental Protection Agency (EPA) and Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA).

ACTION: Notice.

SUMMARY: EPA announces its intention to reconsider the Final Determination of the Mid-Term Evaluation of greenhouse gas (GHG) standards for model year (MY) 2022-2025 light-duty vehicles and to coordinate its reconsideration with the parallel process to be undertaken by the DOT's NHTSA regarding Corporate Average Fuel Economy (CAFE) standards for cars and light trucks for the same model years.

FOR FURTHER INFORMATION CONTACT: William Charmley, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, Fuel Emissions Laboratory/OAR, 2565 Plymouth Road, Ann Arbor, MI 48105, telephone (734) 214-4446. Email:

charmley.william@epa.gov and Rebecca Schade, Office of the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590; telephone: (202) 366-2992.

SUPPLEMENTARY INFORMATION: By this notice, EPA announces its intention to

reconsider its Final Determination of the Mid-Term Evaluation of GHG standards for MY 2022-2025 light-duty vehicles. The EPA has inherent authority to reconsider past decisions and to revise, replace or repeal a decision to the extent permitted by law and supported by a reasoned explanation. *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). In 2012, EPA committed to continuing to coordinate development of its Clean Air Act (CAA) section 202(a)(1) (42 U.S.C. 7521(a)) emission standards with NHTSA's development of CAFE standards for light-duty vehicles, but did not do so in development and publication of EPA's January 12, 2017 Midterm Evaluation of standards conducted under 40 CFR 86.1818-12(h) of EPA's regulations. EPA now announces it will reconsider that determination in coordination with NHTSA.

The Mid-Term Evaluation was established to review standards set in a 2012 joint rulemaking by the EPA and NHTSA, which set federal GHG emissions and CAFE standards for MY 2017 and beyond for light-duty vehicles. 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Final Rule, 77 FR 62,624 (Oct. 15, 2012). These standards, codified for EPA at 40 C.F.R. 86.1818-12, apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles (i.e., sport utility vehicles, cross-over utility vehicles and light trucks), collectively referred to in this notice as light-duty vehicles.

The EPA and NHTSA finalized separate sets of standards under their respective statutory authorities. EPA set GHG standards (including standards for emissions of carbon dioxide (CO₂), nitrous oxide, methane and air conditioning refrigerants) for MY 2017-2025 passenger cars and light-trucks under section 202(a) of the CAA. NHTSA sets national CAFE standards under the Energy Policy and Conservation Act (EPCA), as amended by the Energy Independence and

Security Act (EISA) of 2007 (49 U.S.C. 32902). NHTSA set final CAFE standards for MY 2017-2021 light-duty vehicles and issued augural standards for MYs 2022-2025.

The 2012 rulemaking establishing these standards included a regulatory requirement for the EPA to conduct a Mid-Term Evaluation of the GHG standards established for MYs 2022-2025. 77 Fed. Reg. 62,625 (October 15, 2012), codified at 40 CFR 86.1818-12(h). In July 2016, EPA, NHTSA, and the California Air Resources Board (CARB) released for public comment a jointly prepared Draft Technical Assessment Report, which examined a range of issues relevant to GHG emissions and CAFE standards for MYs 2022–2025. 81 Fed. Reg. 49,217 (July 27, 2016). In November, 2016, EPA issued a proposed determination for the Mid-Term Evaluation. 81 Fed. Reg. 87,927 (Dec. 6, 2016). On January 12, 2017, the EPA Administrator signed the Final Determination of the Mid-Term Evaluation of light-duty vehicle GHG emissions standards for MYs 2022– 2025.

Under 40 CFR 86.1818-12(h), no later than April 1, 2018, the EPA Administrator must determine whether the GHG standards previously established under 40 CFR 86.1818-12(c) for MYs 2022-2025 are appropriate under section 202(a) of the CAA, in light of the record then before the Administrator. Given that CO₂ makes up the vast majority of the GHGs that EPA regulates under section 202(a), and given that the technologies available for regulating CO₂ emissions do so by improving fuel economy (which NHTSA regulates under EPCA/EISA), NHTSA’s views with regard to what CAFE standards would be maximum feasible for those model years is an appropriate consideration in EPA’s determining what GHG standards would be appropriate under the CAA. See 40 CFR 86.1818-12(h)(1)(vii) (listing as one of the factors EPA should consider in the Mid-Term Evaluation “[t]he impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized

program”). However, NHTSA has not yet considered what CAFE standards would be the maximum feasible standards for MYs 2022-2025. Accordingly, EPA has concluded that it is appropriate to reconsider its Final Determination in order to allow additional consultation and coordination with NHTSA in support of a national harmonized program.

For its part, NHTSA will continue to engage with stakeholders as it works to develop a Notice of Proposed Rulemaking to set CAFE standards for MYs 2022-2025. As explained in the 2012 final rule, this proposal will be part of “a de novo rulemaking conducted...with fresh inputs and a fresh consideration and balancing of all relevant factors, based on the best and most current information before the agency at that time.” 77 Fed. Reg. 62,652. A final rule for MY 2022 is statutorily required to be issued by NHTSA by April 1, 2020.

In accord with the schedule set forth in EPA’s regulations, the EPA intends to make a new Final Determination regarding the appropriateness of the MY 2022-2025 GHG standards no later than April 1, 2018.

Dated: _____

Elaine L. Chao
Secretary, Department of Transportation

Dated: _____

E. Scott Pruitt
Administrator, Environmental Protection Agency

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****49 CFR Parts 523, 531, 533, 536 and 537****ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 86 (§ 86.1818-12(c))****[FRL-XXXX-XX-XXX]****Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles**

AGENCY: Environmental Protection Agency (EPA) and Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA).

ACTION: Notice.

SUMMARY: EPA announces its intention to reconsider the Final Determination of the Mid-Term Evaluation of greenhouse gas (GHG) standards for model year (MY) 2022-2025 light-duty vehicles and to coordinate its reconsideration with the parallel process to be undertaken by the DOT's NHTSA regarding Corporate Average Fuel Economy (CAFE) standards for cars and light trucks for the same model years.

FOR FURTHER INFORMATION CONTACT: William Charmley, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, Fuel Emissions Laboratory/OAR, 2565 Plymouth Road, Ann Arbor, MI 48105, telephone (734) 214-4446. Email:

charmley.william@epa.gov and Rebecca Schade, Office of the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590; telephone: (202) 366-2992.

SUPPLEMENTARY INFORMATION: By this notice, EPA announces its intention to

reconsider its Final Determination of the Mid-Term Evaluation of GHG standards for MY 2022-2025 light-duty vehicles. The EPA has inherent authority to reconsider past decisions and to revise, replace or repeal a decision to the extent permitted by law and supported by a reasoned explanation. *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). In 2012, EPA committed to continuing to coordinate development of its Clean Air Act (CAA) section 202(a)(1) (42 U.S.C. 7521(a)) emission standards with NHTSA's development of CAFE standards for light-duty vehicles, but did not do so in development and publication of EPA's January 12, 2017 Midterm Evaluation of standards conducted under 40 CFR 86.1818-12(h) of EPA's regulations. EPA now announces it will reconsider that determination in coordination with NHTSA.

The Mid-Term Evaluation was established to review standards set in a 2012 joint rulemaking by the EPA and NHTSA, which set federal GHG emissions and CAFE standards for MY 2017 and beyond for light-duty vehicles. 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Final Rule, 77 FR 62,624 (Oct. 15, 2012). These standards, codified for EPA at 40 C.F.R. 86.1818-12, apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles (i.e., sport utility vehicles, cross-over utility vehicles and light trucks), collectively referred to in this notice as light-duty vehicles.

The EPA and NHTSA finalized separate sets of standards under their respective statutory authorities. EPA set GHG standards (including standards for emissions of carbon dioxide (CO₂), nitrous oxide, methane and air conditioning refrigerants) for MY 2017-2025 passenger cars and light-trucks under section 202(a) of the CAA. NHTSA sets national CAFE standards under the Energy Policy and Conservation Act (EPCA), as amended by the Energy Independence and

Security Act (EISA) of 2007 (49 U.S.C. 32902). NHTSA set final CAFE standards for MY 2017-2021 light-duty vehicles and issued augural standards for MYs 2022-2025.

The 2012 rulemaking establishing these standards included a regulatory requirement for the EPA to conduct a Mid-Term Evaluation of the GHG standards established for MYs 2022-2025. 77 Fed. Reg. 62,625 (October 15, 2012), codified at 40 CFR 86.1818-12(h). In July 2016, EPA, NHTSA, and the California Air Resources Board (CARB) released for public comment a jointly prepared Draft Technical Assessment Report, which examined a range of issues relevant to GHG emissions and CAFE standards for MYs 2022–2025. 81 Fed. Reg. 49,217 (July 27, 2016). In November, 2016, EPA issued a proposed determination for the Mid-Term Evaluation. 81 Fed. Reg. 87,927 (Dec. 6, 2016). On January 12, 2017, the EPA Administrator signed the Final Determination of the Mid-Term Evaluation of light-duty vehicle GHG emissions standards for MYs 2022– 2025.

Under 40 CFR 86.1818-12(h), no later than April 1, 2018, the EPA Administrator must determine whether the GHG standards previously established under 40 CFR 86.1818-12(c) for MYs 2022-2025 are appropriate under section 202(a) of the CAA, in light of the record then before the Administrator. Given that CO₂ makes up the vast majority of the GHGs that EPA regulates under section 202(a), and given that the technologies available for regulating CO₂ emissions do so by improving fuel economy (which NHTSA regulates under EPCA/EISA), NHTSA’s views with regard to what CAFE standards would be maximum feasible for those model years is an appropriate consideration in EPA’s determining what GHG standards would be appropriate under the CAA. See 40 CFR 86.1818-12(h)(1)(vii) (listing as one of the factors EPA should consider in the Mid-Term Evaluation “[t]he impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized

program”). However, NHTSA has not yet considered what CAFE standards would be the maximum feasible standards for MYs 2022-2025. Accordingly, EPA has concluded that it is appropriate to reconsider its Final Determination in order to allow additional consultation and coordination with NHTSA in support of a national harmonized program.

For its part, NHTSA will continue to engage with stakeholders as it works to develop a Notice of Proposed Rulemaking to set CAFE standards for MYs 2022-2025. As explained in the 2012 final rule, this proposal will be part of “a de novo rulemaking conducted...with fresh inputs and a fresh consideration and balancing of all relevant factors, based on the best and most current information before the agency at that time.” 77 Fed. Reg. 62,652. A final rule for MY 2022 is statutorily required to be issued by NHTSA by April 1, 2020.

In accord with the schedule set forth in EPA’s regulations, the EPA intends to make a new Final Determination regarding the appropriateness of the MY 2022-2025 GHG standards no later than April 1, 2018.

Dated: _____

Elaine L. Chao
Secretary, Department of Transportation

Dated: _____

E. Scott Pruitt
Administrator, Environmental Protection Agency

**BEFORE THE
SENATE COMMITTEE ON ENVIRONMENTAL QUALITY
Sacramento, California
February 22, 2017**

**“The Federal Clean Air Act: California’s Waivers—
A Half-Century of Cooperative Federalism in Air Quality Management”**

**Richard M. Frank
Professor of Environmental Practice
Director, California Environmental Law & Policy Center
School of Law
University of California, Davis**

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify before you today. I am Richard Frank, Professor of Environmental Practice and Director of the California Environmental Law & Policy Center at the U.C. Davis School of Law.

I have been asked to provide a brief historical overview of the State of California’s pioneering efforts to reduce vehicular emissions of air pollutants under the federal Clean Air Act and California state law. This is a remarkable success story, one that has played out with relative consistency over the past 50 years. That regulatory history reflects a key, longstanding partnership between state and federal air quality regulators during both Republican and Democratic presidential administrations. That partnership has in turn allowed California to develop and implement air pollution control strategies that have, over the years, proven to be a model for other states, the nation and other countries.

The Clean Air Act—An Example of Cooperative Federalism

Like most of the landmark environmental laws passed by Congress in the late 1960's and 1970's, the Clean Air Act (CAA) is an example of cooperative federalism—a sharing of air quality implementation powers and duties between federal and state regulators. For example, the CAA contemplates that state and regional air quality regulators will play a substantial role in issuing and enforcing air emission permits for *stationary* sources of air pollution such as factories and power plants, under general oversight and standards promulgated by the U.S. Environmental Protection Agency (USEPA).

However, Congress saw a more limited role for state and local governments when it comes to *vehicular* sources of air pollution. Given the inherently mobile nature of such sources, Congress saw fit beginning with the Air Quality Act of 1967 to give primary authority for regulating vehicular air emissions to federal regulators. Conversely, Congress decided, as a general proposition, to *preempt* the power of states to adopt their own vehicle emission standards. That preemption clause became what is now section 209(a) of the CAA.

In doing so, however, Congress concluded that California—with its preexisting history and experience in regulating vehicular air emissions—deserved to retain under federal law California's special role in regulating those emissions.

The Story, Structure & Evolution of CAA § 209(b)

The legislative history of both the federal Air Quality Act of 1967 and the successor CAA of 1970 demonstrates that Congress was well aware of both the acute air pollution problems California was facing when those laws were enacted and—even more importantly—the substantial experience and expertise California air quality regulators already had achieved, especially when it came to controlling air pollution from motor vehicles. For example, California established the first tailpipe emission standards in the nation in 1966, a year before the federal Air Quality Act became law. (Those pioneering California standards focused on two conventional air pollutants: carbon monoxide and hydrocarbons.) In 1967, the California Legislature enacted the Mulford-Carrell Act, which committed the State of California to an aggressive, statewide policy of air pollution control and created the Air Resources Board to lead those efforts. Five years later, California's Air Resources Board (ARB) adopted the nation's first oxides of nitrogen emission standards for motor vehicles. California's air quality regulators also were undertaking research and development on vehicle emission control technologies before their federal counterparts.

In recognition of California's pioneering efforts, Congress determined that California should be afforded special status under the Clean Air Act, and granted California a substantial exemption from Congress' general ban on state authority to adopt vehicle emission standards. That exemption took the form of what is now CAA

section 209(b). That provision retains the authority of California—and only California—to enact and enforce its own regulations limiting emissions from new motor vehicles. The key condition on that grant of authority is that California’s vehicle emission standards be “at least as protective of public health and welfare” as federal emission standards for motor vehicles promulgated by USEPA for the rest of the nation.

The unique section 209(b) authority granted to California was predicated on Congress’ stated hope and expectation that California would pioneer air pollution control standards and technologies that could serve as models for the United States as a whole. This is a textbook application of the venerable, federalism-based principle made famous by U.S. Supreme Court Justice Louis Brandeis nearly a century ago: “It is one of the happy incidents of our federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments...”

Under CAA section 209(b), California’s authority to enact its own new vehicle emissions standards under federal law is not unfettered. Instead, section 209(b) makes clear that California must—on an emission standard-by-standard basis—seek a *waiver* from USEPA from the general preemptive provisions of section 209(a). And section 209(b) imposes distinct procedural requirements on both California and USEPA with respect to each waiver that California air quality regulators ask USEPA to approve.

First, as part of its waiver request, California must determine that its proposed motor vehicle emission standard “will be, in the aggregate, at least as protective of public health and welfare as applicable Federal standards.” (Critically, until the 1977 Clean Air Act Amendments, it was the *USEPA Administrator* that was to make the above-quoted finding with respect to each section 209(b) waiver request submitted by California; the 1977 Amendments modified the statutory waiver criteria to instead grant the power to make that key statutory finding to California air quality regulators.)

Second, under section 209(b), upon receipt of a waiver request from California, the USEPA Administrator—after notice and an opportunity for public hearing—*must* grant California’s waiver request unless s/he makes one or more of the following findings:

- That the determination of [California] is arbitrary and capricious;
- That [California] does not need such [California] standards to meet compelling and extraordinary conditions; or
- That such [California] standards and accompanying enforcement procedures are not consistent with section [202 of the CAA].

Over the past half century, both reviewing courts and USEPA’s own administrative decisions have held that the burden is on those challenging California’s waiver request to prove that California hasn’t satisfied the section 209(b) statutory criteria;

that the proper scope of USEPA's waiver hearing is limited; and that USEPA is required to give substantial deference to California's policy judgments in adopting its vehicle emission standards—i.e., that USEPA is not permitted to “second-guess” the wisdom of California's regulatory policies.

The 50-Year History of California's Section 209(b)'s Waiver Process

As noted above, California's waiver authority has been a key component of federal air pollution control law since 1967—a full 50 years. It has been codified as section 209(b) of the CAA since 1970.

Over that half-century, California waiver requests under section 209(b) have frequently been pursued and obtained by the State's Air Resources Board.¹ During that time, and with one prominent exception noted below, USEPA has under both Republican and Democratic presidential administrations consistently approved those requests under section 209(b). According to the ARB, it has requested and been granted over 100 separate waiver determinations from USEPA since 1967. Armed with this waiver authority, California and ARB have adopted, implemented and enforced a wide array of innovative vehicle emission control strategies, including:

- First-in-the-nation tailpipe emission standard for hydrocarbons, carbon

¹ ARB was itself created by the California Legislature in 1967, and is having its own 50th anniversary this year.

monoxide, oxides of nitrogen and (in 1982) particulate matter emissions from diesel-fueled vehicles;

- Catalytic converters, beginning with 1977 model year vehicles;
- Required incorporation of on-board diagnostic or “check engine” light systems, beginning with 1988 model year passenger vehicles;
- The nation’s first greenhouse gas emission standards for passenger vehicles, mandated by the California Legislature in 2002 (AB 1493 [Pavley]) and approved by ARB in 2004; and
- California’s Advanced Clean Cars Program, which requires auto manufacturers to consider the combined effects of engines, transmissions, tire resistance, etc., on both conventional (“criteria”) and greenhouse gas pollutant emissions.

Critically, and as envisioned by Congress a half-century ago, USEPA has over the years modeled many *federal* vehicle emission standards upon those previously perfected and adopted by California under section 209(b). Thus, technologies and regulatory policies pioneered in California have quite often wound up having national application.

The Notable Exception: Federal Rejection, & Subsequent Approval, of California’s Waiver Request to Implement Its Pavley GHG Emission Standards

In the 50-year history of CAA section 209(b), USEPA has only once denied a waiver requested by California. That occurred in 2008, when California sought USEPA

approval of its first-in-the-nation greenhouse gas emission standards adopted in compliance with the 2002 Pavley legislation. In a break with its longstanding precedent, USEPA during the George W. Bush Administration denied California's waiver request to apply those GHG emission standards for light-duty motor vehicles for the 2009 and later model years. In doing so, USEPA departed from its prior, longstanding administrative interpretation of the section 209(b) statutory waiver criteria, declaring that the earlier interpretation should not apply to GHG emissions. Specifically, USEPA concluded that California did not need its GHG emission standards to meet what USEPA considered "compelling and extraordinary conditions."

Former California Governor Arnold Schwarzenegger, represented by then-California Attorney General Jerry Brown, promptly sued USEPA in the U.S. Circuit Court of Appeals for the District of Columbia, challenging the legality of USEPA's construction and application of section 209(b) in denying California's waiver request.

That lawsuit was eventually rendered moot. President Barack Obama was elected in November 2008 and took office in January 2009. California promptly sought reconsideration of the Bush Administration's earlier denial of its waiver request. In the spring of 2009, USEPA formally reversed its (i.e., the Bush Administration's) earlier decision and granted California's waiver request, allowing the state to implement the Pavley GHG emission standards. In doing so, USEPA expressly renounced the statutory interpretation of section 209(b) that had formed the basis

of the prior administration’s waiver denial, indicating that the earlier, unprecedented USEPA interpretation should no longer be followed.²

Congress Has Repeatedly Built & Expanded Upon the Success of CAA Section 209(b)

A remarkable and critically-important feature of the “cooperative federalism” principle embodied in CAA section 209(b) is that fact that Congress has on repeated occasions built upon and expanded California’s—and other states’—authority to adopt and enforce California’s more stringent vehicle emission standards.

In 1977, Congress enacted the first set of major amendments to the 1970 Clean Air Act. As noted above, one of the key 1977 revisions was to transfer responsibility for determining whether California’s proposed vehicle emission standards were at least as protective as those adopted by USEPA, from USEPA to the State of California.

But another key innovation—one that even more clearly reflects Congress’ satisfaction with California’s unique role in administered CAA emission controls—was a new provision allowing other states to “opt into” California’s vehicle emission standards.

Under new CAA section 177, states other than California were in 1977 for the first

² A year later, California’s Pavley GHG emission standards were effectively “federalized” and adopted as USEPA’s own by the Obama Administration as a part of a global settlement of multiple lawsuits filed by the automobile industry and others brokered by White House officials.

time given a choice: they could be subject to the national vehicle emission standards adopted by USEPA or, alternatively, choose to adopt as their own California's more stringent emission standards. Section 177 provides that states can opt in to those California standards that have previously been the subject of USEPA waiver approvals, provided that: a) the vehicle emission standards adopted by the state are identical in all respects to California's; b) both California and the affected state adopt the standards at least two years before the model year of affected vehicles.; and c) the state opting in to California's standards has a USEPA-approved state implementation plan to attain one or more National Ambient Air Quality Standards (i.e., the affected state has at least some areas that are not in full compliance with the NAAQSs).

As Congress anticipated, over the past 40 years a large number of states have indeed opted into California's section 209(b) vehicle emission standards. According to ARB data, for example, 12 other states³ have exercised their authority under section 177 to opt into California's Zero Emission Vehicle standards (for which California previously obtained a section 209(b) waiver). When added to California's 12% of the national automotive market, these "section 177" states account for fully 35% of all affected motor vehicles sold in the United States. That translates into some 15 million vehicles sold annually.

³ New York, Massachusetts, Vermont, Maine, Pennsylvania, Connecticut, Rhode Island, Washington, Maryland, Oregon, New Jersey and Delaware.

A second important congressional expansion of California’s section 209(b) waiver authority concerns so-called “nonroad” engines and equipment such as outboard boat, personal watercraft and lawnmower engines. (These types of engines are considerably less efficient and higher polluting than current-era motor vehicle engines.) In 1990 amendments to the CAA, Congress for the first time granted USEPA authority to regulate these nonroad engines and vehicles. As part of that grant of authority, Congress adopted CAA section 209(e). Section 209(e), in turn, is modeled on section 209(a) and (b). Specifically, Congress in section 209(e)(1) generally preempts states from adopting their own nonroad engine and vehicle emission standards. But section 209(e)(2)(A) grants California—and, again, only California—authority to adopt its own nonroad engine and vehicle emission standards, provided (again) that California “determines that California standards will be, in the aggregate, at least as protective of public health and welfare as applicable Federal standards.”

Section 209(e)(2) requires California to seek and obtain prior USEPA approval before implementing its more-stringent nonroad engine and vehicle emission standards. The section uses the term “authorization” rather than section 209(b)’s “waiver” terminology. But the operative—and narrow—grounds upon which USEPA can disapprove California’s request for an authorization under section 209(e)(2) are virtually identical to those set forth in section 209(b) and discussed above.

Moreover, the 1990 CAA Amendments similarly incorporate into section 209(e) the state opt-in provisions first enacted by Congress for motor vehicle standards under CAA section 177. Section 209(e)(2)(B) provides that states other than California may choose to adopt California's nonroad engine and vehicle emission standards rather than USEPA's, subject to the same conditions set forth in section 177.

California has over the years frequently availed itself of the authority to adopt its own, more stringent nonroad engine and vehicle emission standards. It has sought and obtained section 209(e)(2)(A) authority from USEPA on approximately 30 separate occasions since 1990. No such California request has ever been denied by USEPA.

Looking Ahead: CAA Section 209 in the Trump Administration

My conclusion—one that is shared by many observers—is that California's delegated authority to adopt vehicle and engine emission standards more stringent than those enforced nationally by USEPA has been a remarkably successful experiment in cooperative federalism. With the one exception of the Bush Administration's section 209(b) waiver denial in 2008, California and nine different presidential administrations have worked harmoniously and well to foster regulatory and technological innovations in air pollution control. The flexibility reflected in CAA section 209 has permitted California to pioneer emission control standards and technologies that in many cases have been replicated by other states,

USEPA and, indeed, foreign jurisdictions as well.

A key question for California policymakers is whether that cooperative federalism model and history will be replicated in the Trump Administration. Two distinct concerns have been raised in this regard: first, whether the Trump Administration's USEPA will attempt to revoke section 209 waivers and authorizations previously sought by and granted to California. And, second, whether the Trump Administration will be less likely to grant new section 209 waivers and authorizations that California seeks in the future.

Should the Committee seek more information on this particular topic, I will generally leave it to other witnesses to address these issues. By contrast, I will offer only a few brief thoughts.

I believe it unlikely that the Trump Administration will be successful in revoking previously granted federal waivers and authorizations. This is true for two related reasons. First, any attempt by USEPA to revoke such existing section 209 waivers and authorizations would require initiation and completion of a new, formal USEPA rulemaking proceeding subject to full public notice and comment. Such a rulemaking proceeding would take a considerable amount of time—certainly months, and perhaps years. California could then challenge any such a USEPA revocation in the courts—as it did with respect to the Bush Administration's unprecedented denial of California's waiver request in 2008. Second, California

might enlist an unlikely ally in objecting to such revocations: the automotive industry. That industry needs considerable lead-time to incorporate California's (and USEPA's) emission control requirements into their new models. And the regulated community desires and requires certainty and predictability above all else. The prospect of a lengthy new administrative proceeding, followed by likely, even longer litigation-related delays should USEPA actually decide to revoke a previously granted California waiver or authorization, could disrupt considerably the auto industry's efforts to adapt its manufacturing systems for upcoming model years. In short, the cure of a section 209 revocation may be more painful to the regulated community than the regulatory status quo.

By contrast, it is relatively more likely that the current USEPA will look with skepticism upon future section 209 waivers and authorizations sought by California, at least as to California's proposed, future greenhouse gas emission control standards. The experience of 2008 shows that a presidential administration has the ability to advance an interpretation of section 209(b) waiver criteria different from and less hospitable to California's interests than that applied traditionally by USEPA over the past half century. And USEPA Administrator Scott Pruitt intimated during his Senate confirmation proceedings that he is not necessarily predisposed to look favorably upon such future waiver requests advanced by California.

This concludes my prepared testimony. Thank you again for the opportunity to appear before you today. I would be pleased to answer any questions the

Committee may have.

#

February 10, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

We greatly appreciate your personal focus on steps to strengthen the economy in the United States and your commitment to jobs in our sector.

We write you today to ask that you reinstate the data-driven Midterm Review of the fuel economy/GHG rules through Model Year 2025 – without prejudging the outcome - and to harmonize the federal requirements.

As you know, in 2011 the last Administration established these fuel economy/GHG targets. Two commitments underlying that agreement were (1) the concept of One National Program under which rules from two federal agencies and California would be harmonized; and (2) the Midterm Review (MTR), a commonsense evaluation to ensure the assumptions underlying the agreement remained valid. As recently as late last fall, EPA assured us that the MTR would not result in a final determination before the next Administration came into office (the schedule provided a determination by April of 2018).

Despite these commitments, in just days before the Inauguration, the previous Administration truncated the process for the MTR to lock in the GHG stringency schedule through 2025 without any changes, despite significant market realities suggesting flexibility might be in order. At a time when current and projected gas prices are well below anticipated levels and the early years of the CAFE program have yielded material MPG improvement, consumers often are making choices that are inconsistent with the long-term success of the current schedule.

We are committed to continued gains in fuel efficiency and carbon reduction. At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels, putting hundreds of thousands and perhaps as many as a million jobs at risk (Center for Automotive Research, September 2016).

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Accordingly, we urge your Administration to put the process back on track. A data-driven review – under the originally promised schedule – is necessary to arrive at the maximum feasible fuel economy/GHG standards that appropriately balance environmental progress, safety, affordability and jobs.

Again, thank you for your commitment to smart-regulation, employment and a strong U.S. economy.

Sincerely,

Andrew C. Palmer
President and Chief Executive Officer, Aston Martin Lagonda, Ltd.

Ludwig Willisch
Head of BMW Group Region Americas

Sergio Marchionne
Chief Executive Officer, FCA

Mark Fields
President and Chief Executive Officer, Ford Motor Company

Mary T. Barra
Chairman and Chief Executive Officer, General Motors Company

Rick Schostek
Executive Vice President, Honda North America, Inc.

W. Gerald Flannery
President and Chief Executive Officer, Hyundai Motor America

Joe Eberhardt
President and Chief Executive Officer, Jaguar Land Rover North America

Michael Sprague
Chief Operating Officer and Executive Vice President, Kia Motors America

Masahiro Moro
President and Chief Executive Officer, Mazda North American Operations

Dietmar Exler
President and Chief Executive Officer, Mercedes-Benz USA, LLC

Ryujiro Kobashi
President and Chief Executive Officer, Mitsubishi Motors North America, Inc.

José Muñoz
Chairman, Nissan North America, Inc.

Klaus Zellmer
President and Chief Executive Officer, Porsche Cars North America, Inc.

Thomas J. Doll
President and Chief Operating Officer, Subaru of America, Inc.

James E. Lentz
Chief Executive Officer, Toyota Motor North America, Inc.

Hinrich Woebcken
Chief Executive Officer, VW North American Region and President and Chief Executive
Officer, Volkswagen Group of America

Lex Kerssemakers
Senior Vice President Americas and President and Chief Executive Officer Volvo Car
USA LLC

To: Dravis, Samantha[dravis.samantha@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; jp@[Ex. 6 - Personal Privacy] Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 2:26:47 AM
Subject: Re: RE: RE:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process When's the deadline to get it submitted ?

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Mar 15, 2017, at 8:17 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 9:14 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; jp@[Ex. 6 - Personal Privacy] Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: RE:

Right but I was thinking this would be for a Detroit paper

Ryan Jackson

Chief of Staff

U.S. EPA

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From: Konkus, John
Sent: Wednesday, March 15, 2017 8:44 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: jp@; Ex. 6 - Personal Privacy Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re:

Let me take a look when I get home

On Mar 15, 2017, at 8:36 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Please kill me. I can't get used to this Dell laptop. My track changes are not tracking.. did you guys lock editing on this or something??

Samantha Dravis

Senior Counsel / Associate Administrator for Policy

U.S. Environmental Protection Agency

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ED_001220_00001289

To: Jackson, Ryan[jackson.ryan@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
Cc: jp@[Ex. 6 - Personal Privacy]; jp@[Ex. 6 - Personal Privacy]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Konkus, John
Sent: Thur 3/16/2017 2:28:56 AM
Subject: RE: RE: RE:
3 15 17 1030pm JK LF EDITS Draft CAFE Op-Ed.docx

Attached is an earlier version Lincoln had. I tweaked it a bit to include what we've discussed. See what you think.

Deadline tomorrow, probably in the morning.

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 10:27 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; jp@[Ex. 6 - Personal Privacy]; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
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Senior Counsel / Associate Administrator for Policy

U.S. Environmental Protection Agency

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ED_001220_00001290

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Cc: Konkus, John[konkus.john@epa.gov]; jp@[Ex. 6 - Personal Privacy]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 1:13:46 AM
Subject: Re: RE:

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Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Mar 15, 2017, at 7:54 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Konkus, John
Sent: Wednesday, March 15, 2017 8:44 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: jp@[Ex. 6 - Personal Privacy]; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re:

Let me take a look when I get home

On Mar 15, 2017, at 8:36 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Please kill me. I can't get used to this Dell laptop. My track changes are not

ED_001220_00001292-00001

ED_001220_00001292

tracking.. did you guys lock editing on this or something??

Samantha Dravis

Senior Counsel / Associate Administrator for Policy

U.S. Environmental Protection Agency

ED_001220_00001292-00002

ED_001220_00001292

To: Dravis, Samantha[dravis.samantha@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; jp@[Ex. 6 - Personal Privacy] Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 1:20:14 AM
Subject: Re: RE: RE:

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Mar 15, 2017, at 8:14 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 9:14 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; jp@[Ex. 6 - Personal Privacy] Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: RE:

Right but I was thinking this would be for a Detroit paper

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

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Cc: [jp@](#) Ex. 6 - Personal Privacy Ferguson, Lincoln <ferguson.lincoln@epa.gov>
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Samantha Dravis

Senior Counsel / Associate Administrator for Policy

U.S. Environmental Protection Agency

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 12:22:52 AM
Subject: Re: CAFE Op-ed

Big thanks.

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

On Mar 15, 2017, at 7:18 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ok. Give me a few to get to my computer and I will re work it

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 8:18 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Ryan Jackson

Chief of Staff

U.S. EPA

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Chief of Staff

U.S. EPA

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Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 8:08 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Freire, JP (Hatch) <JP_Freire@hatch.senate.gov>; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 15, 2017, at 7:00 PM, Dravis, Samantha <dravis.samantha@epa.gov>
wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 15, 2017, at 7:58 PM, Jackson, Ryan <jackson.ryan@epa.gov>
wrote:I

Guys please hurry and get this get this placed. I was assuming that was
done well before now.

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 15, 2017, at 6:55 PM, Konkus, John <konkus.john@epa.gov>
wrote:

Samantha and Byron: Would you mind please taking a look at the
attached op-ed tonight before I send it to USA Today tomorrow?

From: Ferguson, Lincoln
Sent: Wednesday, March 15, 2017 6:13 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>
Subject: CAFE Op-ed

ED_001220_00001294-00003

ED_001220_00001294

Attached is the updated version of the CAFÉ op-ed with input from JP. Can we get this in from of SP before we release? USA Today is needing it ASAP – but hopefully we can still shoot to get it in this weekend.

Thanks,
Lincoln

<LF EDITS Draft CAFE Op-Ed EDITS.DOCX>

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 12:18:22 AM
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

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ED_001220_00001295-00003

ED_001220_00001295

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Jackson, Ryan
Sent: Thur 3/16/2017 12:15:39 AM
Subject: Re: CAFE Op-ed

Ex. 5 - Deliberative Process

Ryan Jackson
Chief of Staff
U.S. EPA
(202) 564-6999

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ED_001220_00001296-00002

ED_001220_00001296

<LF EDITS Draft CAFE Op-Ed EDITS.DOCX>

ED_001220_00001296-00003

ED_001220_00001296

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Marie Sanderson
Sent: Tue 3/14/2017 3:52:16 PM
Subject: FW: Governors comment on EPA action

Hey- just flagging this again. We've been asked to help with govs. Going to start some outreach but wanted to make sure we didn't crossways. Thanks again

Ex. 6 - Personal Privacy

From: Marie Sanderson
Sent: Monday, March 13, 2017 11:40 AM
To: 'Dravis, Samantha' <dravis.samantha@epa.gov>
Subject: Governors comment on EPA action

Hey there- per our convo- this is what we've been asked to do. It does go beyond what I represented as I review what we sent to me. Take a look and let me know if you are comfortable with our proceeding. Not trying to influence you here- flagging what was sent to me. My cell is

Ex. 6 - Personal Privacy

Letters will request that the EPA Administrator set aside the Final Determination for Model Year 2022-2025 vehicle GHG standards that the previous EPA Administrator hastily issued just days prior to President Trump's inauguration.

Points from Governors, ideally, would be:

- Smart regulation is vital to a strong manufacturing sector
- Midterm review of the fuel economy standards was due to be finalized under Trump by April of 2018; last Administration jammed a political determination just days before leaving office
- Right thing to do to get back to the process – without prejudging the outcome
- So much is at stake, not just the success of this program but affordability and jobs
- Administration promised a pro jobs agenda; we're seeing it play out here

Trump Said Open to Relaxing Obama's Auto Fuel Efficiency

Targets

March 4, 2017 10:28AM ET | Bloomberg Government

(Bloomberg) -- The Trump administration plans to open the door to a possible reconsideration of greenhouse gas emission standards for cars and light trucks that has been sought by automakers, according to a person familiar with the plans.

The Environmental Protection Agency in the final days of the Obama administration decided to lock in the emissions standards through 2025 that had been negotiated with the industry in 2011.

That decision will be withdrawn for reconsideration as early as next week, said the person, who would only discuss the plans on the condition of anonymity because they have not been made public. An EPA spokeswoman declined to comment.

It will be one of a series of actions taken by the Trump administration recently to reconsider or reverse Obama-era regulations opposed by industry.

On Thursday, the EPA effectively abandoned work to develop a rule clamping down on methane releases from oil and gas wells and the Department of Transportation suspended work on a regulation requiring airlines to disclose fees for checking bags. Trump also just directed his agencies to rescind and rewrite an Obama-era environmental rule governing water pollution, after criticism from ranchers, farmers and developers.

Previous story: Carmakers' Plea for Fuel Economy Review Sets Stage for Showdown

Eighteen auto industry executives sent a letter to Trump in February, asking him to reinstate the review of fuel economy regulations. The EPA's decision in January to end the review came more than a year before deadline, which automakers say prematurely ended a promised debate over standards that they argue are costly and could jeopardize employment amid low gasoline prices which have boosted the appeal of sport utility vehicles and limited sales of hybrids and electric cars.

The companies and then-President Barack Obama had struck a deal in 2011 to double average fuel economy of vehicles across the U.S. car and light truck fleet to 54.5 miles per gallon by 2025, with the caveat that a mid-term review would determine whether the standards for the final years of the program were feasible.

Just a week before Trump took office, the EPA said it had concluded its review and the rules didn't need to be changed.

Automakers disagreed, saying falling gasoline prices had squelched demand for the most fuel-efficient vehicles, making achieving the standards more difficult.

The plea from the executives came after Trump made the automotive industry a major focus of

his first days as president. After a Jan. 24 meeting with auto executives, Trump vowed to ease regulatory burdens to lure more car factories to the U.S., calling environmental rules “out of control.”

Midterm Evaluation

The withdrawal could come as early as next week in the form of a joint notice from EPA and the Transportation Department. As a result, the “midterm evaluation” of the efficiency standards through 2025 would resume, potentially leading to the relaxation of the standards desired by automakers.

Still, even if the EPA revisits the mid-term review, it won’t necessarily come to a different conclusion than the one reached in Obama’s final days in office. That decision was the culmination of an evaluation that began last summer with the publication of a more than 1,200-page Technical Assessment Report that examined costs, technology effectiveness, and other aspects of the standards.

Association of Global Automakers spokeswoman Annemarie Pender said the trade group, which represents 12 automakers including Toyota Motor Corp., [Honda Motor Co.](#), [Nissan Motor Co.](#) and Hyundai Motor Co., hasn’t received a formal response to its Feb. 21 [letter](#) asking the EPA to withdraw the decision. The association declined to comment as did the Alliance of Automobile Manufacturers.

Environmental Push

“This is an all-out attack on environmental protection,” Gina McCarthy, EPA administrator during Obama’s second term, said of the potential fuel-standards move on MSNBC Saturday. “This latest news on clean cars is actually rolling back significant benefits that we have provided to people -- cleaner air, as well as addressing some of the challenge we have with carbon pollution that’s fueling climate change.”

McCarthy derided the new administration’s overall approach to the environment. The White House Office of Management and Budget this week recommended slashing the [EPA’s budget](#) by 25 percent and eliminating thousands of jobs and more than a dozen programs.

‘Core Values’

“I don’t know why they’ve decided that our core values no longer include clean air and clean water, but that seems to be what this is about,” McCarthy said.

On Friday, a coalition of environmental groups including the Sierra Club, Natural Resources Defense Council and Union of Concerned Scientists issued a joint statement urging the vehicle standards be maintained.

“EPA’s clean car standards are driving unprecedented reductions in carbon pollution and saving

drivers money at the pump,” Natural Resources Defense Council President Rhea Suh said in a statement. “Strong standards have been a critical factor in the auto industry’s recovery from financial distress, so it makes no sense to reverse this progress. EPA should stay the course and look to the future, to protect our climate and the workers developing clean car technologies.”

To change the standards, EPA must produce a new rule to replace the current one including notice and comment and raising the potential of a court challenge by environmental groups.

--With assistance from John Lippert and Michelle Jamrisko.

To contact the reporter on this story:

Ryan Beene in Washington at rbeene@bloomberg.net

To: Millett, John[Millett.John@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]; Kenny, Shannon[Kenny.Shannon@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Dunham, Sarah[Dunham.Sarah@epa.gov]; Ng, Brian[Ng.Brian@epa.gov]; Senn, John[Senn.John@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
From: Drinkard, Andrea
Sent: Fri 3/10/2017 3:18:39 PM
Subject: RE: Q's that need A's

On #4, I believe we have been responding with the following:

Ex. 5 - Deliberative Process

We (OAR) would have nothing more to add to that.

From: Millett, John
Sent: Friday, March 10, 2017 10:16 AM
To: Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>
Subject: Re: Q's that need A's

So we're all on the same page. Offices that should take first crack at the answers. --

1 --OGC

2 -- OECA

3 -- OAR

4 -- I'm not aware of the information necessary to respond to this.

John Millett

Ex. 6 - Personal Privacy

On Mar 10, 2017, at 10:07 AM, Drinkard, Andrea <Drinkard.Andrea@epa.gov> wrote:

I'm adding Ben and Erin.

From: Grantham, Nancy
Sent: Friday, March 10, 2017 10:00 AM
To: Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fwd: Q's that need A's

As part of our comms prep for cafe rollout next week - we need assistance with answers for these questions-- unfortunately on a fast turnaround - thx ng

Sent from my iPhone

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: March 10, 2017 at 9:45:56 AM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Cc: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>
Subject: Q's that need A's

Here are few questions. Nancy, are you sending this to OP or OAR?

ED_001220_00001299-00002

ED_001220_00001299

Catherine C. Milbourn
Office of Media Relations
Office of the Administrator
U.S. EPA HQ
202-564-7849 (office)
Ex. 6 - Personal Privacy (mobile)
Milbourn.cathy@epa.gov

<CAFE Questions.docx>

To: Drinkard, Andrea[Drinkard.Andrea@epa.gov]
Cc: Grantham, Nancy[Grantham.Nancy@epa.gov]; Kenny, Shannon[Kenny.Shannon@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]; Dunham, Sarah[Dunham.Sarah@epa.gov]; Ng, Brian[Ng.Brian@epa.gov]; Senn, John[Senn.John@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
From: Millett, John
Sent: Fri 3/10/2017 3:16:11 PM
Subject: Re: Q's that need A's

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Office of Media Relations
Office of the Administrator
U.S. EPA HQ
202-564-7849 (office)
Ex. 6 - Personal Privacy mobile)
Milbourn.cathy@epa.gov

<CAFE Questions.docx>

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From: Grantham, Nancy
Sent: Fri 3/10/2017 3:00:08 PM
Subject: Fwd: Q's that need A's
[CAFE Questions.docx](#)
[ATT00001.htm](#)

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Catherine C. Milbourn

Office of Media Relations

Office of the Administrator

U.S. EPA HQ

202-564-7849 (office)

Ex. 6 - Personal Privacy (mobile)

Milbourn.cathy@epa.gov

ED_001220_00001303-00001

ED_001220_00001303

ED_001220_00001303-00002

ED_001220_00001303

To: Konkus, John[konkus.john@epa.gov]; Dravis, Samantha[dravis.samantha@epa.gov]
From: Grantham, Nancy
Sent: Thur 3/9/2017 8:12:49 PM
Subject: FYI -- CAFE Federal Register notice has been signed by the Administrator (auto-pen authorized by RJ) and is on its way to Secretary Chau's office for signature ..thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

ED_001220_00001329-00001

ED_001220_00001329

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Benton, Donald
Sent: Thur 3/9/2017 7:31:02 PM
Subject: RE: CAFE

Thanks. Be safe. See you tomorrow.

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



From: Dravis, Samantha
Sent: Thursday, March 9, 2017 12:10 PM
To: Benton, Donald <benton.donald@epa.gov>
Subject: Re: CAFE

Don't worry! Not your fault

Sent from my iPhone

On Mar 9, 2017, at 11:00 AM, Benton, Donald <benton.donald@epa.gov> wrote:

Sam,

Ryan did not show up for nor did he cancel the 8am meeting. I have had no contact from him. I have no idea where the paper is or if Scott has signed it. Secretary Chao was in the same meeting with him at WH yesterday so hopefully they got it signed while they were there. I just don't know.

ED_001220_00001330-00001

ED_001220_00001330

I do not want to let you down but I cannot be responsible for getting something like this done when left completely out of the loop and uninformed. Please let me know what you want me to do.

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image002.png>

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Marie Sanderson
Sent: Mon 3/13/2017 4:39:54 PM
Subject: Governors comment on EPA action

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March 4, 2017 10:28AM ET | Bloomberg Government

(Bloomberg) -- The Trump administration plans to open the door to a possible reconsideration of greenhouse gas emission standards for cars and light trucks that has been sought by automakers, according to a person familiar with the plans.

The Environmental Protection Agency in the final days of the Obama administration decided to lock in the emissions standards through 2025 that had been negotiated with the industry in 2011.

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That decision will be withdrawn for reconsideration as early as next week, said the person, who would only discuss the plans on the condition of anonymity because they have not been made public. An EPA spokeswoman declined to comment.

It will be one of a series of actions taken by the Trump administration recently to reconsider or reverse Obama-era regulations opposed by industry.

On Thursday, the EPA effectively abandoned work to develop a rule clamping down on methane releases from oil and gas wells and the [Department of Transportation](#) suspended work on a regulation requiring airlines to disclose fees for checking bags. Trump also just directed his agencies to rescind and rewrite an Obama-era environmental rule governing [water](#) pollution, after criticism from ranchers, farmers and developers.

[Previous story: Carmakers' Plea for Fuel Economy Review Sets Stage for Showdown](#)

Eighteen auto industry executives sent a [letter](#) to Trump in February, asking him to reinstate the review of fuel economy regulations. The EPA's decision in January to end the review came more than a year before deadline, which automakers say prematurely ended a promised debate over standards that they argue are costly and could jeopardize employment amid low gasoline prices which have [boosted the appeal](#) of sport utility vehicles and limited sales of hybrids and electric cars.

The companies and then-President [Barack Obama](#) had struck a deal in 2011 to double average fuel economy of vehicles across the U.S. car and light truck fleet to 54.5 miles per gallon by 2025, with the caveat that a mid-term review would determine whether the standards for the final years of the program were feasible.

Just a week before Trump took office, the EPA said it had concluded its review and the rules didn't need to be changed.

Automakers disagreed, saying falling gasoline prices had squelched demand for the most fuel-efficient vehicles, making achieving the standards more difficult.

The plea from the executives came after Trump made the automotive industry a major focus of his first days as president. After a Jan. 24 meeting with auto executives, Trump vowed to ease regulatory burdens to lure more car factories to the U.S., calling environmental rules "out of control."

Midterm Evaluation

The withdrawal could come as early as next week in the form of a joint notice from EPA and the Transportation Department. As a result, the "midterm evaluation" of the efficiency standards through 2025 would resume, potentially leading to the relaxation of the standards desired by automakers.

Still, even if the EPA revisits the mid-term review, it won't necessarily come to a different

conclusion than the one reached in Obama's final days in office. That decision was the culmination of an evaluation that began last summer with the publication of a more than 1,200-page Technical Assessment Report that examined costs, technology effectiveness, and other aspects of the standards.

Association of Global Automakers spokeswoman Annemarie Pender said the trade group, which represents 12 automakers including Toyota Motor Corp., [Honda Motor Co.](#), [Nissan Motor Co.](#) and Hyundai Motor Co., hasn't received a formal response to its Feb. 21 [letter](#) asking the EPA to withdraw the decision. The association declined to comment as did the Alliance of Automobile Manufacturers.

Environmental Push

"This is an all-out attack on environmental protection," Gina McCarthy, EPA administrator during Obama's second term, said of the potential fuel-standards move on MSNBC Saturday. "This latest news on clean cars is actually rolling back significant benefits that we have provided to people -- cleaner air, as well as addressing some of the challenge we have with carbon pollution that's fueling climate change."

McCarthy derided the new administration's overall approach to the environment. The White House Office of Management and Budget this week recommended slashing the [EPA's budget](#) by 25 percent and eliminating thousands of jobs and more than a dozen programs.

'Core Values'

"I don't know why they've decided that our core values no longer include clean air and clean water, but that seems to be what this is about," McCarthy said.

On Friday, a coalition of environmental groups including the Sierra Club, Natural Resources Defense Council and Union of Concerned Scientists issued a joint statement urging the vehicle standards be maintained.

"EPA's clean car standards are driving unprecedented reductions in carbon pollution and saving drivers money at the pump," Natural Resources Defense Council President Rhea Suh said in a statement. "Strong standards have been a critical factor in the auto industry's recovery from financial distress, so it makes no sense to reverse this progress. EPA should stay the course and look to the future, to protect our climate and the workers developing clean car technologies."

To change the standards, EPA must produce a new rule to replace the current one including notice and comment and raising the potential of a court challenge by environmental groups.

--With assistance from John Lippert and Michelle Jamrisko.

To contact the reporter on this story:
Ryan Beene in Washington at rbeene@bloomberg.net

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ED_001220_00001356

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Dravis, Samantha[dravis.samantha@epa.gov]
From: Schnare, David
Sent: Fri 3/10/2017 10:01:26 PM
Subject: Cantanzaro call

Mike called me.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

d.

David W. Schnare

Assistant Deputy Administrator

US. EPA

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ED_001220_00001366

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Jackson, Ryan
Sent: Sun 3/26/2017 8:23:49 PM
Subject: FW: Request for Meeting
 Admin Pruitt Letter to EPW staff.docx

Can we give CAFÉ to your team to do?

From: Tom Lynch [mailto:tom.lynch@icemillerstrategies.com]
Sent: Wednesday, March 15, 2017 3:49 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Graham Hill <graham.hill@icemillerstrategies.com>; Clayton Heil <clayton.heil@icemillerstrategies.com>; Andy Mueller <andy.mueller@icemillerstrategies.com>
Subject: Request for Meeting

Ryan – Congratulations on the new job. I’m sure it’s a huge transition, but you’re a great choice to lead it and assemble a team.

If you or a designee is available, I would greatly appreciate the opportunity to visit for 15 minutes and discuss problems arising from a 2016 Obama rulemaking entitled, *Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles – Phase 2* (GHGP2). The specific problem is the inappropriate inclusion of truck trailers in the rule. EPA overreached in interpreting its Clean Air Act grant of authority. In summary, a trailer is not a new motor vehicle (meaning it is inappropriate to regulate it in a heavy duty truck rulemaking).

You may already know this issue through the outreach to EPW over the last two years. Please see the attached letter, which EPW staff forwarded to EPA earlier this year. **Similarly, Senator Inhofe was quoted in an Oklahoma Energy Today June 22, 2015 article, saying about the then-proposed rule, "The Obama Administration’s proposed standard for medium and heavy-duty vehicles is more of the same...President Obama’s EPA has continually acted outside of its bounds by pursuing programs and regulations that have never been authorized by Congress."**

Under the Clean Air Act (42 USC 7521(a)), Congress required EPA to regulate “any air pollutant from any class or classes of new motor vehicles or new motor vehicle engines, which ... may reasonably be anticipated to endanger public health or welfare.” In addition, under 42 USC 7550(b), motor vehicle “means any self-propelled vehicle designed for transporting persons or property on a street or highway.” Trailers are inert and cannot move under their own power. And, unlike engines, trailers do not produce emissions. Under the four corners of the statute, Congress didn’t mean to regulate trailers despite the Obama EPA’s dubious claims

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otherwise.

Further, the regulation will add costs without adding proportionate benefits, while requiring more tractor-trailers to be placed in service. Adding more tractor-trailers in order to meet the current freight transportation levels will not only increase Greenhouse Gas emissions, but will also lead to more three more traffic fatalities annually according to the National Highway Traffic Safety Administration.

Members of Congress are aware of the issue and have weighed in. In the pending FY 17 House Interior and Environment Appropriations bill, Rep. Barry Loudermilk (R-GA) inserted a provision prohibiting spending to “*be used to finalize, implement, administer, or enforce*” the rule with regards to trailers. Further, over the last two years, a number of congressional members have written EPA and OMB to express concerns.

Most recently, nine House members submitted a Feb 24th letter to Administrator Pruitt on this issue.

Is there a time we can briefly meet to discuss this matter?

Regards, Tom

Tom Lynch

Ice Miller Strategies LLC

20 F St. NW, Ste. 850

Washington, DC 20001

202 824-8662 direct

202-568-0147 mobile

202-824-8666 main

202-824-8667 fax

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ED_001220_00001368

www.icemillerstrategies.com

ED_001220_00001368-00003

ED_001220_00001368

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Grantham, Nancy
Sent: Tue 3/14/2017 1:57:16 PM
Subject: Fwd: CAFE notice

FYI

Sent from my iPhone

Begin forwarded message:

From: "Smith, Loren (OST)" <Loren.Smith@dot.gov>
Date: March 14, 2017 at 9:44:26 AM EDT
To: "McCown, Brigham (OST)" <brigham.mccown@dot.gov>, "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>, "Schnare, David" <schnare.david@epa.gov>, "McInerney, Marianne (OST)" <marianne.mcinerney@dot.gov>, "Moore, Allison (OST)" <A.Moore@dot.gov>, "Fulton, Finch (OST)" <Finch.Fulton@dot.gov>, "Pugliese, Anthony (OST)" <anthony.Pugliese@dot.gov>
Subject: RE: CAFE notice

It looks as if the Federal Register will post the CAFÉ joint notice to the website **tomorrow at 8:45am**. If we need to put that off a couple hours, we would need to request that today. Please let me know if we think 8:45 would be a problem.

From: McCown, Brigham (OST)
Sent: Monday, March 13, 2017 9:02 PM
To: Smith, Loren (OST)
Cc: Grantham, Nancy; Konkus, John; Schnare, David; McInerney, Marianne (OST); Moore, Allison (OST); Fulton, Finch (OST); Pugliese, Anthony (OST)
Subject: RE: CAFE notice

All: as a follow-up to Loren's note, DOT will keep a lookout and will advise the group as soon as it is out.

Loren, I'd recommend asking OGC's FR liaison to confirm Tuesday AM by reaching out through James to see if we can get some confidence factor so everyone can plan on the path forward. Let me know if you agree.

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ED_001220_00001372

-Brigham

B. A. McCown

Consultant - Advisor to the Secretary

U.S. Department of Transportation

Office of the Secretary

West Building W92-319

1200 New Jersey Ave, S.E.

Washington, DC 20590

(202) 366-9315 (office)

(202) 997-5407 (mobile preferred)

From: Smith, Loren (OST)

Sent: Monday, March 13, 2017 6:50 PM

To: Grantham, Nancy; Konkus, John; Schnare, David; McInerney, Marianne (OST); Moore, Allison (OST); Fulton, Finch (OST); Pugliese, Anthony (OST); McCown, Brigham (OST)

Subject: RE: CAFE notice

Hi Nancy – the notice will be on the Federal Register’s website on Wednesday and then likely published in physical form on Thursday. Not sure yet on time of day, but I did ask, hoping to hear back soon.

I’m told that the snow shouldn’t be a problem here, as the FR uses teleworkers on their internal circulation processing, but this is not guaranteed, either.

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ED_001220_00001372

From: Grantham, Nancy [<mailto:Grantham.Nancy@epa.gov>]
Sent: Monday, March 13, 2017 5:19 PM
To: Smith, Loren (OST); Konkus, John
Cc: Grantham, Nancy
Subject: FW: CAFE notice

Hi Loren,

For our briefing for the White House re: Wednesday's event – we need to know when this will be published in the FR?

Thanks

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Schnare, David
Sent: Monday, March 13, 2017 1:05 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: Fwd: CAFE notice

Please handle and let me know.

d

Sent from my iPhone

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ED_001220_00001372

Begin forwarded message:

From: "Smith, Loren (OST)" <Loren.Smith@dot.gov>
Date: March 13, 2017 at 12:59:48 PM EDT
To: David Schnare <schnare.david@epa.gov>
Subject: CAFE notice

Please email me the final Word doc version as well - it is part of the Federal Register submission process.

Sent from my iPhone

ED_001220_00001372-00004

ED_001220_00001372

To: Dravis, Samantha[dravis.samantha@epa.gov]
Cc: Kenny, Shannon[Kenny.Shannon@epa.gov]
From: McGartland, Al
Sent: Fri 3/10/2017 1:05:45 AM
Subject: Fwd: Autos report

Hi Samantha. I hope your trip with our Administrator was productive. I'm attaching an email from John Graham, former OIRA Administrator under President Bush. He is now dean at the Public Policy School of Indiana University. (One of the top Public Policy Grad schools).

Paul Noe, now reported as one of two possible OIRA Administrators for President Trump served as John Graham's deputy during the Bush Administration.

John Graham asks if we can host a seminar/informal presentation on their report on the Macroeconomic Impacts of CAFE (fuel economy standards for cars and light trucks).

I'm happy to arrange this. When we meet, we can discuss. I have not read the report yet. I will note that while John was probably the best OIRA Administrator in the history of that office he held an unexplainable affinity for the fuel economy standards. John is is decision scientist -- not an economist.

Their report can be found here:

<https://spea.indiana.edu/doc/research/working-groups/auto-report-032017.pdf>

Sent from my iPhone

Begin forwarded message:

From: "Graham, John D." <grahamjd@indiana.edu>
Date: March 9, 2017 at 3:43:19 PM EST
To: Al McGartland <mcgartland.al@epa.gov>, "helfand.gloria@epa.gov" <helfand.gloria@epa.gov>
Cc: "Carley, Sanya" <scarley@indiana.edu>
Subject: Autos report

Al and Gloria: Here is the link to our new report on the macroeconomic impacts of DOT-CAFÉ, EPA-GHG, and CARB-ZEV. <https://indiana.edu/doc/research/working-groups/auto-report-032017.pdf>. Would you be willing to share with relevant folk at EPA and schedule a time for our team to do an informal presentation at EPA during the next few months? Take care. John

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*Obama on the Home Front:
Domestic Policy Triumphs
and Setbacks*
IU Press
Click cover for more info

John D. Graham, Ph.D. | Dean | Indiana
University

School of Public & Environmental Affairs

1315 E. Tenth Street

Bloomington, IN 47405

812.855.1432 Phone | 812.855.6234 Fax

grahamjd@indiana.edu



To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Benton, Donald
Sent: Wed 3/8/2017 10:13:13 PM
Subject: cafe

If Ryan is not going he can bring it back here in the morning! Problem solved!

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



ED_001220_00001377-00001

ED_001220_00001377

To: Dravis, Samantha[dravis.samantha@epa.gov]
From: Benton, Donald
Sent: Wed 3/8/2017 10:05:30 PM
Subject: RE: CAFE

On my way

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711



From: Dravis, Samantha
Sent: Wednesday, March 8, 2017 5:04 PM
To: Benton, Donald <benton.donald@epa.gov>
Subject: Re: CAFE

Can you come to Michelle's desk

Sent from my iPhone

On Mar 8, 2017, at 4:59 PM, Benton, Donald <benton.donald@epa.gov> wrote:

Is someone else getting to Sec Chao?

Don

Senator Don Benton

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ED_001220_00001378

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.png>

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To: Dravis, Samantha[dravis.samantha@epa.gov]
Cc: Kime, Robin[Kime.Robin@epa.gov]
From: Rees, Sarah
Sent: Wed 3/1/2017 10:49:09 PM
Subject: One pagers for OMB rule list
[1-PAGER Mid Term Evaluation for Model Year 2022.docx](#)
[1-pagers for 3-4 actions.docx](#)
[CEQ Federal Greenhouse Gas Accounting and Reporting Guidance.docx](#)
[Remediating Contaminated Sediment Sites Directive.docx](#)
[Air Action One Pagers - OMB list.docx](#)

Samantha, attached are electronic versions of the one pagers I left a hard copy of on your chair. These are for the deep yellow highlighted actions on the OMB “midnight rules” list. I will have the light highlighted actions to you tomorrow, but wanted to triage by order of importance.

Please let me know if you have any questions on any of this – more than happy to help.

Cheers,

Sarah

Sarah L. Rees, Ph.D.

Director, Office of Regulatory Policy & Management

US EPA – Office of Policy

(202) 564-1986 (o) | (202) 407-5074 (m)

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Jeffrey M. Sims ● President

7001 Heritage Village Plaza ● Suite 220 ● Gainesville, VA 20155 ● 703-549-3010

Dear Alex:

January 18, 2016

I am writing on behalf of the truck trailer manufacturing industry, including Senator Inhofe's constituent, Barrett Trailers of Purcell, OK with whom you have graciously met in the past. Thank you, once again, for taking the time to discuss the joint Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) Final Rule entitled, *Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles – Phase 2*, published on October 25, 2016. The EPA-led final rule imposes a costly and inappropriate compliance burden on the manufacturers of truck trailers on the unsupported claim that they are manufacturers of "motor vehicles". Further, EPA mistakenly asserts that the effort will reduce carbon emissions. In fact, it will cause nearly three more highway deaths *annually* according to NHTSA, while increasing emissions.

As you can understand, we would very much like the opportunity to convey this point directly to the office of incoming Administrator Pruitt in the hopes of correcting this problem, and we appreciate any help you can provide.

EPA and the Clean Air Act. Under the Clean Air Act (42 USC 7521(a)), Congress required EPA to regulate "any air pollutant from any class or classes of **new motor vehicles or new motor vehicle engines**, which ... may reasonably be anticipated to endanger public health or welfare." In addition, under 42 USC 7550(b) **motor vehicle** "means any **self-propelled vehicle** designed for transporting persons or property on a street or highway." The specific identification of motor vehicles (which are self-propelled) and motor vehicle engines (which are not full motor vehicles but which clearly do emit) implicitly excludes non-self-propelled equipment and non-emitting equipment.

Trailers are inert pieces of equipment. They cannot move under their own power. Unlike engines, trailers do not produce emissions. EPA's arrogant response to this claim is that its authority does extend to the trailer because the trailer will eventually be joined to the tractor for the purpose of transporting freight. EPA notes that the tractor is clearly a motor vehicle and is capable of self-propulsion, but the agency asserts further that a tractor not connected to a trailer does not really serve a freight transportation purpose. Therefore, by EPA's twisted logic, the only conclusion is that an inert, motor-less, non-emitting trailer also satisfies the test of being a "motor vehicle" because of its eventual function. That is nonsensical and circular reasoning. Nobody thinks appurtenances such as camera lenses are actual cameras themselves although a camera without a lens cannot fully perform its ultimate function of photography. In accordance with market practice, trailer manufacturers are not even the ones who join trailers to tractors; the items are manufactured and sold separately to truck operators who eventually hitch trailers to tractors. All of this makes EPA's Clean Air Act jurisdictional claim over trailer manufacturers too expansive.

EPA and SmartWay. Even if EPA did possess Clean Air Act jurisdiction, it should exercise its discretion and not regulate the trailer manufacturing industry in this way because the results will be

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counterproductive. Many truck operators participate in EPA's voluntary SmartWay program, which provides engineering standards for aerodynamics and reduced weight to enable truck operators to improve fuel economy in a heavy duty tractor-trailer combination traveling at highway speed. However, data submitted to EPA from a range of commenters demonstrates that the same benefits are not achieved when traveling at less-than-highway speeds. Notably, at least half of all tractor-trailer usage occurs not on highways but at lesser speeds around towns and cities according to the American Trucking Associations. Trucking operators capable of benefitting under SmartWay already have economic incentive and competitive reasons to do so. Those that cannot achieve improved efficiencies because they too frequently travel at lesser speeds have no reason to specify costly add-ons to trailers. In addition, increasing the number of trucks on the road in order to simply maintain current freight levels clearly will have the net effect of increasing GHG, not reducing it.

NHTSA's Acceptance of More Traffic Fatalities. Adding weight to trailers will displace cargo in order for the truck operator to remain in compliance with Gross Vehicle Weight laws on the roads. This will paradoxically require more tractor-trailers on the road just to meet current freight transportation levels. In its portion of the joint rulemaking, NHTSA estimates an additional 184 million truck miles will be required. Further, when confronted with the charge that the EPA's efforts will displace existing freight and require more tractor-trailers on the road to continue to meet existing freight transportation levels, NHTSA responds on pages 356 and 357 of the rulemaking:

“According to FMCSA's 2014 annual report for ‘Large Truck and Bus Crash Facts’ indicates there are less than 1.67 fatalities per 100 million vehicle miles traveled (VMT) by combination trucks in the U.S. for 2014. When multiplied by an estimated 184 million additional truck miles due to weighed-out trucks, **the result is an increase of about 3 fatalities, or 2.7 fatal crashes.**” (emphasis added)

Incredibly, NHTSA – the federal agency charged with Highway and Traffic Safety – has apparently taken a truly cavalier position with regard to highway fatalities in order to willingly go along with an ill-advised EPA-led rulemaking. This position undercuts the reason for NHTSA's very existence.

Conclusion. Legally, EPA doesn't possess the Clean Air Act authority it claims. Trailers do not generate emissions, and trailer manufacturers do not construct motor vehicles. Meanwhile, nearly three more people will unnecessarily die each year as a result of this ill-considered rule. Finally, on a practical level, imposing requirements on the trailer manufacturers that will increase cost without proportionately increasing benefit is wasteful and, ultimately, counterproductive; GHG will increase rather than decreasing. This wasteful cost will get passed on to everybody down the line, eventually making consumers pay more for the goods we rely on that move by truck. The market is moving faster than EPA can at maximizing fuel efficiency.

Recognizing the problems the rulemaking has unnecessarily created, the House FY 2017 Interior, Environment and Related Agencies appropriations bill includes an EPA prohibition on spending to implement, enforce, et al. the rulemaking against trailer manufacturers. We have also taken legal action. Further, we are exploring use of the Congressional Review Act. An opportunity to discuss the matter directly with incoming Administrator or his staff could enable resolution of this matter to the benefit of all parties, including EPA. I'm glad to discuss this matter further at your convenience, and I appreciate your help.

Sincerely,

Jeff Sims
Truck Trailer Manufacturers Assn.

To: anne@iags.org[anne@iags.org]
From: Dravis, Samantha
Sent: Mon 3/27/2017 2:40:06 PM
Subject: RE: Marc Goldman followup

Anne, I really apologize about the schedule. Please do send the memo and let's chat when you return.

From: Anne Korin [mailto:anne@iags.org]
Sent: Monday, March 27, 2017 10:39 AM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Subject: RE: Marc Goldman followup

Samantha,
I understood from Carolyn our meeting last week was cancelled and could not be rescheduled later that day or Friday. I am currently out of town and will be traveling non-stop for the next several weeks. To keep the ball rolling, I'll prep and send over a short memo on how fuel choice could add to the CAFE reform toolkit and dovetail with the President's goals on jobs, lifting of the regulatory burden, and energy security.
best, Anne

On Thu 23/03/17 2:43 PM , "Inge, Carolyn" Inge.Carolyn@epa.gov sent:

Subject: You 3:00pm meeting with Samantha has been cancel

To: Jackson, Ryan[jackson.ryan@epa.gov]
Cc: Konkus, John[konkus.john@epa.gov]; jp@jpfreire.com[jp@jpfreire.com]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]
From: Dravis, Samantha
Sent: Thur 3/16/2017 1:21:21 AM
Subject: RE: RE: RE:

Ok.. guys you have a start there. Ex. 5 - Deliberative Process
Ex. 5 - Deliberative Process
Ex. 5 - Deliberative Process These are all things he's talked about ad nauseum.

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 9:20 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; jp@jpfreire.com; Ferguson, Lincoln <ferguson.lincoln@epa.gov>
Subject: Re: RE: RE:

Ex. 5 - Deliberative Process

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 15, 2017, at 8:14 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

From: Jackson, Ryan
Sent: Wednesday, March 15, 2017 9:14 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>
Cc: Konkus, John <konkus.john@epa.gov>; jp@jpfreire.com; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: Re: RE:

Right but I was thinking this would be for a Detroit paper

Ryan Jackson

Chief of Staff

U.S. EPA

(202) 564-6999

On Mar 15, 2017, at 7:54 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Ex. 5 - Deliberative Process

This needs wholesale revisions.

From: Konkus, John

Sent: Wednesday, March 15, 2017 8:44 PM

To: Dravis, Samantha <dravis.samantha@epa.gov>

Cc: jp@jpfreire.com; Ferguson, Lincoln <ferguson.lincoln@epa.gov>

Subject: Re:

Let me take a look when I get home

On Mar 15, 2017, at 8:36 PM, Dravis, Samantha <dravis.samantha@epa.gov> wrote:

Please kill me. I can't get used to this Dell laptop. My track changes are not tracking.. did you guys lock editing on this or something??

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ED_001220_00001406

Samantha Dravis

Senior Counsel / Associate Administrator for Policy

U.S. Environmental Protection Agency

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ED_001220_00001406

To: jp@jpfreire.com[jp@jpfreire.com]; Ferguson, Lincoln[ferguson.lincoln@epa.gov]; Konkus, John[konkus.john@epa.gov]
From: Dravis, Samantha
Sent: Thur 3/16/2017 1:12:46 AM
LF EDITS Draft CAFE Op-Ed EDITS.DOCX

Lincoln, JP, John:

I've sketched out a start here for how you can re-work this.

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ED_001220_00001410

To: Marie Sanderson[msanderson@50-state.com]
From: Dravis, Samantha
Sent: Tue 3/14/2017 4:02:49 PM
Subject: Re: Governors comment on EPA action

These are all good talkers.

Sent from my iPhone

On Mar 14, 2017, at 11:52 AM, Marie Sanderson <msanderson@50-state.com> wrote:

Hey- just flagging this again. We've been asked to help with gov's. Going to start some outreach but wanted to make sure we didn't crossways. Thanks again Ex. 6 - Personal Privacy

From: Marie Sanderson
Sent: Monday, March 13, 2017 11:40 AM
To: 'Dravis, Samantha' <dravis.samantha@epa.gov>
Subject: Governors comment on EPA action

Hey there- per our convo- this is what we've been asked to do. It does go beyond what I represented as I review what we sent to me. Take a look and let me know if you are comfortable with our proceeding. Not trying to influence you here- flagging what was sent to me. My cell is Ex. 6 - Personal Privacy

Letters will request that the EPA Administrator set aside the Final Determination for Model Year 2022-2025 vehicle GHG standards that the previous EPA Administrator hastily issued just days prior to President Trump's inauguration.

Points from Governors, ideally, would be:

- Smart regulation is vital to a strong manufacturing sector
- Midterm review of the fuel economy standards was due to be finalized under Trump by April of 2018; last Administration jammed a political determination just days before leaving office
- Right thing to do to get back to the process – without prejudging the outcome

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- So much is at stake, not just the success of this program but affordability and jobs
- Administration promised a pro jobs agenda; we're seeing it play out here

Trump Said Open to Relaxing Obama's Auto Fuel Efficiency Targets

March 4, 2017 10:28AM ET | Bloomberg Government

(Bloomberg) -- The Trump administration plans to open the door to a possible reconsideration of greenhouse gas emission standards for cars and light trucks that has been sought by automakers, according to a person familiar with the plans.

The [Environmental Protection Agency](#) in the final days of the Obama administration decided to lock in the emissions standards through 2025 that had been negotiated with the industry in 2011.

That decision will be withdrawn for reconsideration as early as next week, said the person, who would only discuss the plans on the condition of anonymity because they have not been made public. An EPA spokeswoman declined to comment.

It will be one of a series of actions taken by the Trump administration recently to reconsider or reverse Obama-era regulations opposed by industry.

On Thursday, the EPA effectively abandoned work to develop a rule clamping down on methane releases from oil and gas wells and the [Department of Transportation](#) suspended work on a regulation requiring airlines to disclose fees for checking bags. Trump also just directed his agencies to rescind and rewrite an Obama-era environmental rule governing [water](#) pollution, after criticism from ranchers, farmers and developers.

[Previous story: Carmakers' Plea for Fuel Economy Review Sets Stage for Showdown](#)

Eighteen auto industry executives sent a [letter](#) to Trump in February, asking him to reinstate the review of fuel economy regulations. The EPA's decision in January to end the review came more than a year before deadline, which automakers say prematurely ended a promised debate over standards that they argue are costly and could jeopardize employment amid low gasoline prices which have [boosted the appeal](#) of sport utility vehicles and limited sales of hybrids and electric cars.

The companies and then-President [Barack Obama](#) had struck a deal in 2011 to double average fuel economy of vehicles across the U.S. car and light truck fleet to 54.5 miles per gallon by 2025, with the caveat that a mid-term review would determine whether the standards for the final years of the program were feasible.

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Just a week before Trump took office, the EPA said it had concluded its review and the rules didn't need to be changed.

Automakers disagreed, saying falling gasoline prices had squelched demand for the most fuel-efficient vehicles, making achieving the standards more difficult.

The plea from the executives came after Trump made the automotive industry a major focus of his first days as president. After a Jan. 24 meeting with auto executives, Trump vowed to ease regulatory burdens to lure more car factories to the U.S., calling environmental rules "out of control."

Midterm Evaluation

The withdrawal could come as early as next week in the form of a joint notice from EPA and the Transportation Department. As a result, the "midterm evaluation" of the efficiency standards through 2025 would resume, potentially leading to the relaxation of the standards desired by automakers.

Still, even if the EPA revisits the mid-term review, it won't necessarily come to a different conclusion than the one reached in Obama's final days in office. That decision was the culmination of an evaluation that began last summer with the publication of a more than 1,200-page Technical Assessment Report that examined costs, technology effectiveness, and other aspects of the standards.

Association of Global Automakers spokeswoman Annemarie Pender said the trade group, which represents 12 automakers including Toyota Motor Corp., [Honda Motor Co.](#), [Nissan Motor Co.](#) and Hyundai Motor Co., hasn't received a formal response to its Feb. 21 [letter](#) asking the EPA to withdraw the decision. The association declined to comment as did the Alliance of Automobile Manufacturers.

Environmental Push

"This is an all-out attack on environmental protection," Gina McCarthy, EPA administrator during Obama's second term, said of the potential fuel-standards move on MSNBC Saturday. "This latest news on clean cars is actually rolling back significant benefits that we have provided to people -- cleaner air, as well as addressing some of the challenge we have with carbon pollution that's fueling climate change."

McCarthy derided the new administration's overall approach to the environment. The White House Office of Management and Budget this week recommended slashing the [EPA's budget](#) by 25 percent and eliminating thousands of jobs and more than a dozen programs.

'Core Values'

“I don’t know why they’ve decided that our core values no longer include clean air and clean water, but that seems to be what this is about,” McCarthy said.

On Friday, a coalition of environmental groups including the Sierra Club, Natural Resources Defense Council and Union of Concerned Scientists issued a joint statement urging the vehicle standards be maintained.

“EPA’s clean car standards are driving unprecedented reductions in carbon pollution and saving drivers money at the pump,” Natural Resources Defense Council President Rhea Suh said in a statement. “Strong standards have been a critical factor in the auto industry’s recovery from financial distress, so it makes no sense to reverse this progress. EPA should stay the course and look to the future, to protect our climate and the workers developing clean car technologies.”

To change the standards, EPA must produce a new rule to replace the current one including notice and comment and raising the potential of a court challenge by environmental groups.

--With assistance from John Lippert and Michelle Jamrisko.

To contact the reporter on this story:
Ryan Beene in Washington at rbeene@bloomberg.net

To: Konkus, John[konkus.john@epa.gov]
From: Dravis, Samantha
Sent: Sun 3/12/2017 6:40:17 PM
Subject: Re: CAFE op-ed

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 12, 2017, at 1:08 PM, Konkus, John <konkus.john@epa.gov> wrote:

As part of our CAFÉ push next week, I'd like to consider having the Administrator publish an op-ed in the Detroit Free Press. Attached is a draft I've written. I need to plug in the rest of the footnotes, but in the meantime, please take a look. I can reach out to the paper tomorrow to try an secure a slot for later in the week.

Thanks!

John

<Draft CAFE Op-Ed.docx>

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To: Benton, Donald[benton.donald@epa.gov]
From: Dravis, Samantha
Sent: Wed 3/8/2017 10:03:58 PM
Subject: Re: CAFE

Can you come to Michelle's desk

Sent from my iPhone

On Mar 8, 2017, at 4:59 PM, Benton, Donald <benton.donald@epa.gov> wrote:

Is someone else getting to Sec Chao?

Don

Senator Don Benton

Senior White House Advisor

Office of the Administrator

202.564.4711

<image001.png>

Cc: Dunham, Sarah[Dunham.Sarah@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]
To: Pruitt, Scott[Pruitt.Scott@epa.gov]
From: Caleb Laieski
Sent: Thur 3/16/2017 2:51:24 AM
Subject: Cleaner cars standards are working: Do NOT roll back progress!

I am in strong support of the historic vehicle efficiency standards set by the EPA in January 2017. These standards will double the efficiency of the average vehicle by 2025 and save consumers \$1.7 trillion dollars at the pump. At the same time, these standards will significantly reduce oil use and cut carbon pollution by more than 6 billion metric tons - more than the entire emissions from the United States in 2010.

Strong vehicle standards also fuel the competitiveness of U.S. manufacturers in the global market. Improving fuel efficiency standards ensures that U.S. manufacturers have the certainty to invest in U.S. advanced technology and make the best vehicles. Countries around the world are tightening fuel efficiency standards and U.S. automakers should be leaders in selling to the global marketplace. That will keep auto industry jobs strong here at home.

Turning the clock back on emissions standards will also increase dangerous smog pollution and asthma attacks. The EPA is empowered to protect the health and welfare of Americans and to preserve the natural environment. It would be a failure of your duty to disregard clear scientific and technical evidence that supports upholding these life-saving, cost-cutting regulations. These standards are working by making new cars safer and more efficient, and America's families are seeing real savings and benefits. I urge you to keep them moving forward.

Thank you very much for your time and consideration,

Caleb Laieski

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ED_001220_00001583

To: Flynn, Mike[Flynn.Mike@epa.gov]
From: Schnare, David
Sent: Tue 3/7/2017 9:40:25 PM
Subject: FW: CAFE Notice

I should have cc'd you on this. Sorry.

d.

From: Schnare, David
Sent: Tuesday, March 7, 2017 4:40 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Dravis, Samantha <dravis.samantha@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Konkus, John <konkus.john@epa.gov>
Subject: CAFE Notice

I received word that we would get a copy of the final final Notice tomorrow morning, probably signed by Secretary Chou. All we would need to do is get it signed by our Administrator and then we hold it until the comms folks tell us the public relations plans. We will send it to OFR at that point.

dschnare

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ED_001220_00001610

To: Flynn, Mike[Flynn.Mike@epa.gov]; Reeder, John[Reeder.John@epa.gov]
From: Kling, David
Sent: Mon 3/6/2017 2:59:13 PM
Subject: SENSITIVE - QUESTION

Mike and John –

For what it's worth, recent Administration activities (like the one noted below) seem inconsistent with the Administrator's pledge to "listen, learn and [then] lead," especially coming on top of the OMB budget marks last week. I understand that some of these actions are being driven by the White House, but they nevertheless appear to undercut his credibility. What's more, they may affect the credibility of EPA senior career leaders, who have taken the Administrator at his word, used his pledge to assuage our staff through the early transition and sincerely want a public health and environmental program from the new Administration that we can all support.

I can't imagine that this hasn't occurred to the EPA Beachhead team, but....

➤ **Would it help for individuals like me to raise this directly to Don and others on the new team?**

The [New York Times](#) (3/3, Davenport) reports Transportation Secretary Chao and EPA Administrator Pruitt are expected "as soon as Tuesday" to announce that the Administration "will immediate start to undo one of former President Barack Obama's most significant environmental legacies," the corporate average fuel economy standards. The Times says the White House could couple the announcement with a directive to Pruitt's agency to start the work of undoing the Clean Power Plan. Aside from lifting the restrictions on carbon emissions from vehicles, changes to the CAFE standards "will also have a major effect on the United States auto industry," which has told Trump's Administration it finds the "technical requirements" of emissions reduction "too burdensome."

David J. Kling, Associate Administrator for Homeland Security

U.S. Environmental Protection Agency (1109A)

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Room 6426 William Jefferson Clinton Building North
1200 Pennsylvania Ave., N.W., Washington, DC 20460
202 564-6978, Desk 202 564-0317, Fax 202 501-0026

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ED_001220_00001619

To: Minoli, Kevin[Minoli.Kevin@epa.gov]
Cc: Benton, Donald[benton.donald@epa.gov]; Flynn, Mike[Flynn.Mike@epa.gov]
From: Schnare, David
Sent: Tue 2/7/2017 2:49:16 PM
Subject: FR Notice on reconsideration

Kevin:

I have just been directed by the White House Domestic Policy Advisor that in the near future the President will sign an executive order directing EPA to take steps to reopen and reconsider the Corporate Average Fuel Economy standards for 2025 and notice of an intent to withdraw the associated California waiver.

Mr. Bremberg has directed us to have a notice ready to go into the Federal Register as soon as next week. Such notices are extremely brief. Can you have your staff draft such a notice and get it to me by COB tomorrow? I need to run it past DOT before it goes out.

Thank you,

dschnare

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ED_001220_00001705

From: Olechiw, Michael
Location: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE
Importance: Normal
Subject: FW: MTE Update
Start Date/Time: Mon 3/6/2017 3:00:00 PM
End Date/Time: Mon 3/6/2017 4:00:00 PM

-----Original Appointment-----

From: Olechiw, Michael
Sent: Friday, March 03, 2017 4:13 PM
To: Olechiw, Michael; Charmley, William; Grundler, Christopher; Alson, Jeff; Midterm Review
Subject: MTE Update
When: Monday, March 06, 2017 10:00 AM-11:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where: AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE

Colleagues,

Many of you may have heard that the Administrator has decided to take action on the MTE Final Determination. While we do not yet know with certainty what that action will be, or the exact timing associated with the announcement, this meeting is being set to communicate what we do know and to discuss what this could potentially mean for us going forward.

Call-in:

Ex. 6 - Personal Privacy

ED_001220_00001747-00001

ED_001220_00001747

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: WardsAuto Daily Edition
Sent: Tue 3/21/2017 4:29:02 PM
Subject: CAFE Jobs Bounce Debated; Honda Fuel Cells; More Ride-Sharing?

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MARCH 21, 2017

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Jobs Bounce Debated As Trump Promises CAFE Review

The president's rhetoric has presented his administration's second look at the standards as fulfilling a campaign promise of easing burdensome industry regulations to stimulate job growth.

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Fuel-Cell Power Fit for Honda's Future

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Experts Envision More Ride Sharing, Fewer Drivers

By 2050, 70% of survey respondents believe, the majority of vehicles used commercially for ride- and car-sharing in the U.S. will be zero-emissions, including battery, plug-in hybrid and fuel-cell electric vehicles.

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2017 Wards 10 Best Interiors Nominee: Buick LaCrosse

Gallery

WardsAuto editors are evaluating about 30 vehicles as part of the 2017 Wards 10 Best Interiors competition. Today's gallery focuses on the Buick LaCrosse, a near-luxury 5-passenger sedan with a sticker price of \$50,270.

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Panasonic Taking Minority Stake in Spanish Supplier Ficosa

The Japanese electronics manufacturer says it is spending an unspecified amount for an additional 20% of Ficosa, whose products include electronic mirrors and other auto-safety systems, to increase its stake to 69%.

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practices and bringing leading executives, and decision makers together to build the future.

Porsche SE Expects Higher 2017 Profit as VW Recovery Continues

Porsche SE, the holding company for the Porsche and Piech families who control a combined 52.2% of Volkswagen's voting shares, says it expects its net 2017 profit to range between €2.1 billion and €3.1 billion, up from €1.37 billion last year.

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China to Clarify EV Policy Soon, BMW CEO Says

Harald Krueger says the German automaker will "react accordingly" by adjusting production when China specifies a quota of electric-vehicle sales to be met by automakers.

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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: WardsAuto Daily Edition
Sent: Mon 3/20/2017 4:18:28 PM
Subject: A Mini for the Masses; Chevy Counts on Bolt in Korea; Volvo's EV Future

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'17 Mini Countryman

GALLERY

The new Countryman is distinguished mostly by its size. There are some exterior tweaks here and there, but the biggest benefit for buyers will be the added elbow room and cargo capacity.

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North America Light-Vehicle Production Down 4.4% in February

Big gains in Mexico output were not enough to outweigh losses in the U.S. and Canada.

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GM Korea Hopes Chevy Bolt Will Strike Down Bad News

Despite the rash of problems and negative publicity in the first few months of 2017, GM Korea remains confident about meeting its record domestic-sales target of 194,000 vehicles.

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Volvo Focused on Electrified Future

CEO Hakan Samuelsson says the push of emissions legislation will be joined by the pull of consumer demand wanting the cleanliness and convenience of electric vehicles.

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Opel Didn't Cheat on Emissions, French Regulator Says

In announcing it has closed its investigation, France's consumer-protection agency says its investigation into whether General Motors' European unit cheated on emissions tests "did not bring to light any evidence of fraud."

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2017 Wards 10 Best Interiors Nominee: Kia Sportage

GALLERY

WardsAuto editors are evaluating about 30 vehicles as part of the 2017 Wards 10 Best Interiors competition. Today's gallery focuses on the Kia Sportage, a 5-passenger CUV with a sticker price of \$33,395.

Ex-VW Chief Piech's Porsche Stake May Be Up for Sale

Other members of the Porsche and Piech families may have a chance before May 30 to purchase ex-Volkswagen CEO Ferdinand Piech's 14.7% stake in the family-controlled holding company that controls 52% of VW Group's common stock.

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U.K. Government, Auto Industry Gather to Talk Tech

A bill now pending in a House of Commons committee is designed to help position the U.K. as a global destination for the development of ultra-low-emissions and connected and autonomous vehicles.

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Opel Deal Could Open Peugeot to World Markets, Report Says

Robert Peugeot, head of PSA Peugeot's strategy committee, says the French automaker's purchase of General Motors' Opel subsidiary, will allow it "to conquer the rest of the world step by step."


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Looking Beyond Insuring 'Normal' Auto Risk

Insurers must evolve to get a bigger slice of the auto mobility business, industry experts say.

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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: WardsAuto Daily Edition
Sent: Fri 3/17/2017 4:37:56 PM
Subject: S-Class Steps Toward Autonomy; Win-Lose of Trump; Filling White Space

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Facelifted S-Class Allows Driver to Go Footloose

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No Subsidies No Deterrent as Tesla Arrives in Korea

Tesla has not been able to persuade the government to reconsider the uniqueness of its larger, longer-range EVs and the charging requirements for their high-capacity batteries. Subsidies instead are going to smaller EVs using slower chargers.

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Trump Visit Highlights Potential Win-Lose for Automakers

Auto executives are happy with the president's pledge for a midterm CAFE review, but they remain wary about the direction of NAFTA and international trade.

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Young Designers Explore 'White Space' in Automotive

Segments

Students now are hard at work dreaming up interior concepts for Tesla and Lexus pickup trucks, a fullsize Volvo SUV, an Alfa Romeo minivan and other provocative ideas.

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Future Auto Designers Stretch Boundaries

GALLERY

Students now are hard at work dreaming up interior concepts for Tesla and Lexus pickup trucks, a fullsize Volvo SUV, an Alfa Romeo minivan and other provocative ideas.

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2017 Wards 10 Best Interiors Nominee: GMC Acadia Denali

GALLERY

WardsAuto editors are evaluating nearly 40 vehicles as part of the 2017 Wards 10 Best Interiors competition. Today's gallery focuses on the GMC Acadia Denali, a 7-passenger utility vehicle with a sticker price of \$52,285 and a 2016 Wards 10 Best UX winner.

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Germany Could File Suit Against Trump Over Border Tax, Minister Says

Trump has warned that the United States will impose a border tax of 35% on cars that German carmaker BMW plans to build at a new plant in Mexico and export to the U.S. market.

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Three Ways Trump Presidency to Affect Auto Industry

INDUSTRY VOICES

There are pluses and minuses for automakers and dealers in new president's agenda.

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Bank of England Ties Car-Insurance Drop to Rise of Autonomous Vehicles

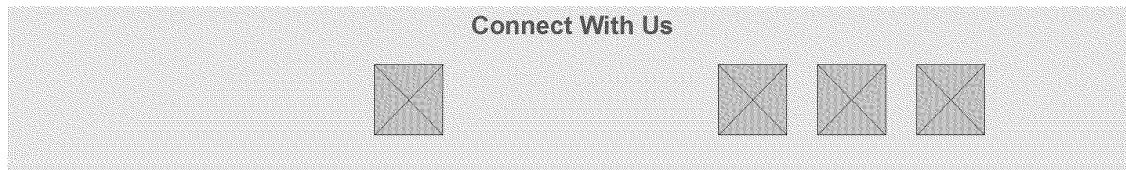
The bank's forecast of a 21% contraction by 2040 is based on what it calls "a reduction in claims frequency as safer autonomous vehicles make up an increasing proportion" of vehicles registered in the region.

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Porsche to Offer Range of Mission E Models

The first fully electric Porsche production model also will feature state-of-the-art electronics permitting over-the-air updates to key systems such as the driveline and autonomous-driving functions.

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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: The Hill
Sent: Wed 3/15/2017 10:38:19 PM
Subject: Overnight Energy: Trump takes on fuel emissions standards

[View in your browser](#)

CAR EMISSIONS REVIEW STARTS OVER: The Trump administration began the process of reopening a government review of federal emissions standards for cars on Wednesday.

Department of Transportation (DOT) and Environmental Protection Agency (EPA) officials filed paperwork Wednesday to formally reopen the review the standards, which set a goal of an industry-wide fuel economy standard of 54.5 miles per gallon by 2025.

That review will reconsider the Obama administration's January determination that automakers should continue to abide by that standard, which the industry says will be too costly.

Trump said the review is necessary for protecting jobs and growing auto industry manufacturing.

"We are going to cancel that executive action; we are going to restore the originally scheduled midterm review," Trump said in a speech outside of Detroit on Wednesday.

"We are going to ensure that any regulations we have protect and defend your jobs, your factories. We're going to be fair."

Auto manufacturers have long asked for a thorough government review of the emissions standards, which are a central part of the Obama administration's climate change work. Officials say the standard would save 2 million gallons of oil per day in 2025, reduce greenhouse gas emissions by 6 billion tons and save consumers \$1.7 trillion dollars.

Trump's move on Wednesday does not initiate a total rewrite of the emissions rules: that process would require a fresh rulemaking process from federal agencies. But he and administration officials said the order was designed to support the auto industry and its employees.

"These standards are costly for automakers and the American people," EPA administrator Scott Pruitt said in a statement. "We will work with our partners at DOT to take a fresh look to determine if this approach is realistic."

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Dems move quickly to block rollback: Some blue-state attorneys general pledged to fight the effort on Wednesday.

Attorneys general from California and New York said they would move to intervene in a lawsuit in federal court that challenges the Obama-era rules. The filing would allow the two states to defend the mandates, which will require auto manufacturers to hit fuel economy standards of 54.5 miles per gallon by the year 2025.

In a joint statement, attorneys general from New York, Maine, Maryland, Massachusetts, Oregon, Rhode Island, Vermont and Washington – all Democrats -- and the Pennsylvania Department of Environmental Protection called the decision "a dramatic wrong turn in our nation's efforts to fight air pollution from passenger cars and trucks."

Read more about Trump's move [here](#), and the response to it [here](#).

TRUMP'S BUDGET DUE THURSDAY: The White House is due to detail more of President Trump's budget request on Thursday, a move that will likely confirm reports of deep proposed spending cuts for the EPA.

Officials are reportedly considering broadening their initial 24 percent cut to the agency's budget. Pruitt has pledged to protect several environmental clean-up accounts, but the Trump administration has been emboldened to increase the size of their budget cut to 31 percent. [The New York Times reported](#) on Wednesday.

The EPA's \$8.1 billion budget is already 20 percent slimmer than it was before Republicans took control of the House in 2011. Several key programs are due to be zeroed-out in the proposal, raising questions about its viability on Capitol Hill.

But Thursday's budget release will still offer the most detailed look yet at Trump's goals for the EPA, and the rest of the federal government.

Read more [tomorrow in The Hill](#).

MOVERS AND SHAKERS: Drew Maloney, the top lobbyist at oil production firm Hess Corp., is becoming a top official at the Treasury Department under Trump.

The White House announced the move late Tuesday.

Maloney is being nominated as assistant secretary for legislative affairs, and will serve as deputy undersecretary while he awaits Senate confirmation.

He has 25 years of government and lobbying experience, including in campaigns, at

Ogilvy Public Affairs and in the House.

Paul Bledsoe, a former Clinton White House public affairs representative and expert on international climate policy, is now an adjunct lecturer at American University's Center for Environmental Policy, part of its School of Public Affairs.

He's still doing public affairs and strategy work at his firm, Bledsoe and Associates.

ON TAP THURSDAY I: A House Energy and Commerce Committee panel will hold a hearing on drinking water infrastructure.

ON TAP THURSDAY II: A House Natural Resources panel will meet to discuss infrastructure at the National Park Service and the Forest Service.

REST OF THURSDAY'S AGENDA:

An Agriculture Committee subpanel will hold a hearing on forestry measures in the forthcoming farm bill.

AROUND THE WEB:

Large sections of the Great Barrier Reef are dying, the victim of warm ocean temperatures. The New York Times reports.

Experts don't know why large groups of humpback whales are congregating off the coast of South Africa. Popular Science reports.

Kentucky's legislature approved a bill to loosen the rules for state inspections of coal mines, the Lexington Herald Leader reports.

IN CASE YOU MISSED IT:

Check out Wednesday's stories ...

- WH increases proposed cut to the EPA: report
- Blue states rush to block Trump's emissions rollback
- Sierra Club wants EPA head investigated over climate comments
- Trump begins review of Obama emissions standards for cars
- Trump officials ask energy companies about Paris climate pact
- House GOP group calls for action on climate change
- Trump to meet with Flint mayor during Michigan trip

-Trump [targets](#) Obama's global warming emissions rule for cars

Join us Wednesday, March 29 for "Infrastructure Modernization: A US-Canada Conversation," featuring Rep. Bill Shuster (R-Pa.), chairman of the House Transportation & Infrastructure Committee and Rep. John Delaney (D-Md.), co-chair of the New Democrat Coalition's Task Force on Infrastructure. Topics of discussion include America's aging infrastructure, overhaul efforts, role of public-private partnerships and cooperation with key trading partner, Canada. [RSVP Here](#)

Please send tips and comments to Timothy Cama, tcama@thehill.com; and Devin Henry, dhenry@thehill.com. Follow us on Twitter: [@Timothy_Cama](#), [@dhenry](#), [@thehill](#)

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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: WardsAuto Daily Edition
Sent: Wed 3/15/2017 4:35:24 PM
Subject: Paint Maker Outlook, Honda CR-V Interior, Carbon Fiber Advancements

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MARCH 15, 2017

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Trade Issues Color Mexico Car-Paint Makers' Outlook

The Mexican paint industry overall reported an annual growth rate of nearly 2.5% in 2016, while 2017 year-on-year growth is expected to be just 1.2%. Part of the reason is the weakening of the Mexican peso since Donald Trump, a harsh critic of existing U.S. trade agreements, became U.S. president.

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Autoline Daily

Trump Admin to Review CAFE Standards, Dodge Demon's Crate of Goodies, Nissan Shakes Up Design Team

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2017 Wards 10 Best Interiors Nominee: Honda CR-V

WARDS 10 BEST INTERIORS

WardsAuto editors are evaluating nearly 40 vehicles as part of the 2017 Wards 10 Best Interiors competition. Today's gallery focuses on the '17 Honda CR-V, a popular 5-passenger compact CUV with a sticker price of \$34,635.

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Oz Scientists Tout New Carbon-Fiber-Making Process

Carbon fiber is far stronger than steel and just a fraction of its weight. But it's expensive to make and its price means auto-industry use is restricted to luxury models and race cars.

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GM Announces Rehires Ahead of Trump Visit

GM's announcement that 500 employees facing layoffs in May from an assembly plant in Lansing, MI, will be rehired next year comes as President Donald Trump travels to Detroit to discuss federal fuel-efficiency standards with GM and other automakers.

[Read More](#)

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Trump to Let California Fuel-Efficiency Rules Stand, White House Says

The White House says President Trump will announce EPA will resume a review of fuel-efficiency standards through 2025, but he will not try to overrule California's authority to set its own standards criticized by automakers as being too strict.

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German Prosecutors Resume Audi-VW Dieselgate Probe

German prosecutors say they and state police officers have searched the offices of Volkswagen and its Audi luxury unit in connection with the sale of 80,000 Audi diesel cars allegedly sold in the U.S. with devices meant to produce false emissions-test results.

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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: WardsAuto Daily Edition
Sent: Mon 3/13/2017 4:13:56 PM
Subject: VW's Strategy; CAFE Under Review; China May Relax EV Quota

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MARCH 13, 2017

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VW Reveals New Product, Sales Strategies for U.S.

VW's U.S. product mix will shift from 10%-12% cross/utility vehicles now to about 40% over the next several years as the company launches all-new Atlas and Tiguan CUVs and keeps the smaller, existing Tiguan.

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Autoline Daily

Fewer Americans Buy Green Cars, Toyota Spruces Up the 86, Alfa's Plan to Win Over Customers

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2017 Wards 10 Best Interiors Nominee: Honda Ridgeline

GALLERY

WardsAuto editors are evaluating nearly 40 vehicles as part of the 2017 Wards 10 Best Interiors competition. Today's gallery focuses on the all-new '17 Honda Ridgeline midsize pickup truck, with a \$43,770 sticker price. The new Ridgeline won a 2016 Wards 10 Best User Experiences award.

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CAFE Review May Be on Table as Trump Visits Detroit

Sources say Trump is expected to be joined Wednesday by the heads of the Detroit Three automakers, as well as representatives of German and Japanese companies, to announce his administration will review fuel-efficiency standards to be in effect from 2022-2025.

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VIDEO

WardsAuto editors Christie Schweinsberg, Tom Murphy and Dave Zoia discuss the first five nominees being evaluated as part of the 2017 Wards 10 Best Interiors competition.

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Aspiring Apprentices Flock to Honda U.K. Program

The 4-year program comprising on-the-job training and class-based learning this year attracted the most applications since its introduction in 1999. It has produced more than 170 apprentices since then.

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London Event to Feature Cars Embodying Lap of Luxury

Organizers will be curating 80 cars ranging from the latest supercars to legends of Formula One and Le Mans. Displayed alongside the luxury vehicles will be items from a range of other luxury-goods makers.

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Mexico Sales Records Fall in February

Mexican consumers take home a record number of new light vehicles in February.

[Read More](#)

China May Relax Electric-Vehicle Production Quotas

Facing resistance from automakers over the scale and timing of its plans, China is considering pushing back by one year a policy requiring that EVs or plug-in hybrids comprise 8% of sales by 2018. So-called new-energy vehicles accounted for 1.8% of Chinese sales in 2016.

[Read More](#)

Exports Push Turkish Auto Output to Record Highs in January-February

An industry group says the 266,490 vehicles built in the year's first two months were up 22% from year-ago, while total automotive exports in the period jumped more than 20% to 219,434 and car exports spiked 60%.

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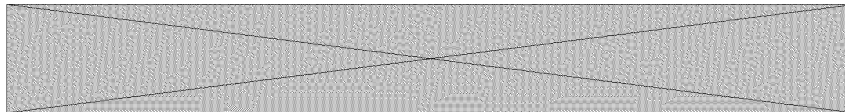
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To: Grundler, Christopher[grundler.christopher@epa.gov]
From: NGT News
Sent: Tue 2/28/2017 10:20:03 AM
Subject: Midwest Drives Hits Alt-Fuel Milestone; Initiative Wins \$3M EV Fleet Funding

To ensure delivery directly to your inbox, please add headlines@ngtnews.com to your address book today.

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N.Y. Gov. Cuomo Announces \$3 Million for Municipal EV Fleets

February 24, 2017

Part of the NYPA's Municipal Electric-Drive Vehicle Program, the initiative supports the governor's goal to reduce emissions 40% by 2030 from 1990 [\[Read More\]](#)

Clean Fuels Ohio Conducts More Than 35 Fleet Demos with Alt-Fuel Vehicles

February 27, 2017

Clean Fuels Ohio, a statewide nonprofit focused on reducing petroleum usage through alternative fuels and fuel-efficient technologies, says it has completed its first year of leading the Midwest Drives Initiative, helping over 35 fleets test-drive various alternative fuels across Ohio, [\[Read More\]](#)

California Power Authority Signs on for 500 Workhorse Electric Trucks

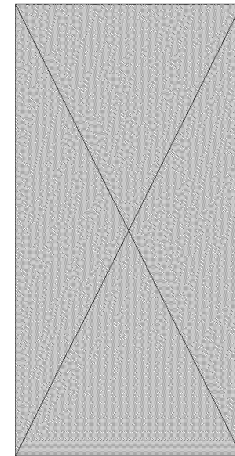
February 27, 2017

Workhorse Group Inc., an original equipment manufacturer (OEM) of battery-electric vehicles, has announced that it received a Letter of Intent from Southern California Public Power Authority (SCPPA) for 500 W-15 plug-in electric pickup trucks, demonstrating SCPPA's continuing commitment to a [\[Read More\]](#)

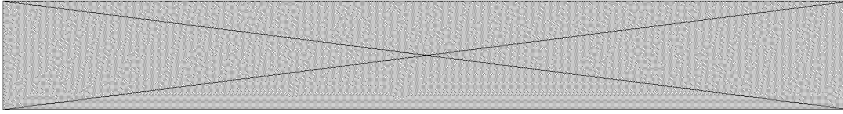
Agility Fuel Solutions Unveils Blue iQ Nat-Gas Fuel Product

February 27, 2017

Agility Fuel Solutions, a provider of highly engineered natural gas fuel systems and Type 4 cylinders for medium- and heavy-duty commercial vehicles, has introduced its newest



natural gas fuel product, Blue iQ, at the American Trucking Association's TMC Annual Meeting [\[Read More\]](#)



[EVgo, ABB Commission High-Power EV Fast-Charging Station in California](#)

February 27, 2017

EVgo, which operates a network of public electric vehicle (EV) fast-charging stations, and electrification technology company ABB have announced that they will deploy a High-Power fast-charging station in Fremont, Calif., that is capable of delivering incredibly fast charging speeds. [\[Read More\]](#)

[Renault-Nissan Alliance to Develop Electric Driverless System for Fleets](#)

February 27, 2017

The Renault-Nissan Alliance and Transdev have agreed to jointly explore development of mobility services with fleets of electric driverless vehicles for public and on-demand transportation. According to the alliance, the companies will collaborate to develop a comprehensive, modular transportation [\[Read More\]](#)

[Rollout Begins: Toyota Delivers First of 100 Fuel Cell Buses](#)

February 24, 2017

Toyota Motor Corp. says it has officially delivered the first fuel cell (FC) bus sold under the Toyota brand to the Bureau of Transportation of the Tokyo Metropolitan Government. According to the automaker, this FC bus will be put into operation [\[Read More\]](#)

[Sierra Club Threatens to Sue EPA Over Clean Air Act Violations](#)

February 24, 2017

The Sierra Club has filed a notice of intent to sue the U.S. Environmental Protection Agency (EPA) for its failure to conduct the required environmental impact analysis on the Renewable Fuel Standard (RFS), effectively violating Section 204 of the Clean Air [\[Read More\]](#)

[Greenkraft Deploys CNG Trucks in Southern California Cities](#)

February 23, 2017

Greenkraft Inc., a major manufacturer in the alternative fuel engine and vehicle market, says that it has placed six compressed natural gas (CNG) trucks in a Southern California city and will be placing an additional six CNG trucks in a second Southern California [\[Read More\]](#)

[Auto Alliance Calls on Pruitt to Withdraw Final GHG Regulations](#)

February 23, 2017

The Alliance of Automobile Manufacturers has sent a letter to the new administrator of the U.S. Environmental Protection Agency (EPA), Scott Pruitt, requesting the withdrawal of the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas [\[Read More\]](#)

[Air Liquide Plans New Hydrogen Stations in New York](#)

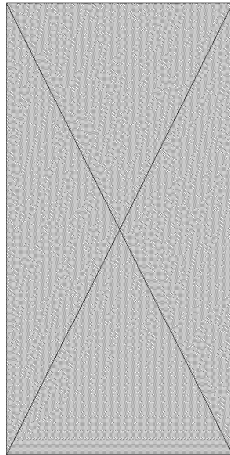
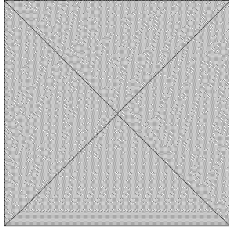
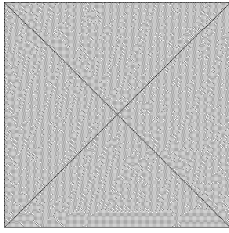
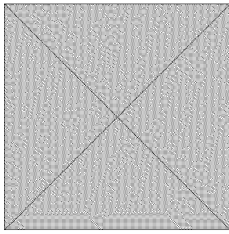
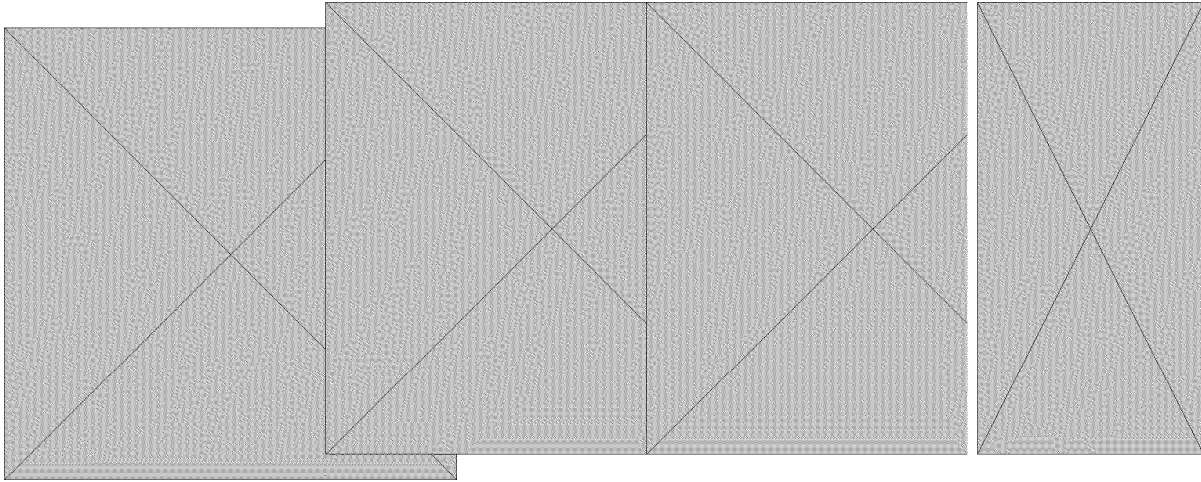
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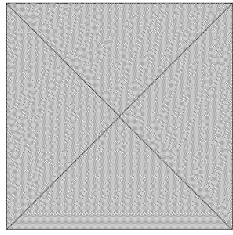
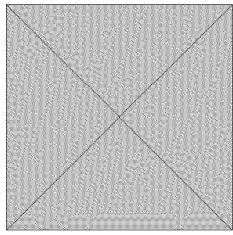
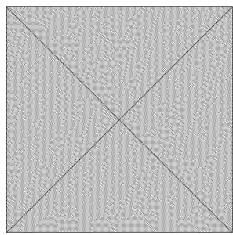
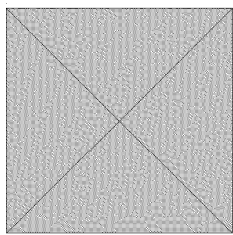
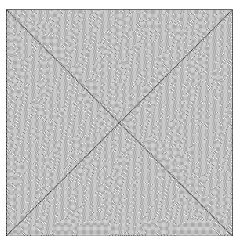
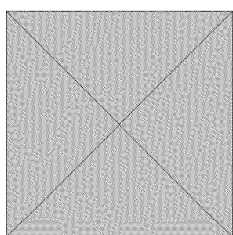
Air Liquide, a hydrogen supply-chain company, has recently announced the location of two new public-access hydrogen stations to be built in the New York City area. According to the company, Air Liquide has entered a long-term lease agreement for one station [\[Read More\]](#)

Chicago's Drive Clean Program Accepting Applications for Fast Charging

February 23, 2017

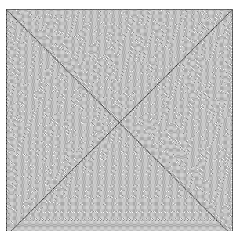
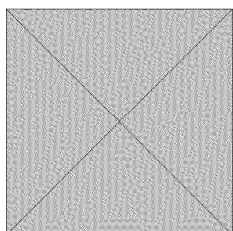
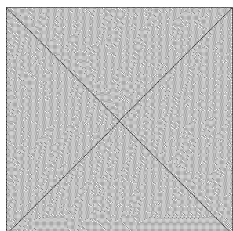
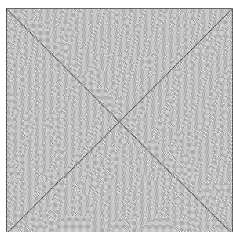
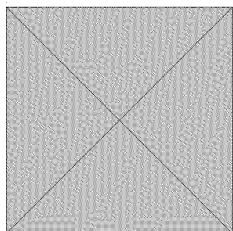
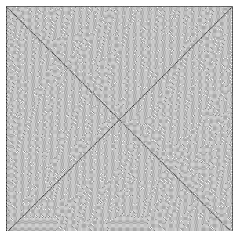
With sales of electric vehicles (EVs) on the upswing in 2016, the Chicago Department of Transportation (CDOT) has announced that it is hosting two webinars later this month for people who are interested in opening DC fast-charging stations in the [\[Read More\]](#)





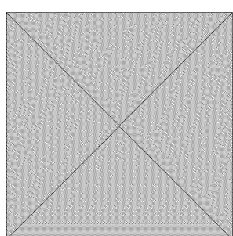
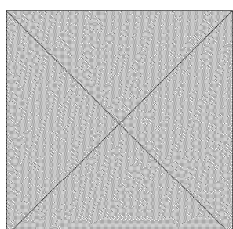
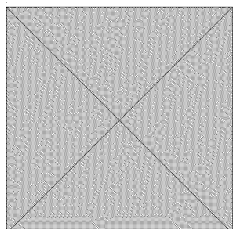
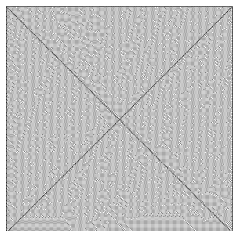
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From: The Hill
Sent: Tue 3/7/2017 11:23:32 PM
Subject: Overnight Energy: Another setback for Dakota Access opponents

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JUDGE DENIES TRIBE'S CLAIM AGAINST PIPELINE: Opponents of the Dakota Access pipeline were dealt another legal defeat on Tuesday.

A federal judge denied the Cheyenne River Sioux tribe's request to halt construction on the project, which they say violates their religious freedom.

The tribe contends the presence of an oil pipeline under Lake Oahe would desecrate the lake's water, which is used in sacred sacraments.

But U.S. District Court Judge James Boasberg rejected that argument, saying there is a higher legal bar to prove an infringement on someone's rights to practice their religion.

Regardless, the tribes suing against the Dakota Access project are powering forward, saying they have formally asked Boasberg to rule on the underlying legality of the project.

"If the pipeline comes into operation, the [judge] has already indicated that if he finds that the permits were issued contrary to law, he can order the pipeline turned back off, and that's what we will be asking for," Standing Rock Sioux Tribe lawyer Jan Hasselman said Tuesday.

Dakota Access says it hopes to begin running oil through its 1,172-mile pipeline next week.

Read more [here](#).

SENATE VOTES TO QUASH ANOTHER OBAMA GREEN RULE: Senators voted to end a Bureau of Land Management planning rule on Tuesday, sending another successful Congressional Review Act resolution to President Trump for his signature.

The Senate voted 51-48 to undo the BLM "Planning 2.0" rule, which conservatives say gives the federal government too much influence over public land decisions and marginalizes state and local input.

"Instead of greater transparency, BLM delivered a new process that ensures less transparency," Sen. Lisa Murkowski (R-Alaska) said during floor debate Tuesday.

"Instead of expanding public participation, Western states are looking at fewer and weaker opportunities to influence the management of local lands. Planning 2.0 also turns the relationship between the federal, the state and the local governments on its head."

Lawmakers have sent Trump four CRA resolutions undoing Obama administration rules, and they kicked off the process for a fifth resolution on Tuesday night.

Two of the previous CRA challenges were environment-related: one for a rule on coal mining pollution, and another calling for more financial disclosures from drilling and mining firms.

Read more [here](#).

DEMS ASK TRUMP TO KEEP CAR EMISSIONS STANDARDS: Senate Democrats are pushing the Trump administration to abandon its reported plan to weaken former President Barack Obama's greenhouse gas emissions rule for cars.

"These automobile emissions standards are economically feasible and technologically achievable for the auto industry," the 12 senators wrote to Environmental Protection Agency head Scott Pruitt, citing the EPA's decision at the end of the Obama administration to maintain the rules for the 2022 to 2025 model years, despite auto industry pleas.

"They will enhance our national security by reducing our consumption of foreign oil. They will benefit consumers, saving them billions of dollars at the pump and reduce our carbon pollution. It is critical that they remain in place."

The EPA and Department of Transportation are reportedly planning to kick off the process as soon as this week of formally reconsidering the greenhouse gas emissions and fuel efficiency rules.

It comes amid auto industry complaints that the rules are too expensive and that the Obama administration didn't properly conduct its midterm review of the standards.

Read more [here](#).

ON TAP WEDNESDAY I: The House Appropriations Committee's energy and water panel will hold a meeting for members to [discuss](#) their priorities for the spending bill.

ON TAP WEDNESDAY II: The Senate Environment and Public Works Committee will hold a [hearing](#) on nuclear energy.

AROUND THE WEB:

There was a tornado in Minnesota -- in March -- on Monday, the state's earliest tornado on record, the St. Paul Pioneer Press [reports](#).

Poachers broke into a zoo in France this week, killing a white rhino and sawing off one of its horns, NPR News [reports](#).

Two news outlets won [Scripps Howard Awards](#) Tuesday for environment-related coverage: The Oregonian for its [series](#) on lead contamination at National Guard armories and Michigan Radio for its [coverage](#) of the Flint water crisis.

IN CASE YOU MISSED IT:

Check out Tuesday's stories...

- Senate [passes](#) bill ending Obama-era land rule
- Oil exec: Trump should [keep US](#) in Paris climate pact
- Judge [denies](#) tribe's request to block Dakota Access pipeline
- Dems push Trump to [keep](#) Obama-era car emissions standards
- First EPA chief [warns](#) against agency overhaul

Join us Wednesday, March 29 for "Infrastructure Modernization: A US-Canada Conversation," featuring Rep. Bill Shuster (R-Pa.), chairman of the House Transportation & Infrastructure Committee and Rep. John Delaney (D-Md.), co-chair of the New Democrat Coalition's Task Force on Infrastructure. Topics of discussion include America's aging infrastructure, overhaul efforts, role of public-private partnerships and cooperation with key trading partner, Canada. [RSVP Here](#)

Please send tips and comments to Timothy Cama, tcama@thehill.com; and Devin Henry, dhenry@thehill.com. Follow us on Twitter: [@Timothy_Cama](#), [@dhenry](#), [@thehill](#)

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To: Dunham, Sarah[Dunham.Sarah@epa.gov]
Sent: Fri 3/3/2017 2:42:17 PM
Subject: FW: Looks like announcement on "CAFE" going Monday at 10am

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Hengst, Benjamin
Sent: Friday, March 03, 2017 9:41 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Re: Looks like announcement on "CAFE" going Monday at 10am

OPA/Julia V

From: Grundler, Christopher
Sent: Friday, March 3, 2017 9:40:58 AM
To: Hengst, Benjamin
Subject: RE: Looks like announcement on "CAFE" going Monday at 10am

You hearing this from OGC?

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ED_001220_00001802

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Hengst, Benjamin

Sent: Friday, March 03, 2017 9:28 AM

To: Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>

Subject: Looks like announcement on "CAFE" going Monday at 10am

That's what I've heard so far. Details hard to come by, will let you know if I hear more, though it sounds like we know what the basic plan is.

ED_001220_00001802-00002

ED_001220_00001802

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Automotive News
Sent: Thur 2/16/2017 9:31:00 PM
Subject: DAILY: GM gives assurances on Opel-PSA deal | UAW plans 'buy American' ads | China's growing stake in suppliers | 50 years of Subaru ads | Redesigned Hyundai Accent grows | Automakers' pleas on CAFE

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February 16, 2017

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[New Ford Ranger seen on test drive?](#)

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GM assurances result in German minister backing PSA-Opel deal

Germany expects PSA Group's proposed acquisition of General Motors' Opel business to go ahead, a minister said on Thursday, after the U.S. carmaker sought to allay fears of large-scale plant closures.

UAW plans 'buy American' ad campaign

UAW President Dennis Williams said he is “in discussions” to produce advertisements to encourage U.S. customers to buy union-made cars manufactured in America. The idea was inspired by a revived buy American sentiment that has

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been growing since the 2008 recession.

China buys auto suppliers as Takata deal looms

Chinese companies started talking a decade ago about cracking the U.S. auto market. That hasn't happened, so instead they're getting under the hoods of American cars by buying up suppliers.

Advertisement

"Our transition to Reynolds was seamless."

"We expected a month of hell switching from CDK to Reynolds, but it went very smoothly. We were impressed with the Reynolds installation team. When we flipped the switch, we were up and running with no problem at all."

– Chris Teague, Dealer Principal, Chevrolet of Montebello

[See why Chris switched.](#)

50 years of Subaru ads

Subaru's "Love" campaign is among the most recognizable and enduring marketing efforts in the automobile category. But the brand has not always been this consistent.

Redesigned Hyundai Accent grows slightly, takes on siblings' look

The 2018 redesign of the Hyundai Accent brings the subcompact sedan's styling into line with the brand's other offerings.

Viral video rankings for week of 2/14/2017

VIDEO: Hyundai connects soldiers with their families

In the latest new spot to top our weekly viral video charts, Hyundai connected three U.S. soldiers with their families.

VIDEO: 'It's about giving back': Mixing purpose and profit at a La. dealership group

Louisiana-based dealer Troy Duhon thinks doing good is good for business. His 22 dealerships funnel \$25 from each sold vehicle back to local communities, and employees get paid days off for volunteer work.

Carmakers' plea for fuel economy review sets stage for showdown

eBay survey: 63% of car shoppers likely to buy online

2017 GENEVA AUTO SHOW

Ferrari will unveil fastest series car to date

GM will not 'rationalize' Vauxhall plants, UK minister says

Opel, PSA lag rivals as Europe sales rise 10% in January

PSA intends to keep Opel as a German brand, reports say

Federal-Mogul shakes up leadership under Icahn takeover

Aston Martin expects return to profitability in 2018

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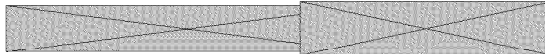
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From: Automotive News
Sent: Fri 3/24/2017 7:00:57 PM
Subject: P.M. NEWSCAST: Midterm review won't stop march toward higher mpg, experts say | Ford, Lyft join YouTube ad exodus | Sales rise predicted | VW's latest compliance boss | Toyota billboard clears the air

March 24, 2017

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TOP STORY: Still on course for higher mpg?

Ford, Lyft pull YouTube ads »
Toyota billboard clears air »

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To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Simon, Karl[Simon.Karl@epa.gov]
From: Arthur Marin
Sent: Wed 3/22/2017 6:58:16 PM
Subject: Letter for State Environmental Commissioners on Final Determination for GHG Standards
[Joint Ltr re EPA GHG Standards.pdf](#)

Dear Chris and Karl:

Attached is a bi-partisan letter to Administrator Pruitt signed by Environmental Commissioners from 10 states and DC asking EPA to maintain the “Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards.” The letter also stresses the importance of the independent authority of California to implement its own standards and the right of other states to opt into those California standards.

Regards,

Arthur

Arthur Marin

Executive Director

NESCAUM

617 259-2017

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Subject: Today's Biofuels News

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NEWS UPDATE

March 22, 2017

Trump Lays Plans to Reverse Obama's Climate Change Legacy

By CORAL DAVENPORT, New York Times • • Posted March 22, 2017

In an announcement that could come as soon as Thursday or as late as next month, according to people familiar with the White House's planning, Mr. Trump will order Mr. Pruitt to withdraw and rewrite a set of Obama-era regulations known as the Clean Power Plan, according to a draft document obtained by The New York Times. The Obama rule was devised to shut down hundreds of heavily polluting coal-fired power plants and freeze construction of new coal plants, while replacing them with vast wind and solar farms. The draft also lays out options for legally blocking or weakening about a half-dozen additional Obama-era executive orders and policies on climate change. [[read more ...](#)]

Trump Says Regulations Impede. Perhaps Not in the Electric Car Business

By FARHAD MANJOO, New York Times • • Posted March 22, 2017

Last week was the auto industry's turn. In a speech in Ypsilanti, Mich., Mr. Trump said he would alter rules imposed by the Obama administration to raise vehicles' fuel standards, which are aimed at curbing greenhouse gases. The rules, Mr. Trump said, are killing jobs. Getting rid of them would prompt a resurgence in the auto industry that would make America "the car capital of the world again," he said. That's one possibility. We also have to consider another scenario: Loosening the fuel-economy rules could remove a primary incentive for big carmakers to catch up with innovative upstarts like Tesla and leave the American car industry out of step with a future ruled by electric motors rather than the internal combustion engine. [[read more ...](#)]

BMW bets on SUVs to lift profit, pay for electric car shift

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By Edward Taylor, Reuters • • Posted March 22, 2017

German carmaker BMW plans to increase output of profitable sport-utility vehicles (SUVs) to boost earnings this year and help fund the rollout of a mass production system for electric cars, it said on Tuesday. BMW Group and rival Mercedes have both forecast that demand for electric and hybrid cars will rise to 15-25 percent of sales by 2025, forcing them to overhaul their production lines and vehicle platforms to accommodate mass production techniques. [[read more ...](#)]

Cuomo rolls out electric car incentives

Saqib Rahim, E&E News reporter • • Posted March 22, 2017

“With the auto industry’s push to roll back regulations, the U.S. is entering crisis-mode for people’s lungs and pocketbooks,” Conor Bambrick, air and energy director at Environmental Advocates of New York, said in a statement. “This rebate program is the first of many steps the State must take, and it demonstrates that New York has the ability and willingness to break from the status quo despite President Trump’s fossil-fuel agenda.” [[read more ...](#)]

Following Trump, bills would kill CAFE standards, research

Camille von Kaenel, E&E News reporter • • Posted March 22, 2017

House Republicans have reintroduced bills in recent days taking aim at the government’s clean car standards and research programs. The bills, although not new, follow moves by the White House to ease the rules and slash funding for the development of vehicle technology. Rep. Roger Williams (R-Texas) is pushing H.R. 1593 to eliminate the corporate average fuel economy (CAFE) standards. He first floated the bill in 2013 and is reintroducing it to reflect “renewed interest” from the administration, an aide said. [[read more ...](#)]

The Auto Channel Gives THUMBS UP to National Farmers Union Resolution on E30 Use

By Marc J. Rauch, The Auto Channel • • Posted March 22, 2017

Interestingly, my best performance with my non-flex fuel Ford Taurus was with blend levels between E30 and E50. And as I wrote back in December, I traded in my Taurus for a much newer flex fuel Dodge caravan. Since that time I have been testing different blend levels and have so far found that the best MPG is attained when I’m using E40 (approximate). For those of you wondering, I am able to test the various ethanol-gasoline levels by doing “splash

blending” (this means I pump in a desired amount of E85 and then fill it the rest of the way with E10). I then use my hard-earned math skills to figure out an approximate average. [[read more ...](#)]

Feature: US ethanol value analyses miss octane premium: professors

By Josh Pedrick, Platts • • Posted March 22, 2017

Typical ways of looking at the value of ethanol as a gasoline blendstock in the US miss the value that the biofuel’s higher octane brings, according to an article from two agriculture professors this week. “This is a simple, straightforward analysis meant to provoke discussion,” Scott Irwin, professor at University of Illinois at Urbana-Champaign, said in a Thursday phone call with S&P Global Platts. Irwin and Darrel Good, the other author, said that many analyses look at the flat price of ethanol and CBOB gasoline but ignore ethanol’s octane value. [[read more ...](#)]

Company hopes to make cellulosic ethanol at under \$1 per gallon

By Ethanol Producer Magazine • • Posted March 22, 2017

After announcing plans to purchase an aspirant cellulosic ethanol plant in Florida, Alliance BioEnergy Plus Inc. has released a bold cost-of-production estimate after researching the economics of its patented cellulose-to-sugar (CTS) conversion process. The company’s independent research found that using corn stover as feedstock in an enzymatic conversion process has a projected cost greater than \$3.50 per gallon. Alliance claims that its patented CTS process, which uses a mechanical/chemical process rather than an enzymatic one, would bring the projected cost of production down to 91 cents per gallon. [[read more ...](#)]

Refineries, energy crops destroying habitat — report

Marc Heller, E&E News reporter • • Posted March 22, 2017

Millions of acres of wildlife habitat are being lost to ethanol production near refineries, the National Wildlife Federation said in a study published today. The NWF said aerial surveys and land classification data indicate as much as 4.2 million acres of wildlife habitat and other land within 100 miles of ethanol plants were converted to bioenergy crops between 2008 and 2012, in the years following the federal ethanol mandate. [[read more ...](#)]

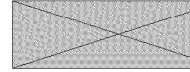
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NEWS UPDATE

March 21, 2017

U.S. ethanol exports rise 26% in 2016 to second-highest level on record

By Steve Hanson and Sean Hill, EIA • • Posted March 21, 2017

The United States exported more than 1 billion gallons (68,000 barrels per day) of fuel ethanol in 2016, an increase of 26% from export levels in 2015. U.S. imports of ethanol, which are relatively much smaller, decreased by 60% to 36 million gallons in 2016. The United States remained a net exporter of fuel ethanol for the seventh consecutive year, exporting ethanol to 34 different countries, with Asian and South American markets receiving the highest volumes. [[read more ...](#)]

Ethanol groups back new review of fuel economy, GHG rules

By Ethanol Producer Magazine • • Posted March 21, 2017

The High Octane Low Carbon Alliance, a biofuels advocacy group formed by the Urban Air Initiative and represented by former U.S. Sen. Tom Daschle, called Wednesday's announcement "an important first step in achieving realistic reductions in fuel consumption." Daschle said the recall was necessary because the rule, while well intended, was unnecessarily rushed. He said the CAFE rule of 2012 was "one of the most forward-looking regulatory actions in recent memory," and established efficiency requirements out to 2025. As part of the rulemaking, automakers and EPA, with input from the Department of Transportation and the California Air Resources Board, agreed to conduct an MTE in 2016 to determine if the standards were still "appropriate." The evaluation was to have taken place beginning in mid-2016 through 2017 with a final determination to be issued in 2018. Instead, Daschle said, the evaluation was conducted over a brief three-month period and the EPA made a determination that the standards could be met. [[read more ...](#)]

Icahn Pressed EPA Candidates on Ethanol Rule He Wants Scrapped

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By Zachary Mide, Bloomberg • • Posted March 21, 2017

Billionaire investor Carl Icahn, who helped President Donald Trump vet candidates to lead the Environmental Protection Agency, pressed them for their views on a regulation that he says is costing his oil refineries hundreds of millions of dollars a year. Scott Pruitt, who got the EPA administrator job, seemed to agree that the rule should be changed, Icahn said last week in an interview at his New York office. Icahn was disappointed with what he considered Pruitt's scant knowledge of the issue during their first meeting, in November, but said he was satisfied after another meeting and additional phone calls [[read more ...](#)]

How Americans Think About Climate Change

By NADJA POPOVICH, JOHN SCHWARTZ and TATIANA SCHLOSSBERG, New York Times • • Posted March 21, 2017

A majority of adults in every congressional district in the nation support limiting carbon dioxide emissions from existing coal-fired power plants. But many Republicans in Congress (and some Democrats) agree with President Trump, who this week may move to kill an Obama administration plan that would have scaled back the nation's greenhouse gas emissions. Nationally, about seven in 10 Americans support regulating carbon pollution from coal-fired power plants – and 75 percent support regulating CO2 as a pollutant more generally. But lawmakers are unlikely to change direction soon. [[read more ...](#)]

Poet Don't Know it

By ANTHONY ADRAGNA, Politico • • Posted March 21, 2017

POET, the world's largest producer of ethanol, isn't feeling much heat to get behind a Congressional effort to overhaul the Renewable Fuel Standard. Rob Walther, the company's chief lobbyist, told ME that “the specter of 2022” — when EPA gets license to set biofuel volumes — as something that could harm biofuels is just a specter. “It's not a real threat.” Rep. John Shimkus (R-Ill.), who has been one of the leaders of the efforts in Congress, told POLITICO last month he think ethanol should be part of the efforts for fear of EPA's unpredictability after the congressional mandates end. But Walther thinks Pruitt won't upset key farm state constituencies by messing with the Obama administration's conventional biofuel requirements, which would mean the maximum 15 billion gallons for five years. So by 2022, “The market will have internalized 15 billion gallons,” he said. [[read more ...](#)]

Veterans Encourage President to Include Ethanol, RFS in Energy Plan

By Gary Truitt, Hoosier Ag Today • • Posted March 21, 2017

More than 120 military veterans working and investing in the ethanol industry sent a letter to President Trump last week, urging him to include a prominent role for ethanol and the Renewable Fuel Standard (RFS) in his “America First Energy Plan.” According to the letter, “many of us have witnessed firsthand the dangers of our reliance on oil imports from hostile and unstable parts of the world. We share your belief that the United States can and must do more to insulate itself from the negative impacts associated with oil import dependence and OPEC manipulation. Your continued commitment to the Renewable Fuel Standard and pledge to ‘end restrictions that keep higher blends of ethanol from being sold’ are among the strategies that will help free our economy from the influence of OPEC oil ministers once and for all.” [[read more ...](#)]

Op-Ed: Ethanol is crucial to our national security

By Jeff Oestmann, Des Moines Register • • Posted March 21, 2017

As a veteran of the U.S. Marine Corps, it is no surprise to me that so many former servicemen and women end up working in America’s ethanol industry. It’s a good fit for us. In fact, nearly 20 percent of the employees at East Kansas Agri-Energy, where I serve as president and CEO, are veterans of our armed forces. After serving our country in uniform, we have chosen to work in the renewable fuels industry because it allows us to continue honoring a commitment to make America stronger and more independent. We take great pride in knowing we work in an industry that improves our nation’s energy security, economic vitality and environmental quality each and every day [[read more ...](#)]

Note: News clips provided do not necessarily reflect the views of coalition or its member governors.

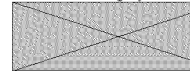
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Subject: DAILY: How Trump's budget plan would impact automakers | Why the midterm review is an opportunity | JD Power's consumer satisfaction study | VW's law firm raided | VW exec remains in U.S. custody

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Marchionne has 'zero
interest' in pursuing VW
merger

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Trump budget plan would scrap energy grants, auto loan program

The Trump administration proposed eliminating Energy Department loan programs and some research funding for energy efficient technology and electric vehicle development.

BLOG: KRISHNAN M. ANANTHARAMAN

Use the midterm review to keep progress on track

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It's fortunate that auto industry officials have enjoyed a seat at the table in the Trump White House, and that they'll now have an opportunity to make their case with regard to the greenhouse-gas and fuel-economy programs.

THE VW DIESEL SCANDAL

VW says German prosecutor searched law firm handling diesel scandal

German prosecutors searched the offices of Jones Day, the U.S. law firm tasked by VW with investigating its diesel emissions cheating scandal -- a step VW called "unacceptable."

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"Our transition to Reynolds was seamless."

"We expected a month of hell switching from our old DMS provider to Reynolds, but it went very smoothly. We were impressed with the Reynolds installation team. When we flipped the switch, we were up and running with no problem at all."

– Chris Teague, Dealer Principal, Chevrolet of Montebello

[See why Chris switched.](#)

VW's Schmidt to remain in U.S. custody until trial next year

Oliver Schmidt, the VW executive incarcerated since January when he tried to return to his native Germany after a Florida vacation, will remain in custody until his trial early next year.

BLOG: JAMIE LaREAU

There are some things you just don't buy online

Some industry experts predict consumers are ready to jump into online car buying. Oh, really?

Viral video rankings for week of 3/14/2017

VIDEO: Holden helps out paradegoers

In the latest spot to join our weekly viral video charts, Holden helps out with parade

festivities
VIDEO: How a dealer's reluctant son became hooked on the car business

Like many dealers' kids, Matt Laughridge was wary about a career in auto retailing. That changed after a fishing trip with his dad. Now at 29, he's putting his personal stamp on his family's Hyundai and Buick-GMC stores -- as well as other ventures.

Hyundai recalling nearly 1 million Sonata cars in U.S. for seat belts

Musk's personal borrowing rises as banks underwrite more Tesla debt

Tesla returns to Wall Street as Musk readies Model 3 rollout

Executives tout mobility center for Trump, but not potential funding

California defends clean car standards as Trump brakes

Auto industry diverges on timeline for self-driving cars

BMW says self-driving car to be Level 5 capable by 2021

Japan automakers willing to work with U.S. on trade grievances

Opel will push ahead with EVs, flagship SUV under PSA ownership

Buick, Lexus return to top spots in service satisfaction scorecard

[VIDEO: How a dealer's reluctant son became hooked on the car business](#)

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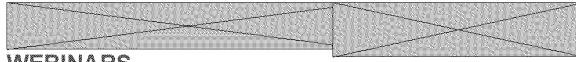
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NEWS UPDATE

March 16, 2017

Trump, Easing Emissions Rule, Vows to Expand Auto Jobs

By BILL VLASIC, New York Times • • Posted March 16, 2017

President Trump came to the heart of the auto industry on Wednesday with a manifesto for American manufacturing: to remove the shackles of regulation and restore an age of industrial glory. Granting the automakers their top wish, Mr. Trump halted an initiative by the Obama administration to impose stringent fuel-economy standards by 2025 — rules meant to cut carbon emissions and meet international commitments to address climate change. [[read more ...](#)]

Big Win for Automakers as Trump Orders Fuel Economy Standards Review

By Reuters • • Posted March 16, 2017

President Donald Trump on Wednesday ordered a review of tough U.S. vehicle fuel-efficiency standards put in place by the Obama administration, handing a victory to auto industry executives and provoking criticism from Democrats and environmental groups. In a move widely seen as a preamble to loosening fuel standards, Trump told an audience of cheering union workers, he would “ensure that any regulations we have protect and defend your jobs, your factories,” and promised he would encourage growth in the U.S. auto sector. [[read more ...](#)]

Trump won't seek to roll back California vehicle authority

By David Shepardson, Reuters • • Posted March 16, 2017

A White House official briefing reporters said the Trump administration will spend the next

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year working on the review to determine if the 2022-2025 model-year rules are feasible. The administration has made no decisions on how or if the standards should be revised. But the Trump administration is not picking an immediate fight with California, which has long drawn the ire of automakers for setting more aggressive environmental vehicle rules, including requiring zero emission cars. [[read more ...](#)]

High Octane Alliance Applauds EPA's Recall of CAFE Rule

By Ilia Rodriguez, High Octane Low Carbon Alliance • • Posted March 16, 2017

The High Octane Low Carbon Alliance called today's announcement that the Trump Administration was recalling the fuel economy rule an important first step in achieving realistic reductions in fuel consumption. Alliance Chairman Tom Daschle said the recall was necessary due to the fact the rule, while well intended, was simply rushed through last year without the thorough and comprehensive review that was part of the agreement to require significant increases in fuel economy and reduced emissions. [[read more ...](#)]

EPA Launches Review of Obama Regulation; Ethanol Industry Could Benefit

By Todd Neeley, DTN/Progressive Farmer • • Posted March 16, 2017

Some ethanol industry groups argue EPA should identify the fuels that could help meet the standards. Bob Dinneen, president and CEO of the Renewable Fuels Association, said in a statement that taking a second look at the rule could benefit the ethanol industry. Recent evaluations of corn ethanol have found the fuel has 43% lower carbon emissions than gasoline. The ethanol industry has been pushing the agency to update ethanol's carbon footprint data in the Renewable Fuel Standard to reflect the current state of ethanol-production technology.

[[read more ...](#)]

South Dakota Leaders Move to Challenge EPA's View on Mid-Level Ethanol Blends

By Chris Clayton, DTN/Progressive farmer • • Posted March 16, 2017

Farm leaders and state officials in South Dakota are taking the lead to push 30% ethanol blends and challenging EPA's stance on higher ethanol blends. By taking the lead to aggressively support E30, South Dakota is positioning itself for a potential legal battle with EPA, especially if EPA chooses to declare that selling E30 at the pumps violates the law. Doug Sombke, president of the South Dakota Farmers Union, said ethanol backers in his

state have been looking at this issue for years. Ethanol leaders in South Dakota specifically want EPA to come in and challenge the use of E30 to spark a legal battle. [[read more ...](#)]

National Farmers Union passes resolution to support E30 use

By Ethanol Producer Magazine • • Posted March 16, 2017

National Farmers Union called for the U.S. EPA to open the market to higher blends of ethanol in a landmark resolution passed during the group's annual meeting held last week in San Diego. "National Farmers Union, as an organization, considers increased ethanol use one of the most important demand drivers for American agriculture," said Doug Sombke, president of South Dakota Farmers Union. "Members are taking a stand against EPA regulations that limit the use of ethanol blends in non-flex vehicles. [[read more ...](#)]

Who Wins and Loses in Trump's Proposed Budget

By ALICIA PARLAPIANO, New York Times • • Posted March 16, 2017

The E.P.A. is among the hardest-hit agencies. The budget calls for the elimination of about 3,200 staff positions — over 20 percent of the department. It would also eliminate all funding for enactment of the Clean Power Plan, the regulations designed to curb greenhouse gas emissions from power plants. It would also discontinue funding for climate change research and international climate change programs. [[read more ...](#)]

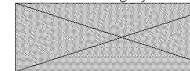
Note: News clips provided do not necessarily reflect the views of coalition or its member governors.

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This message was sent to grundler.christopher@epa.gov from:

Governors' Biofuels Coalition | larry@governorscoalition.org | Governors' Coalition | P.O. Box 94922 | Lincoln, NE 68509
[Manage Your Subscription](#)

Email Marketing by



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ED_001220_00001833

To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Spears, Matthew[spears.matthew@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]
From: Charmley, William
Sent: Wed 3/15/2017 1:47:08 PM
Subject: Daimler Trucks North America on future of HD transportation and GHGs

Chris –

You may recall that we met Wilfried Achenbach in Portland on the trip you, Angela and I did a few years ago. Wilfried is Martin Daum's #2 person in the company, and the Senior Vice President for Engineering at DTNA.

Think "well to wheel" around emission options

Posted: Mar 14, 2017 9:50 PM | Last Updated: Mar 14, 2017 10:16 PM

INDIANAPOLIS, IN – The trucking industry has to “put on the brakes” when it comes to its thirst for diesel if it hopes to meet targets to slash Greenhouse Gas emissions, according to Wilfried Achenbach, Daimler Trucks North America's senior vice president – engineering and technology. But electric vehicles don't yet offer the answer when the steps to produce electricity are considered.

Speaking at the NTEA's annual Green Truck Summit, Achenbach stressed that diesel engines continue to be the industry's “workhorse” because of their high torque and long-life, delivering 10 kwh of energy per kilogram in a format that is easy to refuel and readily available.

Gone are the days of black smoke belching from exhaust stacks, thanks to a steady rollout of tighter emissions limits since 1990 that have attacked smog-producing NOx, Particulate Matter, Greenhouse Gases and carbon dioxide, he explained. “We should not see it from any modern diesel engine.” In fact, a 1998 truck belches 35 times more NOx and 60 times more Particulate Matter than an EPA10 equivalent, he said. “What we've accomplished as an industry, we can be proud.”

But there is more to do. The 2016 Paris Agreement to reduce Greenhouse Gases

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requires more.

“We have to put on the brakes if we continue burning diesel as we do today, we will not be able to live up to those limits,” he said during a keynote address. Transportation accounts for 34% of the carbon dioxide emissions in the U.S. Trucks themselves account for 6%.

While accounting for a smaller share overall, long-haul heavy-duty trucks remain the most significant lever to shift carbon dioxide emissions, he said.

The good news is that gains have been made. “We are not starting from scratch,” Achenbach said, referring to the first phase of Greenhouse Gas regulations, and a second phase that begins to roll out in 2018. Combination tractors alone will see fuel efficiency boost 20, 23 and 25% in 2021, '24 and '27 model years.

“In the foreseeable future, 10 miles per gallon will become the new normal for tractor-trailer combinations,” he said, referring to the promise shown through SuperTruck programs. “We don’t have to wait 10 years. This is going to happen faster.”

The improvements, however, will involve looking at a broad range of systems. While 170 horsepower is needed to move 76,000 pounds 62 miles per hour, 85 horsepower is lost to aerodynamic drag and 74 horsepower is lost to rolling resistance, he said. Even a focus on tire pressure will make a difference. “Tire pressure, for me, is one of the underutilized levers we have today,” Achenbach says.

But the Daimler executive stressed that electric vehicles are not the answer on their own. Even those have a carbon footprint.

Electricity still has a carbon footprint. “Electricity is not free environmentally. Not as it is today,” Achenbach said, noting how 39% of electricity comes from burning coal, and 28% comes from natural gas. “If we want to change something, we need to change this.” In Germany, however, 30% of the electricity is from wind and solar. But that takes political will. And money.

When measuring well-to-wheel emissions, diesel and electric vehicles perform relatively the same, he says. A single kilowatt-hour of energy at a wheel end is generated with 1.7 pounds of carbon dioxide whether it involves electricity or diesel, he said. “Currently with our energy mix it doesn’t make any sense to go electric,” he added. Change that to solar panels, thermal power plants and windmills, the carbon dioxide begins to drop.

Surprisingly, the vehicle technology is available. It just comes at a cost.

A truck powertrain would require 720-volt batteries and the underlying power distribution, an inverter, and electric motor, he explained. The high-voltage batteries face the biggest issues because of cost and energy density. One day of driving more than 950 kilometers with diesel will require 450 liters of fuel, weighing in at 840 pounds

and costing about \$1,162. Looking at 2022, the battery pack would weigh 11,022 pounds and cost \$156,239.

“Be careful that you take everything into the equation that might contribute to emissions,” he said.

From: Richards, David

Sent: Wednesday, March 15, 2017 9:36 AM

To: Acevedo, Frank <acevedo.francisco@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Argyropoulos, Paul <Argyropoulos.Paul@epa.gov>; Audette, Lucie <audette.lucie@epa.gov>; Barba, Daniel <Barba.Daniel@epa.gov>; Beardslee, Renee <Beardslee.Renee@epa.gov>; Beardsley, Megan <Beardsley.Megan@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Bizer-Cox, Daniel <Bizer-Cox.Daniel@epa.gov>; Blubaugh, Jim <Blubaugh.Jim@epa.gov>; Bradish, Tracey <bradish.tracey@epa.gov>; Brusstar, Matt <brusstar.matt@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Bynum, Cheryl <bynum.cheryl@epa.gov>; Caldwell, Amy <caldwell.amy@epa.gov>; Charmley, William <charmley.william@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Clark, Sarah <clark.sarah@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Dickinson, David <Dickinson.David@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Dotzel, Kathryn <dotzel.kathryn@epa.gov>; Drake, Kerry <Drake.Kerry@epa.gov>; Fowlkes, Sarah <fowlkes.sarah@epa.gov>; Galano, Fidel <Galano.Fidel@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Haley, Mike <Haley.Mike@epa.gov>; Hassan, Nora <hassan.nora@epa.gov>; Haugen, David <haugen.david@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Henning, Julie <henning.julie@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Imfeld, Sterling <imfeld.sterling@epa.gov>; Jackman, Dana <jackman.dana@epa.gov>; Jackson, Cleophas <jackson.cleophas@epa.gov>; Johnson, Dennis <Johnson.Dennis@epa.gov>; Keller, Jennifer <Keller.Jennifer@epa.gov>; Kolowich, Bruce <kolowich.bruce@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Levin, David <Levin.David@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Lo, Doris <Lo.Doris@epa.gov>; Machiele, Paul <machiele.paul@epa.gov>; Maguire, Andrea <Maguire.Andrea@epa.gov>; Manners, Mary <manners.mary@epa.gov>; Martz, Kathleen <martz.kathleen@epa.gov>; McCubbin, Courtney <McCubbin.Courtney@epa.gov>; Meekins, Tanya <Meekins.Tanya@epa.gov>; Michaels, Harvey <Michaels.Harvey@epa.gov>; Miller, Patrick <miller.patrick@epa.gov>; Mitchell, George <Mitchell.George@epa.gov>; Moltzen, Michael

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<Moltzen.Michael@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Nelson, Brian <nelson.brian@epa.gov>; Nims, Kirk <Nims.Kirk@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Patulski, Meg <patulski.meg@epa.gov>; Peralta, Maria <Peralta.Maria@epa.gov>; Perez, Idalia <Perez.Idalia@epa.gov>; Revelt, Jean-Marie <revelt.jean-marie@epa.gov>; Samulski, Michael <samulski.michael@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Schenk, Ruth <schenk.ruth@epa.gov>; Schweinfurth, Rob <Schweinfurth.Rob@epa.gov>; Scoville, Pat <Scoville.Pat@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Spears, Matthew <spears.matthew@epa.gov>; Spieth, John <Spieth.John@epa.gov>; Storhok, Ines <storhok.ines@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; Sun, Lisa <Sun.Lisa@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; VanGessel, Benjamin <vangessel.benjamin@epa.gov>; Vawters, Katie <Vawters.Katie@epa.gov>; Watkins, Erica <Watkins.Erica@epa.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; Weihrauch, John <Weihrauch.John@epa.gov>; Wilcox, Jason <Wilcox.Jason@epa.gov>; Witkowski, Nicolas <witkowski.nicolas@epa.gov>; Yarbrough, Cody <yarbrough.cody@epa.gov>; Zaremski, Sara <zaremski.sara@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>

Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

Bloomberg

[Cities Shop for \\$10 Billion of Electric Vehicles to Defy Trump](#)

Dozens of U.S. cities are willing to buy \$10 billion of electric cars and trucks to show skeptical automakers there's demand for low-emission vehicles, just as President Donald Trump seeks to review pollution standards the industry opposes. Thirty cities including New York and Chicago jointly asked automakers for the cost and feasibility of providing 114,000 electric vehicles, including police cruisers, street sweepers and trash haulers, said Los Angeles Mayor Eric Garcetti, who is coordinating the effort. That would be comparable to about 72 percent of total U.S. plug-in sales last year. While urban leaders want more low-emission vehicles to ease the role city traffic plays in altering the climate, automakers say there aren't enough buyers. They

also have advocated for relaxing rules on traditional fuel vehicles. The Trump administration, which seeks to cut regulations it sees as too costly or onerous, is poised to announce Wednesday that it will reconsider tighter standards finalized a week before President Barack Obama left office.

Trump to Drop Climate Change From Environmental Reviews, Source Says

President Donald Trump is set to sign a sweeping directive to dramatically shrink the role climate change plays in decisions across the government, ranging from appliance standards to pipeline approvals, according to a person familiar with the administration's plan. The order, which could be signed this week, goes far beyond a targeted assault on Obama-era measures blocking coal leasing and throttling greenhouse gas emissions from power plants that has been discussed for weeks. Some of the changes could happen immediately; others could take years to implement. It aims to reverse President Barack Obama's broad approach for addressing climate change. One Obama-era policy instructed government agencies to factor climate change into formal environmental reviews, such as that for the Keystone XL pipeline. Trump's order also will compel a reconsideration of the government's use of a metric known as the "social cost of carbon" that reflects the potential economic damage from climate change. It was used by the Obama administration to justify a suite of regulations.

NPR

EPA Reopens U.S. Rules Setting Vehicle Efficiency Standards For 2025

U.S. automakers may not have to reach fuel efficiency standards that were set during President Obama's administration, as the Environmental Protection Agency says it's reopening a review of the rules. President Trump will make that announcement on Wednesday in meetings with auto industry executives and workers in Michigan. In Washington, a senior White House official said the president wants to "set standards that are technologically feasible, economically feasible and allow the auto industry to grow and create jobs." The Obama-era rules stemmed from an agreement the government reached with major vehicles in the summer of 2011, setting carbon dioxide emissions targets for passenger cars and light trucks that were equivalent to the industry's fleet of achieving an average of 54.5 miles per gallon by the 2025 model year. The reopening of the rules review comes after a request from the Alliance of Automobile Manufacturers, an industry group that represents both domestic and foreign automakers. The group's request came last month, after the confirmation of Scott Pruitt as EPA administrator.

E&E News

Methane from power plants far exceeds EPA estimates — study

A new study shows that estimates of how much methane escapes from natural gas-fired power plants and oil refineries could be much too low, pointing to pollution from leaky industrial hardware. Researchers from Purdue University estimated that emissions from power plants fueled by natural gas could be 21 to 120 times higher than figures in U.S. EPA's most recent final greenhouse gas inventory. For oil refineries, emissions may be 11 to 90 times higher than EPA estimates. The study was published yesterday by the journal *Environmental Science & Technology*. The team used Purdue's flying atmospheric chemistry lab — a Beechcraft Duchess light twin-engine airplane equipped with an airflow measurement probe — to collect daily samples at three natural gas power plants and three refineries from July 30 to Oct. 1, 2015. "Our objective was to collect reliable data to compare to the inventories," said Paul Shepson, director of Purdue's Climate Change Research Center. EPA's greenhouse gas reporting program focuses on how much escapes from belching power stacks, without considering that methane could be leaking from compressors, valves and industrial hardware, Shepson explained. "The good news from our study is that while emissions are greater than anticipated, natural gas-burning power plants are still cleaner, relative to burning coal," Shepson said.

Los Angeles Times

What to expect when Trump takes on fuel economy and clean air regulations Wednesday

The Trump administration is expected to announce a review of fuel economy and emissions regulations Wednesday morning that could lead to an overhaul of the standards set in place by the Obama administration. Current emissions rules were put in place in January, when President Obama's Environmental Protection Agency finalized mileage and emissions standards for model years 2022-2025. Those standards call for a real-world fuel-burning performance of 36 miles per gallon on average, up from 26 mpg today. A rollback of those rules would have major ramifications for automakers, who for the last several years were under government pressure to build more fuel-efficient cars. Many have complained that the standards were too tough to meet and didn't make sense given historically low gasoline prices and consumer preferences for SUVs. So what exactly will President Trump announce when he travels to a driverless car research center in a suburb of Detroit on Wednesday morning?

Trucking News

Think "well to wheel" around emission options

INDIANAPOLIS, IN – The trucking industry has to “put on the brakes” when it comes to its thirst for diesel if it hopes to meet targets to slash Greenhouse Gas emissions, according to Wilfried Achenbach, Daimler Trucks North America's senior vice president – engineering and technology. But electric vehicles don't yet offer the answer when the steps to produce electricity are considered. Speaking at the NTEA's annual Green Truck Summit, Achenbach stressed that diesel engines continue to be the industry's “workhorse” because of their high torque and long-

life, delivering 10 kwh of energy per kilogram in a format that is easy to refuel and readily available. Gone are the days of black smoke belching from exhaust stacks, thanks to a steady rollout of tighter emissions limits since 1990 that have attacked smog-producing NOx, Particulate Matter, Greenhouse Gases and carbon dioxide, he explained. “We should not see it from any modern diesel engine.” In fact, a 1998 truck belches 35 times more NOx and 60 times more Particulate Matter than an EPA10 equivalent, he said. “What we’ve accomplished as an industry, we can be proud.” But there is more to do. The 2016 Paris Agreement to reduce Greenhouse Gases requires more. “We have to put on the brakes if we continue burning diesel as we do today, we will not be able to live up to those limits,” he said during a keynote address. Transportation accounts for 34% of the carbon dioxide emissions in the U.S. Trucks themselves account for 6%.

Truck News

Getting ZEVs on the road

INDIANAPOLIS, Ind. – Jodi Proctor, director of clean air policy analysis for Transport Canada, said when it comes to zero emission vehicles (ZEVs), “Range anxiety is one of our biggest concerns that needs to be addressed.” Both the Canadian and US governments touted the measures each are taking to encourage the use of ZEVs during the Green Truck Summit March 14 in Indianapolis. Proctor was part of a panel discussion, and she highlighted how Canada’s government has placed a high emphasis on climate change and reducing greenhouse gas emissions. Proctor also underscored the close relationship between Canada and the US. “Policy decisions taken on one side of the border have an impact on the other side,” she said, adding that despite the importance of work trucks to the North American economy, there is still a need to make improvements for the sake of the environment.

International

Green Car Reports

Half of Norway's new-car sales are now hybrids or electrics

Norway has achieved yet another milestone in electric-car sales. The Scandinavian country may be the friendliest for electric cars in the world, thanks to a combination of aggressive incentives, well-developed charging infrastructure, and a citizenry committed to lowering carbon emissions. Thanks to this unique array of circumstances, electric cars routinely make up a larger percentage of new-car sales in Norway than they do in other countries. As data from this year begins to trickle in, it appears that percentage is growing to levels never seen elsewhere. Half of all new cars registered in Norway in January were electric cars or hybrids, reports The Independent.

Norway's Road Traffic Information Council reported that electric cars accounted for 17.6 percent of new-car registrations in January.

Trucking News

Canada's emission goals take center stage

INDIANAPOLIS, IN – Canada's is embracing an "ambitious" climate change objective that by 2030 would eliminate more Greenhouse Gases than come from every vehicle on the road today, according to Jody Proctor, Transport Canada's director – clean air policy analysis. Almost ¼ of the nation's Greenhouse Gas emissions come from transportation, and 80% of that comes from on-road vehicles, she said during a panel discussion at the annual Green Truck Summit. Trucks account for about 30% of that. "Transportation clearly needs to be part of our climate change solution," she told the crowd, stressing that climate change will cost Canadians \$21-43 billion per year by 2050. To meet the goals, Proctor described carbon pricing as an "effective, transparent and efficient policy approach". Referenced options included British Columbia's carbon tax, the Alberta carbon levy, and cap-and-trade models introduced in Ontario and Quebec. Every Canadian jurisdiction must have a carbon pricing model by 2018, set at \$10 per tonne in 2018 and rising to \$50 per tonne by 2022. Last month, the federal government also introduced a discussion paper around pending clean fuel standards to reduce the emissions related to fuel, she added. Related strategies included renewable fuel mandates, their specific Greenhouse Gas performance standards, and limits on the overall carbon intensity of fuels. Since 2008, for example, British Columbia has required diesel to have 4% renewable fuel. Last year, Ontario began requiring 4% of diesel to include bio-based diesel.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Davenport, Coral
Sent: Tue 3/14/2017 9:28:07 PM
Subject: moment to chat on background?

Would be interested in your thoughts as POTUS orders a new midterm review and presumed rollback of CAFE standards...

--

Coral Davenport
Energy and Environment Correspondent
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To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Dunham, Sarah[Dunham.Sarah@epa.gov]
From: Millett, John
Sent: Tue 3/14/2017 2:00:14 AM
Subject: Re: release

Completely understood!

John Millett

Ex. 6 - Personal Privacy

On Mar 13, 2017, at 9:59 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

John--I hope you know my reaction was not aimed at you!

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202/564-1682 (Washington DC)
734/214-4207 (Ann Arbor MI)

On Mar 13, 2017, at 9:26 PM, Millett, John <Millett.John@epa.gov> wrote:

Thanks, Chris. I shared my thoughts over a week ago, and haven't been asked again for them till Nancy's email below.

John Millett
202.510.1822

On Mar 13, 2017, at 7:41 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

Ex. 5 - Deliberative Process

Consumer groups have done their own analysis showing consumer savings

The draft TAR shows how even with lower fuel prices consumers have a favorable payback especially if they lease or finance

Ex. 5 - Deliberative Process

We did do a qualitative employment analysis in the rules. We can get you what we said if you want but bottom line is it was inconclusive and in any event overwhelmed by macro economic events. Others have shown that the stds have led to increased employment --especially in engineering---throughout the supply chain and at automakers

Record sales have also led to hiring

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202/564-1682 (Washington DC)
734/214-4207 (Ann Arbor MI)

On Mar 13, 2017, at 7:26 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

Sent from my iPhone

Begin forwarded message:

From: "Millett, John" <Millett.John@epa.gov>
Date: March 13, 2017 at 7:03:41 PM EDT
To: "Dunham, Sarah" <Dunham.Sarah@epa.gov>, "Hengst, Benjamin" <Hengst.Benjamin@epa.gov>, "Birgfeld, Erin" <Erin.Birgfeld@epa.gov>
Subject: Fwd: release

FYI on the attached. below is my response to Nancy --

Thanks, Nancy -- I'll forward as FYI and see what comes back.

Off the top of my head, I'd offer this : automakers have achieved record sales at the same time (the past 5-6 years) they've achieved record fuel

economy.

Also our q/a discussed how fuel savings more than offset any add'l cost of new vehicles.

I don't think we did jobs analysis for these rules; we generally relied on industry and unions for those as I recall, but I'll check.

Ex. 5 - Deliberative Process

John Millett

Ex. 6 - Personal Privacy

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: March 13, 2017 at 6:29:14 PM EDT
To: "Millett, John" <Millett.John@epa.gov>, "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>
Subject: FW: release

We need some messaging – numbers, jobs, etc. to put on a café webpage for weds. Can you all help? thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Ex. 6 - Personal Privacy

From: Milbourn, Cathy
Sent: Monday, March 13, 2017 6:25 PM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Milbourn, Cathy <Milbourn.Cathy@epa.gov>
Subject: release

Catherine C. Milbourn
Office of Media Relations
Office of the Administrator
U.S. EPA HQ
202-564-7849 (office)

Ex. 6 - Personal Privacy

Milbourn.cathy@epa.gov

<CAFE Release 3.6.16.docx>

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To: Bunker, Byron[bunker.byron@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]; Cook, Leila[cook.leila@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
Cc: Charmley, William[charmley.william@epa.gov]
From: Birgfeld, Erin
Sent: Fri 3/10/2017 7:38:10 PM
Subject: RE: Q's that need A's

Thanks Byron... I'll use this version.

From: Bunker, Byron
Sent: Friday, March 10, 2017 2:35 PM
To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>
Subject: RE: Q's that need A's

Hi Erin,

I think the draft response is accurate enough for a verbal response from the press office to an inquiry. **Ex. 5 - Deliberative Process**

Ex. 5 - Deliberative Process

Feel free to send it as it is. If you want more complicated you could use the following.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Thanks,

Byron

Byron Bunker

Director Compliance Division

Office of Transportation and Air Quality

Environmental Protection Agency

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Ann Arbor, MI 48105

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Phone: (734) 214-4155

Mobile: (734) 353-9623

From: Birgfeld, Erin

Sent: Friday, March 10, 2017 12:09 PM

To: Simon, Karl <Simon.Karl@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>

Cc: Charmley, William <charmley.william@epa.gov>

Subject: RE: Q's that need A's

ED_001220_00001854-00002

ED_001220_00001854

Hi Karl,

That is a good point re: 2017 additional costs. OK if I work with Jeff or Robin to make sure I get the correct #'s?

Ex. 5 - Deliberative Process

Thanks,

Erin

From: Simon, Karl

Sent: Friday, March 10, 2017 12:03 PM

To: Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>

Cc: Charmley, William <charmley.william@epa.gov>

Subject: RE: Q's that need A's

Ex. 5 - Deliberative Process

From: Birgfeld, Erin
Sent: Friday, March 10, 2017 11:43 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>
Subject: RE: Q's that need A's

Hi all,

Here are suggested responses for Q's 3 and 4. LMK if there are edits. Copying Byron to confirm the response to the first Q is 100% accurate.

-Erin

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Grundler, Christopher
Sent: Friday, March 10, 2017 11:22 AM
To: Cook, Leila <cook.leila@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>;
Birgfeld, Erin <Birgfeld.Erin@epa.gov>
Subject: RE: Q's that need A's

Ex. 5 - Deliberative Process

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202.564.1682 (Washington, DC)
734.214.4207 (Ann Arbor, MI)

From: Cook, Leila
Sent: Friday, March 10, 2017 10:59 AM
To: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Cc: Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William
<charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Birgfeld, Erin

<Birgfeld.Erin@epa.gov>

Subject: Re: Q's that need A's

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 10, 2017, at 10:54 AM, Hengst, Benjamin <Hengst.Benjamin@epa.gov> wrote:

Stay tuned—Millett is figuring out who will be answering what. But take a look.

From: Drinkard, Andrea

Sent: Friday, March 10, 2017 10:07 AM

To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>

Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>

Subject: RE: Q's that need A's

I'm adding Ben and Erin.

From: Grantham, Nancy

Sent: Friday, March 10, 2017 10:00 AM

To: Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: Fwd: Q's that need A's

As part of our comms prep for cafe rollout next week - we need assistance with answers for these questions-- unfortunately on a fast turnaround - thx ng

Sent from my iPhone

ED_001220_00001854-00006

ED_001220_00001854

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: March 10, 2017 at 9:45:56 AM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Cc: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>
Subject: Q's that need A's

Here are few questions. Nancy, are you sending this to OP or OAR?

Catherine C. Milbourn
Office of Media Relations
Office of the Administrator
U.S. EPA HQ
202-564-7849 (office)
202-420-8648 (mobile)
Milbourn.cathy@epa.gov

<CAFE Questions.docx>

To: Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Charmley, William[charmley.william@epa.gov]; Cook, Leila[cook.leila@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
From: Simon, Karl
Sent: Fri 3/10/2017 4:04:03 PM
Subject: RE: Q's that need A's

Ex. 5 - Deliberative Process

From: Hengst, Benjamin
Sent: Friday, March 10, 2017 10:55 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>
Subject: FW: Q's that need A's

Stay tuned—Millett is figuring out who will be answering what. But take a look.

From: Drinkard, Andrea
Sent: Friday, March 10, 2017 10:07 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>
Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: RE: Q's that need A's

I'm adding Ben and Erin.

From: Grantham, Nancy
Sent: Friday, March 10, 2017 10:00 AM
To: Kenny, Shannon <Kenny.Shannon@epa.gov>; Dravis, Samantha <dravis.samantha@epa.gov>; Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>; Ng, Brian

<Ng.Brian@epa.gov>; Senn, John <Senn.John@epa.gov>; Grantham, Nancy
<Grantham.Nancy@epa.gov>
Subject: Fwd: Q's that need A's

As part of our comms prep for cafe rollout next week - we need assistance with answers for these questions-- unfortunately on a fast turnaround - thx ng

Sent from my iPhone

Begin forwarded message:

From: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>
Date: March 10, 2017 at 9:45:56 AM EST
To: "Grantham, Nancy" <Grantham.Nancy@epa.gov>, "Konkus, John" <konkus.john@epa.gov>
Cc: "Milbourn, Cathy" <Milbourn.Cathy@epa.gov>, "Dewey, Amy" <Dewey.Amy@epa.gov>
Subject: Q's that need A's

Here are few questions. Nancy, are you sending this to OP or OAR?

Catherine C. Milbourn

Office of Media Relations

Office of the Administrator

U.S. EPA HQ

202-564-7849 (office)

202-420-8648 (mobile)

Milbourn.cathy@epa.gov

To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Hengst, Benjamin[Hengst.Benjamin@epa.gov]
From: Cook, Leila
Sent: Thur 3/9/2017 10:44:15 PM
Subject: Re: Detroit News OPED and Stories

Somewhat encouraging that some get it.

Sent from my iPhone

On Mar 9, 2017, at 5:30 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Robbie Diamond [<mailto:RDiamond@secureenergy.org>]
Sent: Thursday, March 09, 2017 3:45 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Detroit News OPED and Stories

Chris,

I hope you are ok. I am sure it is busy. I look forward to getting together soon.

ED_001220_00001860-00001

ED_001220_00001860

Below are two of the stories I was quoted in, and we expect more based on interviews with me and some ESLC members. Prior to the stories is the OpEd out ESLC members authored about not fighting every war and losing the common battle.

I believe we are coming in to see the new Administrator on March 28.

Regards,

Robbie

<image004.jpg>

Column: Make energy security top goal

James T. Conway and David D. McKiernan

March 7, 2017

President Trump's America first energy plan gets it right by identifying oil as a strategic commodity, and placing our energy security front and center. This administration understands the acute and continued national security threat posed by our oil dependence and the OPEC cartel that distorts global oil prices; we urge them to leverage this awareness to modernize and improve fuel economy standards.

We support Trump's stance to increase domestic oil production, which has already halved our imports of foreign oil over the past decade. But regardless of how much we drill at home, the price for oil is set globally, meaning that reducing oil imports won't counter our primary energy security vulnerability: The fact that oil accounts for 92 percent of U.S. transportation energy, is highly volatile in price and is predominately supplied from nations that don't share U.S. values or strategic interests.

Fuel economy standards — federal rules requiring more efficient vehicles which were originally developed in 1970s following the OPEC oil embargo — have served the country well. Following reforms over the past decade, current rules set a goal of overall efficiency improvements of 4 percent per year through 2025. These rules are well-intentioned, but rely on outdated structures that regulate individual vehicles rather than addressing technological opportunities to improve the transportation system as a whole.

Our experience in this debate suggests that the various sides of the fuel economy issue are far closer than many believe. However, the primary stakeholders must work together. The Environmental Protection Agency and National Highway Traffic Safety Administration should harmonize their rulemaking and the administration should resist calls to scrap the standards. California should re-commit to one national program to avoid the real risk of a backlash that leads to reconsideration of the state’s special rule-making authority.

To reach a workable consensus, we suggest the following principles. First, we should continue the commitment to one national program on fuel economy and avoid competing regulations at the state and federal level.

Second, if necessary, the government should offer the industry some relief between 2022 and 2025 to account for the impact low gasoline prices have on vehicle purchasing decisions.

Third, the standards should account for autonomous vehicles and new ridesharing business models. Driverless and driver-assist features can also have a measurable impact on a car’s efficiency, but current rules don’t account for technologies that are already on the road.

Fourth, given the rapid pace of change, the new framework should incorporate five-year reviews to assess progress and ensure that regulations still reflect economic and behavioral realities.

These steps will provide additional certainty to the benefit of all stakeholders — offering

automakers greater flexibility to achieve the standards, while reducing oil demand at a faster pace due to new technology and providing greater consumer choice.

We have the opportunity to counter OPEC's manipulation by implementing a strategy that protects the nation, creates jobs, protects human health, and keeps America on the forefront of new technology.

Retired General James T. Conway served as the 34th commandant of the U.S. Marine Corps and the co-chair of the SAFE Energy Security Leadership Council. Retired General David D. McKiernan was the commander, U.S. Forces Afghanistan and the International Security Assistance Force in Afghanistan.

<image005.jpg>

Enviros, lawmakers try to head off regulatory rollbacks

Camille von Kaenel

March 7, 2017

Environmental groups, lawmakers and national security advocates are trying to pre-empt any administration move to soften fuel economy standards by warning that such action would be caught up in lengthy litigation and create uncertainty for automakers.

As early as this week, U.S. EPA and the Transportation Department will begin reconsidering whether to loosen vehicle emissions standards by restarting a review that the Obama administration finalized in its final days.

The Trump administration is also considering revoking California's waiver to set its own, stronger vehicle emission rules, according to several media reports.

California, plus 12 states that have followed its lead, are ready to engage in a lengthy court battle to protect the status quo, environmental advocates warned.

There is no precedent or clause in the Clean Air Act for revoking a waiver that has already been granted. California leaders, including state Senate President Pro Tem Kevin de León (D), have vowed a fierce fight.

"California and other states would have a very strong legal counterattack, which also illustrates why this whole change in course is so counterproductive," said Ken Kimmell, president of the Union of Concerned Scientists.

"All it's going to do is tie everything up in litigation and put automakers in a worse place, which is having uncertainty on whether they need to meet these 2025 standards," he said.

'Swerving off a cliff'

It's unlikely that restarting the so-called midterm review — which would open the possibility for EPA to loosen existing 2025 targets for vehicle emissions — could itself be subject to legal challenge.

Still, the Obama administration's decision to close the review in an attempt to lock in 2025 rules turned the process into a lightning rod.

Twelve Democratic senators warned EPA Administrator Scott Pruitt in a letter today that reopening the review would "weaken our energy security, harm consumers, and increase global warming pollution."

They also said the move would "create needless uncertainty for the auto industry and hinder the industry's ongoing process."

Sen. Ed Markey (D-Mass.), who co-authored the 2007 legislation to increase fuel economy, told reporters during a conference call that "Auto companies want the standards to ease, but by jumping in a speeding car with the Trump administration, they're putting themselves in danger of swerving off a cliff."

Neither automakers nor the administration have signaled what outcome they want from the review, other than putting it back on schedule for completion by April 2018.

Car companies have long wanted to eliminate slight differences between the standards put forward by EPA, the National Highway Traffic Safety Administration and the California Air Resources Board to avoid any uncertainty.

Environmental advocates decried any possibility that the targets would ultimately be loosened, which would require a new rule. Greens said they would expect opposition to extend beyond the normal rulemaking process.

"If the Trump administration does want to weaken the standards, you can count on the fact that states would want to keep them and would join in a lawsuit to maintain them," said Kimmell.

The administration would have to put forward significant new data to back a conclusion different from the one by the Obama administration to overcome legal challenges, he said.

'Snapback'?

EPA, in a massive technical report last summer, found that automakers could continue to meet and exceed the standards with available and impending technologies at little extra

cost, echoing a similar finding by the National Academies of Sciences, Engineering and Medicine.

Automakers say those findings do not take changing consumer preferences for big trucks over small, fuel-efficient cars enough into account.

Dan Becker, director of the Safe Climate Campaign, also warned about the possibility of a "snapback" to tighter rules after the Trump administration.

Securing America's Future Energy CEO Robbie Diamond, who advocates for fuel economy standards as a way of boosting national security and reducing dependence on foreign oil, warned that "just fighting court cases" might get in the way of reducing greenhouse gas emissions.

"California and the government should be fighting [OPEC] together," he said. "If we fight each one of these battles — who should regulate, and why should they regulate, or how many years should it be — each of these battles takes time, and we will ultimately lose the war."

Diamond said he has advised administration officials to use the new review to look at regulating transportation as a whole rather than just on a vehicle-by-vehicle basis.

The goal would be to better take into account the environmental and fuel-use benefits of autonomous vehicles and ride-sharing networks. The plan includes some relief for automakers and early planning for rules beyond 2025.

"Going back to the normal schedule is not the end of the world, but it can be used as an opportunity to bring new technologies to the table to be folded into the standards," said Diamond.

<image006.jpg>

Easing US fuel economy rules seen barely touching gasoline demand

Meghan Gordon and Brian Scheid

March 7, 2017

The Trump administration's expected decision to reopen US fuel economy standards for 2022-25 will likely have only a muted impact on gasoline demand, with low prices and consumers' vehicle preferences playing bigger roles.

As early as Tuesday, the Trump administration is expected to reopen a mid-term review of corporate average fuel economy standards for light-duty vehicles proposed by the Obama administration in 2009 and accelerated in 2011.

EPA made a final determination a week before President Donald Trump's inauguration that US automakers are meeting the targets quicker and at lower costs than expected, leaving the industry more than able to meet the 2025 goal of 54.5 mpg.

Kevin Book, a managing director of ClearView Energy Partners, said freezing fuel economy standards at 2021 levels could increase US gasoline consumption by as much as 230,000 b/d. "We reiterate, however, that this seems likely to result only in shallower gasoline demand declines during the out years, and not a sign change (i.e., an absolute gasoline demand increase) for the better part of a next decade," Book said in a note to clients Tuesday.

Bob McNally, energy consultant and president of The Rapidan Group, said easing the

CAFE standards would have more of a symbolic impact, given that the Obama-era rule was a "bedrock policy assumption underlying optimistic consensus expectations of fast efficiency gains or 'peak demand.'"

"Their formal easing would probably not have a big barrels-per-day impact, but would have a large symbolic impact on these consensus expectations," he said Monday.

Fatih Birol, executive director of the International Energy Agency, also indicated that any changes to fuel economy standards for lighter vehicles would have relatively little impact on global oil demand. "The growth in global oil demand comes from trucks, jets and petrochemicals where it is difficult to find alternatives to oil right now," Birol said Monday during a press conference at CERAWeek in Houston.

He said one-third of oil demand growth comes from Asian trucks, alone.

PREMIUM GASOLINE

Sandy Fielden, director of oil and products research at Morningstar Commodities and Energy, said he will be watching for two things to gauge US gasoline demand in relation to the CAFE standards -- whether consumers buy more SUVs, assuming prices stay reasonable, and whether changes to the rule

give automakers less of an incentive to produce higher-efficiency engines that

require turbo chargers.

"Such devices require the use of higher octane gasoline to prevent 'early' ignition due to compression," Fielden said by email Monday. "So the current trend is for more cars requiring premium gas. That may be reversed if manufacturers don't need to improve efficiency."

California will be another major factor. The state has a waiver allowing it to set stricter tailpipe emission

standards than the national limit, but automakers have campaigned against it, arguing they cannot meet two different standards.

In 2007, the Bush administration denied the California waiver. The state then sued the Environmental Protection Agency, and the Obama administration ultimately reconsidered the waiver and approved it.

Some observers expect the Trump administration to revoke the waiver in response to pressure from automakers.

"I believe it is a credible threat and the ability of the federal government, but it should not be used at this time," said Robbie Diamond, president and CEO of Securing America's Future Energy, which focuses on reducing US oil import dependence as a means to improving national security.

NEW TECHNOLOGIES

Despite his concern about the California waiver, Diamond sees Trump's expected action on the CAFE standards as an opportunity to inject new technologies into the rules that were not present in 2009, including internet-connected vehicles, self-driving vehicles and new business models like ride-sharing.

He said a new review could provide some relief to automakers, add flexibility for these technologies and possibly extend the rules out to 2035.

"We actually believe the parties are not so far apart," he said. "It will just take getting past the rhetoric and anger between them."

Diamond said ultimately oil prices and consumer choice will determine fuel demand more than the CAFE standards.

"If the consumers don't buy the vehicles, they won't hit the number," he said. "Even in the

last year as oil prices have been low, the fuel efficiency number for fleet-wide average has not been growing at same rate. We have a much greater share of trucks being bought than EPA and [the National Highway

Traffic Safety Administration] anticipated."

The 2025 standards would create a fleet-wide average fuel economy of 51.4 mpg if all reductions were achieved through fuel economy improvements, based on the Energy Information Administration's Annual Energy Outlook 2016 reference case data on fuel prices, vehicle sales and a 53% car/47% light

truck mix, EPA said in January.

The agency accelerated the review to conclude during the Obama administration. An earlier timeline estimated the proposal would be released in late 2017 and a final determination made in April 2018.

An EPA spokeswoman declined to comment Tuesday.

<image007.jpg>

Column: Make energy security top goal

James T. Conway and David D. McKiernan

March 7, 2017

President Trump's America first energy plan gets it right by identifying oil as a strategic

commodity, and placing our energy security front and center. This administration understands the acute and continued national security threat posed by our oil dependence and the OPEC cartel that distorts global oil prices; we urge them to leverage this awareness to modernize and improve fuel economy standards.

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Retired General James T. Conway served as the 34th commandant of the U.S. Marine Corps and the co-chair of the SAFE Energy Security Leadership Council. Retired General David D. McKiernan was the commander, U.S. Forces Afghanistan and the International Security Assistance Force in Afghanistan.

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Lewis, Josh
Sent: Thur 3/9/2017 9:46:52 PM
Subject: Automatic reply: CAFE FR Notice ready for signature

I am out of the office, returning Tuesday, March 14th. I will not be checking email regularly. Please email or call Carissa Cyran with any urgent matters (cyran.carissa@epa.gov; 202 564 5437).

Josh

ED_001220_00001865-00001

ED_001220_00001865

To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Lewis, Josh[Lewis.Josh@epa.gov]
From: Dunham, Sarah
Sent: Thur 3/9/2017 9:13:46 PM
Subject: FW: CAFE FR Notice ready for signature

I have no idea who usually does type setting requests. I know Josh figured it out last week for the oil and gas notice, but he's out. Chris, do you have someone who can do a type setting request?

From: Knapp, Kristien
Sent: Thursday, March 09, 2017 3:59 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: Re: CAFE FR Notice ready for signature

Also Nancy says to keep quiet, dot is holding on to it for now.

Because of the sensitivity I'm not sure who in OAR to ask for the typesetting request. We need to have one done sometime tomorrow. Can you recommend someone I can reach out to for it?

Sent from my iPhone

On Mar 9, 2017, at 3:39 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

Thanks

Sent from my iPhone

On Mar 9, 2017, at 3:07 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

Sarah - I'm not sure if you know about this already but it's getting signed today. Nancy said I could let you know.

Sent from my iPhone

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: March 9, 2017 at 12:04:31 PM EST
To: "Knapp, Kristien" <Knapp.Kristien@epa.gov>, "Reeder, John"

<Reeder.John@epa.gov>

Subject: FW: CAFE FR Notice ready for signature

Kristien is going to work this now.

Thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

Ex. 6 - Personal Privacy

From: Schnare, David

Sent: Wednesday, March 08, 2017 3:23 PM

To: Dravis, Samantha <dravis.samantha@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John <Reeder.John@epa.gov>

Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: CAFE FR Notice ready for signature

The attached is ready for signature, but for putting in the exact date of the signature directly above the signature block.

We need to get this signed and sent back to DOT for the Secretary's signature.

I would most appreciate it if this is signed today. We will hold it for FR publication until the White House directs us to have it published.

ED_001220_00001866-00002

ED_001220_00001866

David W. Schnare

Assistant Deputy Administrator

US. EPA

<CAFE-FINAL FINAL-joint-notice-DOT-EPA.docx>

ED_001220_00001866-00003

ED_001220_00001866

To: Dunham, Sarah[Dunham.Sarah@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Drinkard, Andrea[Drinkard.Andrea@epa.gov]
From: Millett, John
Sent: Thur 3/9/2017 8:01:37 PM
Subject: Fwd: kristien knapp is on her way to DOT to have Secretary Chao sign the CAFE FR ..fyi

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: March 9, 2017 at 2:52:55 PM EST
To: "Drinkard, Andrea" <Drinkard.Andrea@epa.gov>, "Millett, John" <Millett.John@epa.gov>
Subject: kristien knapp is on her way to DOT to have Secretary Chao sign the CAFE FR ..fyi

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

ED_001220_00001868-00001

ED_001220_00001868

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Wed 3/8/2017 7:13:45 PM
Subject: FW: CAFE Notice

I already pushed back on this twice, and apparently failed. So who do you want to list? My understanding is the water rule listed the main epa staffer who worked on the clean water rule. Last I heard, Minoli was not allowing it be an OGC staff.

From: Schnare, David
Sent: Wednesday, March 08, 2017 2:09 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: CAFE Notice

Sarah:

I need the name of a person, presumably in OTAQ, who will be named as the contact in the CAFÉ FR Notice. I need this asap as I want to get this signed by the Administrator today. Can you get me someone's name immediately?

Dschnare

ED_001220_00001875-00001

ED_001220_00001875

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Davenport, Coral
Sent: Sat 3/4/2017 12:29:14 AM
Subject: moment to chat?

trying to understand the importance of possible epa cafe announcement next week

--

Coral Davenport
Energy and Environment Correspondent
The New York Times
Washington Bureau
1627 I St. NW, Suite 700
Washington, DC 20006
coral.davenport@nytimes.com
O 202-862-0359
C 703-618-0645
Twitter @CoralMDavenport

To: Millett, John[Millett.John@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Fri 3/3/2017 11:41:54 PM
Subject: Draft notice
CAFE-FR-notice-joint-DOT-EPA notice DWS edits +OGC.DOCX
ATT00001.txt

Attached is the latest version I have of the draft notice. My understanding is that all the suggested edits you see in red line in this draft were accepted (at least within EPA).

ED_001220_00001895-00001

ED_001220_00001895

To: Grundler, Christopher[grundler.christopher@epa.gov]
Cc: Birgfeld, Erin[Birgfeld.Erin@epa.gov]
From: Hengst, Benjamin
Sent: Fri 3/3/2017 5:27:12 PM
Subject: Fw: Mobile Sources
CAFE-FR-notice-joint-DOT-EPA notice DWS edits +OGC.docx

From: Orlin, David
Sent: Friday, March 3, 2017 12:19 PM
To: Charmley, William; Simon, Karl
Cc: Hengst, Benjamin
Subject: RE: Mobile Sources

Ex. 5 - Attorney Client

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: Orlin, David
Sent: Friday, March 03, 2017 9:37 AM
To: Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>
Cc: Hengst, Benjamin <Hengst.Benjamin@epa.gov>
Subject: FW: Mobile Sources

Attached are the few comments I would make on this draft FR notice. **Ex. 5 - Attorney Client**

Ex. 5 - Attorney Client

Ex. 5 - Attorney Client

Could you let me know in the hour or two if you have thoughts (or need more time or just don't want to spend any more time on this?).

Thanks,

ED_001220_00001901-00001

ED_001220_00001901

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: Dunham, Sarah

Sent: Thursday, March 02, 2017 4:22 PM

To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>;
Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>

Subject: RE: Mobile Sources

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process Can you all fold that into the edits you are making?

Thanks

From: Minoli, Kevin

Sent: Thursday, March 02, 2017 3:00 PM

To: Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Srinivasan, Gautam
<Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>

Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>

Subject: Mobile Sources

All- Attached is a revised FR notice re the MTE. It was a version we drafted, but that now has NHTSA's edits. We've been asked to provide our comments on their edits by COB tomorrow. Can we do that? Thanks, Kevin

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

ED_001220_00001901-00002

ED_001220_00001901

ED_001220_00001901-00003

ED_001220_00001901

To: Millett, John[Millett.John@epa.gov]; Grantham, Nancy[Grantham.Nancy@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]
Cc: Dunham, Sarah[Dunham.Sarah@epa.gov]; Schmidt, Lorie[Schmidt.Lorie@epa.gov]; Srinivasan, Gautam[Srinivasan.Gautam@epa.gov]; Orlin, David[Orlin.David@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]
From: Minoli, Kevin
Sent: Fri 3/3/2017 5:22:05 PM
Subject: RE: DRAFT CAFE Top Line Talking Points

Can I suggest that the OAR folks please work with David so we can send OPA a set both offices are comfortable with? Thanks! Kevin

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

From: Millett, John
Sent: Friday, March 03, 2017 12:05 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>
Subject: RE: DRAFT CAFE Top Line Talking Points

I'm expecting OTAQ to have the same assessment.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Minoli, Kevin
Sent: Friday, March 03, 2017 11:59 AM
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Millett, John <Millett.John@epa.gov>
Cc: Dunham, Sarah <Dunham.Sarah@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>;

ED_001220_00001903-00001

ED_001220_00001903

Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Orlin, David <Orlin.David@epa.gov>

Subject: RE: DRAFT CAFE Top Line Talking Points

Ex. 5 - Deliberative Process and Attorney Client

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

From: Grantham, Nancy

Sent: Friday, March 03, 2017 11:38 AM

To: Millett, John <Millett.John@epa.gov>; Minoli, Kevin <Minoli.Kevin@epa.gov>

Subject: FW: DRAFT CAFE Top Line Talking Points

This announcement going as soon as Monday – please see top line messaging .. need OAR and OGC review.

Kevin – will send you the source document next.

Thanks ng

ED_001220_00001903-00002

ED_001220_00001903

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Konkus, John

Sent: Friday, March 03, 2017 10:57 AM

To: Hull, George <Hull.George@epa.gov>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>; Amy Dewey <amyhdewey@gmail.com>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Subject: DRAFT CAFE Top Line Talking Points

DRAFT One edit to points below on 2018 deadline...

Ex. 5 - Deliberative Process

ED_001220_00001903-00003

ED_001220_00001903

Ex. 5 - Deliberative Process

ED_001220_00001903-00004

ED_001220_00001903

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Fri 3/3/2017 3:31:44 PM
Subject: Fwd: CAFE discussion draft: joint DOT-EPA notice

Sent from my iPhone

Begin forwarded message:

From: "Millett, John" <Millett.John@epa.gov>
Date: March 3, 2017 at 9:39:52 AM EST
To: "Dunham, Sarah" <Dunham.Sarah@epa.gov>, "Lewis, Josh" <Lewis.Josh@epa.gov>, "Hengst, Benjamin" <Hengst.Benjamin@epa.gov>, "Birgfeld, Erin" <Erin.Birgfeld@epa.gov>
Subject: **FW: CAFE discussion draft: joint DOT-EPA notice**

FYI – meeting at 10 am – will fill you in.

From: Grantham, Nancy
Sent: Friday, March 03, 2017 9:36 AM
To: Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

ED_001220_00001907-00001

ED_001220_00001907

From: Schnare, David
Sent: Friday, March 03, 2017 9:01 AM
To: Konkus, John <konkus.john@epa.gov>; Hull, George <Hull.George@epa.gov>;
Grantham, Nancy <Grantham.Nancy@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Folks:

Ex. 5 - Deliberative Process

Thanks.

d.

From: Fulton, Finch (OST) [<mailto:Finch.Fulton@dot.gov>]
Sent: Friday, March 3, 2017 8:40 AM
To: Schnare, David <schnare.david@epa.gov>; Smith, Loren (OST)
<Loren.Smith@dot.gov>; McCown, Brigham (OST) <brigham.mccown@dot.gov>;
McInerney, Marianne (OST) <marianne.mcinerney@dot.gov>; Moore, Allison (OST)
<A.Moore@dot.gov>
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

ED_001220_00001907-00002

ED_001220_00001907

I've copied Marianne McInerney and Allison Moore, our public affairs team. They would be the appropriate contacts for press.

Finch Fulton

Finch.fulton@dot.gov

Ex. 6 - Personal Privacy

W90-311

From: Schnare, David [<mailto:schnare.david@epa.gov>]
Sent: Friday, March 03, 2017 8:38 AM
To: Smith, Loren (OST); Fulton, Finch (OST); McCown, Brigham (OST)
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

Will do. Are Finch and Brig the comms folks? If not, who should our PR guy work with?

d

From: Smith, Loren (OST) [<mailto:Loren.Smith@dot.gov>]
Sent: Friday, March 3, 2017 8:25 AM
To: Schnare, David <schnare.david@epa.gov>; Fulton, Finch (OST) <Finch.Fulton@dot.gov>; McCown, Brigham (OST) <brigham.mccown@dot.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Dave, please make sure Finch and Brig are CC'd when you send it over.

Sent from my iPhone

On Mar 3, 2017, at 7:38 AM, Schnare, David <schnare.david@epa.gov> wrote:

Folks:

ED_001220_00001907-00003

ED_001220_00001907

Ex. 5 - Deliberative Process

ED_001220_00001907-00004

ED_001220_00001907

Ex. 5 - Deliberative Process

ED_001220_00001907-00005

ED_001220_00001907

Ex. 5 - Deliberative Process

Appendix:

EPA's regulation governing the Mid-Term Evaluation:

40 CFR 86.1818-12(h)

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

- (i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- (ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- (iii) The feasibility and practicability of the standards;
- (iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- (v) The impact of the standards on the automobile industry;
- (vi) The impacts of the standards on automobile safety;

(vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and

(viii) The impact of the standards on other relevant factors.

(2) The Administrator shall make the determination required by this paragraph (h) based upon a record that includes the following:

(i) A draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;

(ii) Public comment on the draft Technical Assessment Report;

(iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and

(iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

To: Grundler, Christopher[grundler.christopher@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]
Cc: Sutton, Tia[sutton.tia@epa.gov]
From: Birgfeld, Erin
Sent: Fri 3/3/2017 3:31:13 PM
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Chris and Ben,

I just got out of a meeting discussing roll out of notice announcing re-opening the MTE process. Sounds like announcement is slated for as early as Monday at noon. No one has seen a draft of the notice.

Millett and I have been asked to provide background for the PR, Q and A's, and a stakeholder list.

-Erin

From: Millett, John
Sent: Friday, March 03, 2017 9:40 AM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

FYI – meeting at 10 am – will fill you in.

From: Grantham, Nancy
Sent: Friday, March 03, 2017 9:36 AM
To: Millett, John <Millett.John@epa.gov>; Drinkard, Andrea <Drinkard.Andrea@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

ED_001220_00001908-00001

ED_001220_00001908

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Schnare, David

Sent: Friday, March 03, 2017 9:01 AM

To: Konkus, John <konkus.john@epa.gov>; Hull, George <Hull.George@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

Cc: Jackson, Ryan <jackson.ryan@epa.gov>

Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Folks:

Ex. 5 - Deliberative Process

Thanks.

d.

ED_001220_00001908-00002

ED_001220_00001908

From: Fulton, Finch (OST) [<mailto:Finch.Fulton@dot.gov>]
Sent: Friday, March 3, 2017 8:40 AM
To: Schnare, David <schnare.david@epa.gov>; Smith, Loren (OST) <Loren.Smith@dot.gov>; McCown, Brigham (OST) <brigham.mccown@dot.gov>; McNerney, Marianne (OST) <marianne.mcinerney@dot.gov>; Moore, Allison (OST) <A.Moore@dot.gov>
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

I've copied Marianne McNerney and Allison Moore, our public affairs team. They would be the appropriate contacts for press.

Finch Fulton

Finch.fulton@dot.gov

(202) 430-1818

W90-311

From: Schnare, David [<mailto:schnare.david@epa.gov>]
Sent: Friday, March 03, 2017 8:38 AM
To: Smith, Loren (OST); Fulton, Finch (OST); McCown, Brigham (OST)
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

Will do. Are Finch and Brig the comms folks? If not, who should our PR guy work with?

d

From: Smith, Loren (OST) [<mailto:Loren.Smith@dot.gov>]
Sent: Friday, March 3, 2017 8:25 AM
To: Schnare, David <schnare.david@epa.gov>; Fulton, Finch (OST) <Finch.Fulton@dot.gov>; McCown, Brigham (OST) <brigham.mccown@dot.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

ED_001220_00001908-00003

ED_001220_00001908

Dave, please make sure Finch and Brig are CC'd when you send it over.

Sent from my iPhone

On Mar 3, 2017, at 7:38 AM, Schnare, David <schnare.david@epa.gov> wrote:

Folks:



Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

ED_001220_00001908-00005

ED_001220_00001908

Ex. 5 - Deliberative Process and Attorney Client

Appendix:

EPA's regulation governing the Mid-Term Evaluation:

40 CFR 86.1818-12(h)

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

(i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;

- (ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- (iii) The feasibility and practicability of the standards;
- (iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- (v) The impact of the standards on the automobile industry;
- (vi) The impacts of the standards on automobile safety;
- (vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and
- (viii) The impact of the standards on other relevant factors.

(2) The Administrator shall make the determination required by this paragraph (h) based upon a record that includes the following:

- (i) A draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;
- (ii) Public comment on the draft Technical Assessment Report;
- (iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and
- (iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Fri 3/3/2017 2:39:14 PM
Subject: Re: Looks like announcement on "CAFE" going Monday at 10am

From whom is Ben hearing this?

Sent from my iPhone

On Mar 3, 2017, at 9:36 AM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202.564.1682 (Washington, DC)
734.214.4207 (Ann Arbor, MI)

From: Hengst, Benjamin
Sent: Friday, March 03, 2017 9:28 AM
To: Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>
Subject: Looks like announcement on "CAFE" going Monday at 10am

That's what I've heard so far. Details hard to come by, will let you know if I hear more, though it sounds like we know what the basic plan is.

ED_001220_00001909-00001

ED_001220_00001909

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Fri 3/3/2017 12:36:55 PM
Subject: Fwd: CAFE discussion draft: joint DOT-EPA notice

See response

Sent from my iPhone

Begin forwarded message:

From: "Schnare, David" <schnare.david@epa.gov>
Date: March 3, 2017 at 7:21:51 AM EST
To: "Dunham, Sarah" <Dunham.Sarah@epa.gov>, "Minoli, Kevin" <Minoli.Kevin@epa.gov>
Cc: "Schmidt, Lorie" <Schmidt.Lorie@epa.gov>, "Orlin, David" <Orlin.David@epa.gov>, "Schwab, Justin" <schwab.justin@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>
Subject: RE: CAFE discussion draft: joint DOT-EPA notice

Sarah:

Ex. 5 - Deliberative Process

dschnare

From: Dunham, Sarah
Sent: Thursday, March 2, 2017 8:34 PM
To: Minoli, Kevin <Minoli.Kevin@epa.gov>
Cc: Schnare, David <schnare.david@epa.gov>; Schmidt, Lorie <Schmidt.Lorie@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Schwab, Justin <schwab.justin@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

ED_001220_00001910-00001

ED_001220_00001910

Kevin, David, Ryan-

Ex. 5 - Deliberative Process

On Mar 2, 2017, at 6:59 PM, Minoli, Kevin <Minoli.Kevin@epa.gov> wrote:

David- Below you will find a response to the questions regarding the procedural requirements that will attach to each phase of a reconsideration of the MTE. Credit goes to David Orlin in our Air and Radiation Law Office. We are comfortable with you sharing this within EPA or the Executive Branch if needed. Thanks, Kevin

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

US Environmental Protection Agency

Main Office Line: 202-564-8040

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

ED_001220_00001910-00003

ED_001220_00001910

Ex. 5 - Deliberative Process and Attorney Client

Appendix:

EPA's regulation governing the Mid-Term Evaluation:

40 CFR 86.1818-12(h)

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022

through 2025, including but not limited to:

- (i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;
- (ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;
- (iii) The feasibility and practicability of the standards;
- (iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;
- (v) The impact of the standards on the automobile industry;
- (vi) The impacts of the standards on automobile safety;
- (vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and
- (viii) The impact of the standards on other relevant factors.

(2) The Administrator shall make the determination required by this paragraph (h) based upon a record that includes the following:

- (i) A draft Technical Assessment Report addressing issues relevant to the standard for the 2022 through 2025 model years;
- (ii) Public comment on the draft Technical Assessment Report;
- (iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and
- (iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

EPA's Process for Undertaking the Mid-Term Evaluation

Ex. 5 - Deliberative Process and Attorney Client

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: "Schnare, David" <schnare.david@epa.gov>
Date: March 2, 2017 at 7:12:19 AM EST
To: "Minoli, Kevin" <Minoli.Kevin@epa.gov>, "Schmidt, Lorie" <Schmidt.Lorie@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Kevin:

Ex. 5 - Deliberative Process

dschnare

From: Schnare, David
Sent: Thursday, March 2, 2017 5:29 AM
To: Catanzaro, Michael J. EOP/WHO
Ex. 6 - Personal Privacy >
Cc: Smith, Loren (OST) <Loren.Smith@dot.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO
Ex. 6 - Personal Privacy >; McCown, Brigham (OST) <brigham.mccown@dot.gov>; Fiorentino, Marty (OST) <marty.fiorentino@dot.gov>; Fulton, Finch (OST) <Finch.Fulton@dot.gov>; Pugliese, Anthony (OST)

ED_001220_00001910-00007

ED_001220_00001910

<anthony.Pugliese@dot.gov>; Moran, John S. EOP/WHO

Ex. 6 - Personal Privacy

Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

dschnare

Sent from my iPhone

On Mar 2, 2017, at 12:27 AM, Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy > wrote:

Ex. 5 - Deliberative Process

Can the group do a call at 9:30 tomorrow?

Sent from my iPhone

On Mar 1, 2017, at 11:55 PM, Smith, Loren (OST)

<Loren.Smith@dot.gov> wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

ED_001220_00001910-00009

ED_001220_00001910

Loren Smith

USDOT

Ex. 6 - Personal Privacy

On Mar 1, 2017, at 11:04 PM, Catanzaro, Michael J.
EOP/WHO **Ex. 6 - Personal Privacy** wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST) [mailto:Loren.Smith@dot.gov]
Sent: Wednesday, March 1, 2017 7:35 PM
To: Schnare, David <schnare.david@epa.gov>
Cc: Catanzaro, Michael J. EOP/WHO
Ex. 6 - Personal Privacy; Jackson, Ryan
<jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO
Ex. 6 - Personal Privacy; McCown, Brigham (OST)
<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)
<marty.fiorentino@dot.gov>; Fulton, Finch (OST)
<Finch.Fulton@dot.gov>; Pugliese, Anthony (OST)
<anthony.Pugliese@dot.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:14 PM, Schnare, David
<schnare.david@epa.gov> wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:11 PM, Catanzaro, Michael J.
EOP/WHO **Ex. 6 - Personal Privacy** wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST)
[mailto:Loren.Smith@dot.gov]
Sent: Tuesday, February 28, 2017 6:02 PM
To: Schnare, David <schnare.david@epa.gov>;
jackson.ryan@epa.gov; Smith, Ja'Ron K. EOP/WHO
Ex. 6 - Personal Privacy; Catanzaro, Michael J.
EOP/WHO <**Ex. 6 - Personal Privacy**>
McCown, Brigham (OST)
<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)
<marty.fiorentino@dot.gov>; Fulton, Finch (OST)
<Finch.Fulton@dot.gov>
Subject: CAFE discussion draft: joint DOT-EPA notice
Importance: High

Gentlemen, as discussed yesterday. Attached please find DOT/NHTSA's initial discussion draft for moving forward on CAFÉ/GHG standards for light-duty vehicles.

We look forward to your comments.

+++

Loren Smith

U.S. Department of Transportation

West Building – W85-115

loren.smith@dot.gov

Ex. 6 - Personal Privacy

<MTE reg.docx>

ED_001220_00001910-00012

ED_001220_00001910

To: Grundler, Christopher[grundler.christopher@epa.gov]
From: Dunham, Sarah
Sent: Fri 3/3/2017 1:36:42 AM
Subject: Fwd: CAFE discussion draft: joint DOT-EPA notice

FYI

Begin forwarded message:

From: "Dunham, Sarah" <Dunham.Sarah@epa.gov>
Date: March 2, 2017 at 8:33:53 PM EST
To: "Minoli, Kevin" <Minoli.Kevin@epa.gov>
Cc: "Schnare, David" <schnare.david@epa.gov>, "Schmidt, Lorie" <Schmidt.Lorie@epa.gov>, "Orlin, David" <Orlin.David@epa.gov>, "Schwab, Justin" <schwab.justin@epa.gov>, "Jackson, Ryan" <jackson.ryan@epa.gov>
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Kevin, David, Ryan-

Ex. 5 - Deliberative Process

Sarah

On Mar 2, 2017, at 6:59 PM, Minoli, Kevin <Minoli.Kevin@epa.gov> wrote:

David- Below you will find a response to the questions regarding the procedural requirements that will attach to each phase of a reconsideration of the MTE. Credit goes to David Orlin in our Air and Radiation Law Office. We are comfortable with you sharing this within EPA or the Executive Branch if needed. Thanks, Kevin

Kevin S. Minoli

Acting General Counsel

Office of General Counsel

ED_001220_00001911-00001

ED_001220_00001911

Ex. 5 - Deliberative Process and Attorney Client

ED_001220_00001911-00002

ED_001220_00001911

Ex. 5 - Deliberative Process and Attorney Client

ED_001220_00001911-00003

ED_001220_00001911

Appendix:

EPA's regulation governing the Mid-Term Evaluation:

40 CFR 86.1818-12(h)

(h) *Mid-term evaluation of standards.* No later than April 1, 2018, the Administrator shall determine whether the standards established in paragraph (c) of this section for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act, in light of the record then before the Administrator. An opportunity for public comment shall be provided before making such determination. If the Administrator determines they are not appropriate, the Administrator shall initiate a rulemaking to revise the standards, to be either more or less stringent as appropriate.

(1) In making the determination required by this paragraph (h), the Administrator shall consider the information available on the factors relevant to setting greenhouse gas emission standards under section 202(a) of the Clean Air Act for model years 2022 through 2025, including but not limited to:

(i) The availability and effectiveness of technology, and the appropriate lead time for introduction of technology;

(ii) The cost on the producers or purchasers of new motor vehicles or new motor vehicle engines;

(iii) The feasibility and practicability of the standards;

(iv) The impact of the standards on reduction of emissions, oil conservation, energy security, and fuel savings by consumers;

(v) The impact of the standards on the automobile industry;

(vi) The impacts of the standards on automobile safety;

(vii) The impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program; and

(viii) The impact of the standards on other relevant factors.

(2) The Administrator shall make the determination required by this paragraph (h) based upon a record that includes the following:

(i) A draft Technical Assessment Report addressing issues relevant to the standard for

the 2022 through 2025 model years;

(ii) Public comment on the draft Technical Assessment Report;

(iii) Public comment on whether the standards established for the 2022 through 2025 model years are appropriate under section 202(a) of the Clean Air Act; and

(iv) Such other materials the Administrator deems appropriate.

(3) No later than November 15, 2017, the Administrator shall issue a draft Technical Assessment Report addressing issues relevant to the standards for the 2022 through 2025 model years.

(4) The Administrator will set forth in detail the bases for the determination required by this paragraph (h), including the Administrator's assessment of each of the factors listed in paragraph (h)(1) of this section.

EPA's Process for Undertaking the Mid-Term Evaluation

Ex. 5 - Deliberative Process and Attorney Client

Ex. 5 - Deliberative Process and Attorney Client

David Orlin

U.S. EPA, Office of General Counsel

(202) 564-1222

From: "Schnare, David" <schnare.david@epa.gov>
Date: March 2, 2017 at 7:12:19 AM EST
To: "Minoli, Kevin" <Minoli.Kevin@epa.gov>, "Schmidt, Lorie" <Schmidt.Lorie@epa.gov>
Subject: FW: CAFE discussion draft: joint DOT-EPA notice

Kevin:

Ex. 5 - Deliberative Process

ED_001220_00001911-00006

ED_001220_00001911

Ex. 5 - Deliberative Process

dschnare

From: Schnare, David
Sent: Thursday, March 2, 2017 5:29 AM
To: Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy >
Cc: Smith, Loren (OST) <Loren.Smith@dot.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO <brigham.mccown@dot.gov>; McCown, Brigham (OST) <marty.fiorentino@dot.gov>; Fiorentino, Marty (OST) <Finch.Fulton@dot.gov>; Fulton, Finch (OST) <anthony.pugliese@dot.gov>; Pugliese, Anthony (OST) <anthony.pugliese@dot.gov>; Moran, John S. EOP/WHO

Ex. 6 - Personal Privacy
Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

dschnare

Sent from my iPhone

On Mar 2, 2017, at 12:27 AM, Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Can the group do a call at 9:30 tomorrow?

Sent from my iPhone

On Mar 1, 2017, at 11:55 PM, Smith, Loren (OST)

<Loren.Smith@dot.gov> wrote:

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Loren Smith

USDOT

Ex. 6 - Personal Privacy

On Mar 1, 2017, at 11:04 PM, Catanzaro, Michael J.

EOP/WHO **Ex. 6 - Personal Privacy** > wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST) [<mailto:Loren.Smith@dot.gov>]

Sent: Wednesday, March 1, 2017 7:35 PM

To: Schnare, David <schnare.david@epa.gov>

Cc: Catanzaro, Michael J. EOP/WHO

Ex. 6 - Personal Privacy >; Jackson, Ryan

<jackson.ryan@epa.gov>; Smith, Ja'Ron K. EOP/WHO

Ex. 6 - Personal Privacy; McCown, Brigham (OST)

<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)

<marty.fiorentino@dot.gov>; Fulton, Finch (OST)

<Finch.Fulton@dot.gov>; Pugliese, Anthony (OST)

<anthony.Pugliese@dot.gov>

Subject: Re: CAFE discussion draft: joint DOT-EPA notice

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:14 PM, Schnare, David
<schnare.david@epa.gov> wrote:

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 1, 2017, at 7:11 PM, Catanzaro, Michael J.
EOP/WHO **Ex. 6 - Personal Privacy** > wrote:

Ex. 5 - Deliberative Process

From: Smith, Loren (OST)
[mailto:Loren.Smith@dot.gov]
Sent: Tuesday, February 28, 2017 6:02 PM
To: Schnare, David <schnare.david@epa.gov>;
jackson.ryan@epa.gov; Smith, Ja'Ron K. EOP/WHO
Ex. 6 - Personal Privacy >; Catanzaro, Michael J.
EOP/WHO; **Ex. 6 - Personal Privacy** >;
McCown, Brigham (OST)
<brigham.mccown@dot.gov>; Fiorentino, Marty (OST)
<marty.fiorentino@dot.gov>; Fulton, Finch (OST)
<Finch.Fulton@dot.gov>
Subject: CAFE discussion draft: joint DOT-EPA notice
Importance: High

Gentlemen, as discussed yesterday. Attached please find DOT/NHTSA's initial discussion draft for moving forward on CAFÉ/GHG standards for light-duty vehicles.

We look forward to your comments.

+++

Loren Smith

U.S. Department of Transportation

West Building – W85-115

loren.smith@dot.gov

Ex. 6 - Personal Privacy

<MTE reg.docx>

To: Acevedo, Frank[acevedo.francisco@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Argyropoulos, Paul[Argyropoulos.Paul@epa.gov]; Audette, Lucie[audette.lucie@epa.gov]; Barba, Daniel[Barba.Daniel@epa.gov]; Beardslee, Renee[Beardslee.Renee@epa.gov]; Beardsley, Megan[Beardsley.Megan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Bizer-Cox, Daniel[Bizer-Cox.Daniel@epa.gov]; Blubaugh, Jim[Blubaugh.Jim@epa.gov]; Bradish, Tracey[bradish.tracey@epa.gov]; Brusstar, Matt[brusstar.matt@epa.gov]; Bunker, Byron[bunker.byron@epa.gov]; Burch, Julia[Burch.Julia@epa.gov]; Bynum, Cheryl[bynum.cheryl@epa.gov]; Caldwell, Amy[caldwell.amy@epa.gov]; Charmley, William[charmley.william@epa.gov]; Chatfield, Ethan[chatfield.ethan@epa.gov]; Clark, Sarah[clark.sarah@epa.gov]; Cohen, Janet[cohen.janet@epa.gov]; Cook, Leila[cook.leila@epa.gov]; Cullen, Angela[cullen.angela@epa.gov]; Dickinson, David[Dickinson.David@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Dotzel, Kathryn[dotzel.kathryn@epa.gov]; Fowlkes, Sarah[fowlkes.sarah@epa.gov]; Galano, Fidel[Galano.Fidel@epa.gov]; Grundler, Christopher[grundler.christopher@epa.gov]; Haley, Mike[Haley.Mike@epa.gov]; Hassan, Nora[hassan.nora@epa.gov]; Haugen, David[haugen.david@epa.gov]; Helfand, Gloria[helfand.gloria@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Henning, Julie[henning.julie@epa.gov]; Hoyer, Marion[hoyer.marion@epa.gov]; Hula, Aaron[Hula.Aaron@epa.gov]; Imfeld, Sterling[imfeld.sterling@epa.gov]; Jackson, Cleophas[jackson.cleophas@epa.gov]; Johnson, Dennis[Johnson.Dennis@epa.gov]; Keller, Jennifer[Keller.Jennifer@epa.gov]; Kolowich, Bruce[kolowich.bruce@epa.gov]; Le, Madison[Le.Madison@epa.gov]; Levin, David[Levin.David@epa.gov]; Lie, Sharyn[Lie.Sharyn@epa.gov]; Machiele, Paul[machiele.paul@epa.gov]; Maguire, Andrea[Maguire.Andrea@epa.gov]; Manners, Mary[manners.mary@epa.gov]; McCubbin, Courtney[McCubbin.Courtney@epa.gov]; Meekins, Tanya[Meekins.Tanya@epa.gov]; Michaels, Harvey[Michaels.Harvey@epa.gov]; Miller, Patrick[miller.patrick@epa.gov]; Mitchell, George[Mitchell.George@epa.gov]; Moltzen, Michael[Moltzen.Michael@epa.gov]; Mylan, Christopher[Mylan.Christopher@epa.gov]; Nam, Ed[nam.ed@epa.gov]; Nelson, Brian[nelson.brian@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Patulski, Meg[patulski.meg@epa.gov]; Peralta, Maria[Peralta.Maria@epa.gov]; Revelt, Jean-Marie[revelt.jean-marie@epa.gov]; Samulski, Michael[samulski.michael@epa.gov]; Sargeant, Kathryn[sargeant.kathryn@epa.gov]; Schenk, Ruth[schenk.ruth@epa.gov]; Schweinfurth, Rob[Schweinfurth.Rob@epa.gov]; Scoville, Pat[Scoville.Pat@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]; Spears, Matthew[spears.matthew@epa.gov]; Spieth, John[Spieth.John@epa.gov]; Storhok, Ines[storhok.ines@epa.gov]; Suarez, Patricia[suarez.patricia@epa.gov]; Sun, Lisa[Sun.Lisa@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]; VanGessel, Benjamin[vangessel.benjamin@epa.gov]; Vawters, Katie[Vawters.Katie@epa.gov]; Watkins, Erica[Watkins.Erica@epa.gov]; Wehrly, Linc[wehrly.linc@epa.gov]; Weihrauch, John[Weihrauch.John@epa.gov]; Wilcox, Jason[Wilcox.Jason@epa.gov]; Witkowski, Nicolas[witkowski.nicolas@epa.gov]; Yarbrough, Cody[yarbrough.cody@epa.gov]; Zaremski, Sara[zaremski.sara@epa.gov]

From: Richards, David
Sent: Fri 2/24/2017 4:00:12 PM
Subject: OTAQ Daily News Brief

OTAQ Daily News Brief

****Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at richards.david@epa.gov. Feedback welcomed. Thanks and enjoy!**

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ReutersOil industry infighting heats up as EPA weighs biofuels rule change

Chris Prentice

Oil companies showed deepening divides on the future of the U.S. biofuels program in solicited comments from the Environmental Protection Agency (EPA) over a plan sought by some refiners to shift the program's financial burden to retailers and blenders. All sides are pushing hard, seizing the opportunity to test President Donald Trump's commitment to the program. Trump has supported the program, but top figures in his administration have criticized it. Refiners, integrated oil companies, fuel retailers and biofuels manufacturers flooded the EPA with comments on its plan to deny requests from refiners to tweak the U.S. Renewable Fuel Standard (RFS) by pushing the compliance burden further downstream. Within the oil industry, the fight pits Valero Energy Corp and billionaire Carl Icahn against refiners like Marathon Petroleum Corp. Biofuels advocates are worried about losing progress into the U.S. fuel stream since lawmakers established the RFS program in 2005 under then President George W. Bush. In November, the Obama administration EPA said it was prepared to deny requests from oil refiners to shift compliance obligations, but opened that decision to public comments, due on Wednesday.

BloombergVW Executive Pleads Not Guilty as 5 Avoid U.S. Diesel Case

A Volkswagen AG compliance executive arrested in the U.S. over the company's emissions-cheating scandal pleaded not guilty to charges of fraud and conspiracy as five others remain outside prosecutors' reach. Oliver Schmidt, a German national, was arrested last month in the U.S. while on vacation in Florida. The five other executives based in Germany, also indicted by the U.S. for their alleged roles in the scheme, have stayed home where they are protected from extradition. Schmidt, the company's liaison with U.S. regulators, stood silently in a red prison jumpsuit while handcuffed as U.S. Magistrate Judge Steven Whalen entered the plea in Detroit. Schmidt's lawyer, David DuMouchel, told reporters he will seek bond for his client, who has been in federal custody since his January arrest. DuMouchel declined to comment on whether Schmidt will cooperate with prosecutors. Volkswagen agreed last month to pay \$4.3 billion in penalties and plead guilty to using false statements to import cars in the U.S. and to obstructing investigations. VW is scheduled to enter the plea in federal court in Detroit March 10.

Los Angeles Times

Can California go its own way on federal environmental protections? These lawmakers want to try

California lawmakers want to build a regulatory wall around the state, opening a new front in their brewing war with President Trump as they try to prevent any rollbacks in federal rules from weakening environmental protections here. The new legislation, announced Thursday by Senate President Pro Tem Kevin de León (D-Los Angeles) and his colleagues, is an attempt to ensure federal rules on air quality, water protection, endangered species and worker safety would stay on the books in California even if they're loosened in Washington. Federal standards in place before Trump took office would become enforceable by state officials in California. "California can't afford to go back to the days of unregulated pollution," De León said at a news conference outside the Capitol. "We're not going to let this administration or any other undermine our progress." Another measure would try to prevent Washington from selling federal land in California to private developers without first offering it to state officials. A third proposal would protect federal workers, such as engineers and lawyers, from losing state certifications and licenses if they blow the whistle on problems at their agencies.

New York Times

Automakers Call on E.P.A. Chief to Ease Fuel-Efficiency Standards

President Trump has vowed to roll back regulations on business, and automakers are wasting no time in pushing his administration to make good on the promise. Two lobbying groups representing auto manufacturers have written letters urging the new head of the Environmental Protection Agency, Scott Pruitt, to reverse a decision last month by the Obama administration to move forward with tougher fuel-economy standards that carmakers are supposed to meet by 2025. Automakers contend the gas-mileage targets will be difficult and expensive to hit and will force them to produce more high-mileage cars at a time when most Americans are buying sport utility vehicles, trucks and other roomy models that are less fuel-efficient and more profitable. The Obama administration's fuel-economy targets "threaten to depress an industry that can ill afford spiraling regulatory costs," Mitch Bainwol, the chief executive of the Alliance of Automobile Manufacturers, wrote in a letter on Tuesday. The group represents 12 manufacturers, including General Motors, Ford Motor and Fiat Chrysler Automobiles.

Automotive News (Editorial)

Industry must accept r&d cost for cleaner air, then charge for it

Listening to the recent rhetoric from the Detroit 3, you'd think the auto industry had been bleeding red ink since striking the CAFE agreement with the Obama administration, sitting on acres of unsalable wind-powered golf carts and handing out pink slips by the millions. On the

contrary, the latest CAFE round has coincided with rather robust growth in jobs, sales, profits, horsepower and fuel economy. These may not all be correlated, but clearly, higher profits, better product and environmental progress can coexist. The industry is far more capable than its executives admit. Case in point: The new Chevrolet Cruze diesel, which just notched a highway rating of 52 mpg. Assuming they're not cheating (alas, we must apply this boilerplate industrywide now), GM's engineers are achieving what the industry lobby suggests is too difficult. Did GM have to mortgage its headquarters to hit that number? No, but it will charge a reasonable premium for the things that make its clean emissions and mpg miracle possible, pushing the car's price to about \$25,000. The people who want it will have to pay for it. And that's the right way to deal with the cost of fuel-saving technology. Don't backtrack or complain about it; we've come too far for that. Rather, accept it, itemize it on the vehicle sticker and charge for it. Let the consumer pay the price at the dealership and reap the rewards over time at the filling station.

Green Car Reports

[Speedy growth of electric cars will challenge automakers](#)

Stephen Edelstein

Estimates of electric-car market share over the coming decades vary wildly, but certain trends seem to be working in their favor. Battery prices should continue to fall, and tougher global emissions standards may put increasing pressure on automakers to build larger numbers of electric cars. But can automakers handle a sudden increase in electric-car production brought on by these factors? Not easily, according to new analysis. Electric cars will arrive in large numbers more speedily than anticipated, and the transition away from internal-combustion cars could prove painful for automakers, according to a recent article published in *The Economist*. Among the more optimistic predictions, Morgan Stanley has said electric cars will grow from less than 1 percent of the global new-car market to around 7 percent by 2025, and rack up 7 million sales per year by that time. Anticipated lower prices for battery cells are part of the reason for that optimism. Exane BNP Paribas predicts that the cost of a 300-mile electric car will fall to \$30,000 by the early 2020s. Other analyses have predicted that battery costs will go below \$100 per kilowatt-hour in the next few years, passing what many consider to be the barrier for cost parity with internal-combustion cars. At the same time, the cost of making internal-combustion engines compliant with stricter global emissions standards may force a transition to battery-electric powertrains, *The Economist* argues.

Houston Chronicle

[Carmakers want easing of fuel-efficiency targets](#)

The world's biggest automakers have asked Environmental Protection Agency Administrator

Scott Pruitt to reconsider a recent decision to lock in strict fuel efficiency standards for cars and light trucks to be produced in model years 2022 to 2025. The requests by the Alliance of Automobile Manufacturers and the Association of Global Automakers to relax the standards, which former President Barack Obama's administration finalized Jan. 13, could provide the first indication of how the Trump administration will reshape the government's approach to addressing climate change. Under Obama, the EPA used its authority to set the first fuel economy standards to regulate carbon emissions from the auto industry. In 2012, when the EPA and the National Highway Traffic Safety Administration adopted rules requiring the nation's car and light-truck fleet to average 54.5 miles per gallon by 2025, the EPA agreed to review the target in 2017 to determine whether it was still feasible. The Obama administration accelerated that midterm review and recently determined the target was still achievable even though the increased sales of sport-utility vehicles and pickup trucks was depressing the auto fleet's overall fuel economy.

Heavy Duty Trucking

U.S. Cross-Border Freight Value Inches Higher, Trucking's Share Falls

The value of freight moved between the U.S. and its border neighbors increased in December for the third time in five months following a string of declines, according to new figures released Thursday by the Transportation Department. U.S.-North American Free Trade Agreement (NAFTA) freight totaled \$87.1 billion as three out of five major transportation modes carried more freight by value with partners Canada and Mexico in December 2016 compared to a year earlier. The 0.4% rise followed a 3.3% November jump while trucking's share of the overall cross-border freight picture fell in December. For all of 2016 the value of NAFTA freight flows fell 3.4% from 2015, down substantially from the 7.2% decline in 2015 from 2014. The value of commodities moving by pipeline in December compared to a year earlier increased 30.9%, vessel by 2%, and rail by 0.9%. Air decreased by 1.4%, and truck by 2%. The large percentage increase in the value of goods moving by pipeline was mainly due to a 40% jump in the year-over-year price of crude oil. Trucks carried 61.9% of U.S.-NAFTA freight and continued to be the most heavily utilized mode for moving goods to and from both U.S.-NAFTA partners. Trucks accounted for \$27.4 billion of the \$46.8 billion of imports, or 58.6%, and \$26.4 billion of the \$40.3 billion of exports, or 65.6%. Rail remained the second largest mode by value, moving 15.2% of all U.S.-NAFTA freight.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

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ED_001220_00001928

ph. 202.564.4964

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ED_001220_00001928

To: Grundler, Christopher[grundler.christopher@epa.gov]; Dunham, Sarah[Dunham.Sarah@epa.gov]
From: Lewis, Josh
Sent: Tue 2/21/2017 9:21:08 PM
Subject: RE: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Thanks. I agree.

From: Grundler, Christopher
Sent: Tuesday, February 21, 2017 3:47 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>
Cc: Lewis, Josh <Lewis.Josh@epa.gov>
Subject: FW: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
Importance: High

Fyi; another letter coming from Global Automakers making same request. I am not recommending that this needs to be in the overview briefing because there is no emergency here

From: Susan Conti [<mailto:sconti@autoalliance.org>]
Sent: Tuesday, February 21, 2017 1:02 PM
To: Pruitt, Scott <Pruitt.Scott@epa.gov>; pruitt.gscott@epa.gov
Cc: marianne.mcinerney@dot.gov; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Kevin.Green@dot.gov; james.tamm@dot.gov; rebecca.yoon@dot.gov; annette.hebert@arb.ca.gov; michael.mccarthy@arb.ca.gov; Chris Nevers <CNevers@autoalliance.org>; David Schwietert <DSchwietert@autoalliance.org>; Gloria Bergquist <GBERGQUIST@autoalliance.org>; John Whatley <JWhatley@autoalliance.org>
Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
Importance: High

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

Mitch Bainwol

President and CEO

March 22, 2017

Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1101A
Washington, D.C. 20460

Re: 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission Standards

Dear Administrator Pruitt:

As the environmental agency heads for the states of Connecticut, Delaware, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington, and the District of Columbia, we write to urge you to maintain the U.S. Environmental Protection Agency's (EPA's) "Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards." While the record suggests that more stringent standards may be appropriate, we agree with EPA's January 13, 2017 decision to keep the current national greenhouse gas (GHG) standards for model year (MY) 2022-2025 to provide automobile manufacturers with regulatory certainty. We also support maintaining these national standards in order to maximize environmental and economic benefits and to ensure that the United States continues as a world leader in advanced vehicles. In addition, we strongly urge you to respect the independent authority of California to implement its own standards and the right of other states to opt into those California standards to meet the environmental challenges we face.

As part of the 2012 rulemaking establishing the MY 2017-2025 light-duty vehicle GHG standards, which the automobile manufacturers strongly endorsed, EPA made a commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025. After conducting a robust evaluation of an extensive technical record and providing multiple opportunities for public input, EPA determined that the standards for MY 2022-2025 are still appropriate under section 202(a) of the federal Clean Air Act. EPA's completion of the Midterm Evaluation ahead of schedule does not provide grounds to reopen or alter EPA's determination, nor does it change the facts supporting the decision. The record clearly shows that technologies needed to meet the standards are here today, automakers are expected to meet the standards at lower costs than previously estimated, and many other technologies in active development may provide even more cost effective compliance options. The record also establishes that the standards will save consumers money on fuels that will then be available to invest in other areas of the economy, provide public health and welfare benefits, and will not negatively impact the economic viability of the automobile industry or vehicle safety.

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In addition, we strongly urge you to resist industry lobbying to attempt to revoke the waiver issued to California to implement its own GHG standards. You have often spoken of the importance of states' rights, and the right of California to establish and enforce standards that are needed to meet its environmental challenges is fundamental to the Clean Air Act, as is the right of other states to opt into the California standards. California's authority to adopt its own standards has been recognized for the past half century by EPA Administrators on a bipartisan basis. Any effort to revoke EPA's waiver decision for California's standards would be unprecedented, run afoul of the statutory criteria for granting or denying a waiver in section 209(b) of the federal Clean Air Act, and undermine our state rights. In granting a waiver for California's GHG standards, EPA determined that California met its burden and an even stronger waiver case could be made today. Moreover, our states continue to have broad bipartisan support for the authority Congress granted to states in section 177 of the Clean Air Act to adopt and enforce California standards that are more protective of public health and welfare.

For these reasons, we respectfully request that you preserve EPA's current GHG standards for MY 2022-25 and leave California's waiver intact.

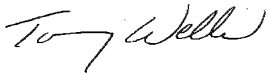
Sincerely,



Robert Klee
Commissioner
Connecticut Department of Energy and Environmental Protection




Shawn Garvin
Secretary
Delaware Department of Natural Resources and Environmental Control



Tommy Wells
Director
D.C. Department of Energy and Environment



Ben Grumbles
Secretary
Maryland Department of the Environment



Martin Suuberg
Commissioner
Massachusetts Department of Environmental Protection



Basil Seggos
Commissioner
New York Department of Environmental Conservation



Richard Whitman
Director
Oregon Department of Environmental Quality



Patrick McDonnell
Acting Secretary
Pennsylvania Department of Environmental Protection



Janet Coit
Director
Rhode Island Department of Environmental Management



Maia Bellon
Director
Department of Ecology
State of Washington



Emily Boedecker
Commissioner
Vermont Department of Environmental Conservation

cc: Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Mary Nichols
Chairman
California Air Resources Board
1001 "I" Street
Sacramento, California 95814

From: John Lippert (BLOOMBERG/ NEWSROOM:)
Sent: Thur 1/26/2017 10:36:45 AM
Subject: (BN) Trump Revives Auto Efficiency Debate With Pledge to Slash Rules

Good morning. Here's an update we published this morning on the mid-term GHG/CAFE review. I'll send a couple other stories from yesterday on President Trump and the auto industry. Tks John Lippert

Trump Revives Auto Efficiency Debate With Pledge to Slash Rules
2017-01-26 10:00:00.8 GMT

By Ryan Beene and John Lippert

(Bloomberg) -- President Donald Trump's pledge to ease environmental regulations hands automakers a second chance to amend the U.S. vehicle efficiency standards that the Obama administration sought to finalize in its final days.

In a White House meeting Tuesday with the chief executives of General Motors Co., Ford Motor Co. and Fiat Chrysler Automobiles NV, Trump called environmental regulations "out of control." That re-opened a debate automakers say was unfairly cut short when President Barack Obama issued a final determination on greenhouse gas emissions standards through model year 2025 a week before Trump's inauguration.

"We are optimistic that these issues will get a fresh look," said Gloria Bergquist, a spokeswoman for the Alliance of Automobile Manufacturers, a trade group representing the three Detroit-based auto manufacturers and nine other carmakers. "Both our customers and those who work in the vital auto sector deserve no less."

Yet even as the new administration lends carmakers a more willing ear, California's powerful Air Resources Board remains the wild card. The agency sets its own efficiency targets, and could upend the coordinated rules that enable carmakers to sell the same cars and trucks in all 50 states.

Read more: Thwarting Auto Fuel-Economy Rule Unlikely a 100-Day Priority

The stakes are enormous. Relaxed standards would make it easier for the companies to sell more of the light trucks that account for the bulk of U.S. carmaker profits. But it could also put the industry at odds with consumer groups, who compare automaker opposition to environmental measures to the initial opposition to air bags and seat belts.

"If President Trump were to roll back the fuel efficiency standards, the biggest victims would be the voting block that put him into office, because these standards save consumers

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ED_001220_00001968

money, period," said Jack Gillis, spokesman for the Consumer Federation of America.

Automakers have argued that the Obama administration's vehicle efficiency standards are too costly in an era of cheap U.S. gasoline prices and tepid demand for the most efficient vehicles. They also contend the regulations could impact U.S. auto-sector employment. At the same time, they are reluctant to pursue a major rollback of the overall efficiency goals because they've already made significant investments in clean car programs.

"The auto industry generally wants to keep the long-term goals," said Robert Bienenfeld, assistant vice president for environmental policy at Honda Motor Co. in the U.S. "We're just looking for some near-term relief or flexibilities, because it's very, very challenging. It's not like the industry wants to do away with regulations. The question is 'what's the best approach?'"

Broad Support

With broad support from automakers, the Obama administration brokered a deal in 2011 to align the efficiency standards from the EPA, the U.S. Department of Transportation and the California Air Resources Board that initially called for a 54.5 miles per gallon fleet average by 2025. Now the EPA expects a fleet average of 50.8 mpg, from 35.3 today. The parties also agreed to a mid-term evaluation of the rules. But the EPA shocked the auto industry by moving on Jan. 13 to conclude its portion of the mid-term evaluation, finding its 2022-2025 emissions standards were feasible and needed no change. To change the rules, the Trump administration would need to initiate a new rulemaking -- a process that could take more than a year.

But automakers may have a quicker remedy. They could push for changes through the National Highway Traffic Safety Administration, which must promulgate fresh Corporate Average Fuel Economy standards for the 2022-2025 model years. That rulemaking is expected to begin by mid-2017.

Economy Standards

NHTSA's CAFE targets may remain aligned with the EPA's standards, "but the whole idea is it could also change," former NHTSA Administrator Mark Rosekind said in a Jan. 17 interview, before he left the agency.

"Everyone agrees that the NHTSA fuel economy standards and

the EPA's greenhouse gas standards should be harmonized," said Jeff Holmstead, a former assistant administrator of EPA for Air & Radiation and now a partner at law firm Bracewell LLP. "That's what the Obama folks did, and I would expect the Trump administration to do the same thing."

Along the way, California regulators have signaled they're unwilling to back down from their own set of ambitious efficiency standards in the largest auto sales market among U.S. states. Last week, staff recommended that the agency boost its requirement for zero-emission vehicles and plug-in hybrids to as much as 40 percent of each automaker's sales by 2030, up from three percent now. They also warned Sacramento could go its own way.

On the same day, Oklahoma Attorney General Scott Pruitt, Trump's nominee for EPA administrator, said he'd also review California's ability to chart its own course, embedded in the 1970 Clean Air Act, setting up a possible showdown. Pruitt also said he'd review the EPA's mid-term evaluation conclusion.

To contact the reporters on this story:

Ryan Beene in Washington at rbeene@bloomberg.net;

John Lippert in Chicago at jlippert@bloomberg.net

To contact the editors responsible for this story:

Jon Morgan at jmorgan97@bloomberg.net

Elizabeth Wasserman

To: Simon, Karl[Simon.Karl@epa.gov]
From: Grundler, Christopher
Sent: Mon 3/13/2017 4:26:39 PM
Subject: Re: Detroit News OPED and Stories

Robbie--

Sorry for the delay. Thanks for sharing these --I enjoyed reading them.

C--

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202/564-1682 (Washington DC)
734/214-4207 (Ann Arbor MI)

On Mar 9, 2017, at 8:07 PM, Simon, Karl <Simon.Karl@epa.gov> wrote:

Thanks. Nice to see Robbie reflecting some of our thoughts.

Driving Innovation in Clean Transportation

On Mar 9, 2017, at 5:29 PM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202.564.1682 (Washington, DC)
734.214.4207 (Ann Arbor, MI)

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ED_001220_00002026

From: Robbie Diamond [<mailto:RDiamond@secureenergy.org>]
Sent: Thursday, March 09, 2017 3:45 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Detroit News OPED and Stories

Chris,

I hope you are ok. I am sure it is busy. I look forward to getting together soon.

Below are two of the stories I was quoted in, and we expect more based on interviews with me and some ESLC members. Prior to the stories is the OpEd out ESLC members authored about not fighting every war and losing the common battle.

I believe we are coming in to see the new Administrator on March 28.

Regards,

Robbie

<image004.jpg>

Column: Make energy security top goal

James T. Conway and David D. McKiernan

March 7, 2017

President Trump's America first energy plan gets it right by identifying oil as a strategic commodity, and placing our energy security front and center. This administration understands the acute and continued national security threat posed by our oil dependence and the OPEC cartel that distorts global oil prices; we urge them to leverage this awareness to modernize and improve fuel economy standards.

We support Trump's stance to increase domestic oil production, which has already halved our imports of foreign oil over the past decade. But regardless of how much we drill at home, the price for oil is set globally, meaning that reducing oil imports won't counter our primary energy security vulnerability: The fact that oil accounts for 92 percent of U.S. transportation energy, is highly volatile in price and is predominately supplied from nations that don't share U.S. values or strategic interests.

Fuel economy standards — federal rules requiring more efficient vehicles which were originally developed in 1970s following the OPEC oil embargo — have served the country well. Following reforms over the past decade, current rules set a goal of overall efficiency improvements of 4 percent per year through 2025. These rules are well-intentioned, but rely on outdated structures that regulate individual vehicles rather than addressing technological opportunities to improve the transportation system as a whole.

Our experience in this debate suggests that the various sides of the fuel economy issue are far closer than many believe. However, the primary stakeholders must work together. The Environmental Protection Agency and National Highway Traffic Safety Administration should harmonize their rulemaking and the administration should resist calls to scrap the standards. California should re-commit to one national program to avoid the real risk of a backlash that leads to reconsideration of the state's special rule-making authority.

To reach a workable consensus, we suggest the following principles. First, we should continue the commitment to one national program on fuel economy and avoid competing regulations at the state and federal level.

Second, if necessary, the government should offer the industry some relief between 2022 and 2025 to account for the impact low gasoline prices have on vehicle

purchasing decisions.

Third, the standards should account for autonomous vehicles and new ridesharing business models. Driverless and driver-assist features can also have a measurable impact on a car's efficiency, but current rules don't account for technologies that are already on the road.

Fourth, given the rapid pace of change, the new framework should incorporate five-year reviews to assess progress and ensure that regulations still reflect economic and behavioral realities.

These steps will provide additional certainty to the benefit of all stakeholders — offering automakers greater flexibility to achieve the standards, while reducing oil demand at a faster pace due to new technology and providing greater consumer choice.

We have the opportunity to counter OPEC's manipulation by implementing a strategy that protects the nation, creates jobs, protects human health, and keeps America on the forefront of new technology.

Retired General James T. Conway served as the 34th commandant of the U.S. Marine Corps and the co-chair of the SAFE Energy Security Leadership Council. Retired General David D. McKiernan was the commander, U.S. Forces Afghanistan and the International Security Assistance Force in Afghanistan.

<image005.jpg>

Enviros, lawmakers try to head off regulatory rollbacks

Camille von Kaenel

March 7, 2017

Environmental groups, lawmakers and national security advocates are trying to preempt any administration move to soften fuel economy standards by warning that such action would be caught up in lengthy litigation and create uncertainty for automakers.

As early as this week, U.S. EPA and the Transportation Department will begin reconsidering whether to loosen vehicle emissions standards by restarting a review that the Obama administration finalized in its final days.

The Trump administration is also considering revoking California's waiver to set its own, stronger vehicle emission rules, according to several media reports.

California, plus 12 states that have followed its lead, are ready to engage in a lengthy court battle to protect the status quo, environmental advocates warned.

There is no precedent or clause in the Clean Air Act for revoking a waiver that has already been granted. California leaders, including state Senate President Pro Tem Kevin de León (D), have vowed a fierce fight.

"California and other states would have a very strong legal counterattack, which also illustrates why this whole change in course is so counterproductive," said Ken Kimmell, president of the Union of Concerned Scientists.

"All it's going to do is tie everything up in litigation and put automakers in a worse place, which is having uncertainty on whether they need to meet these 2025 standards," he said.

'Swerving off a cliff'

It's unlikely that restarting the so-called midterm review — which would open the possibility for EPA to loosen existing 2025 targets for vehicle emissions — could itself be subject to legal challenge.

Still, the Obama administration's decision to close the review in an attempt to lock in 2025 rules turned the process into a lightning rod.

Twelve Democratic senators warned EPA Administrator Scott Pruitt in a letter today that reopening the review would "weaken our energy security, harm consumers, and increase global warming pollution."

They also said the move would "create needless uncertainty for the auto industry and hinder the industry's ongoing process."

Sen. Ed Markey (D-Mass.), who co-authored the 2007 legislation to increase fuel economy, told reporters during a conference call that "Auto companies want the standards to ease, but by jumping in a speeding car with the Trump administration, they're putting themselves in danger of swerving off a cliff."

Neither automakers nor the administration have signaled what outcome they want from the review, other than putting it back on schedule for completion by April 2018.

Car companies have long wanted to eliminate slight differences between the standards put forward by EPA, the National Highway Traffic Safety Administration and the California Air Resources Board to avoid any uncertainty.

Environmental advocates decried any possibility that the targets would ultimately be loosened, which would require a new rule. Greens said they would expect opposition

to extend beyond the normal rulemaking process.

"If the Trump administration does want to weaken the standards, you can count on the fact that states would want to keep them and would join in a lawsuit to maintain them," said Kimmell.

The administration would have to put forward significant new data to back a conclusion different from the one by the Obama administration to overcome legal challenges, he said.

'Snapback'?

EPA, in a massive technical report last summer, found that automakers could continue to meet and exceed the standards with available and impending technologies at little extra cost, echoing a similar finding by the National Academies of Sciences, Engineering and Medicine.

Automakers say those findings do not take changing consumer preferences for big trucks over small, fuel-efficient cars enough into account.

Dan Becker, director of the Safe Climate Campaign, also warned about the possibility of a "snapback" to tighter rules after the Trump administration.

Securing America's Future Energy CEO Robbie Diamond, who advocates for fuel economy standards as a way of boosting national security and reducing dependence on foreign oil, warned that "just fighting court cases" might get in the way of reducing greenhouse gas emissions.

"California and the government should be fighting [OPEC] together," he said. "If we fight each one of these battles — who should regulate, and why should they regulate, or how many years should it be — each of these battles takes time, and we will ultimately lose the war."

Diamond said he has advised administration officials to use the new review to look at regulating transportation as a whole rather than just on a vehicle-by-vehicle basis.

The goal would be to better take into account the environmental and fuel-use benefits of autonomous vehicles and ride-sharing networks. The plan includes some relief for automakers and early planning for rules beyond 2025.

"Going back to the normal schedule is not the end of the world, but it can be used as an opportunity to bring new technologies to the table to be folded into the standards," said Diamond.

<image006.jpg>

Easing US fuel economy rules seen barely touching gasoline demand

Meghan Gordon and Brian Scheid

March 7, 2017

The Trump administration's expected decision to reopen US fuel economy standards for 2022-25 will likely have only a muted impact on gasoline demand, with low prices and consumers' vehicle preferences playing bigger roles.

As early as Tuesday, the Trump administration is expected to reopen a mid-term review of corporate average fuel economy standards for light-duty vehicles proposed

by the Obama administration in 2009 and accelerated in 2011.

EPA made a final determination a week before President Donald Trump's inauguration that US automakers are meeting the targets quicker and at lower costs than expected, leaving the industry more than able to meet the 2025 goal of 54.5 mpg.

Kevin Book, a managing director of ClearView Energy Partners, said freezing fuel economy standards at 2021 levels could increase US gasoline consumption by as much as 230,000 b/d. "We reiterate, however, that this seems likely to result only in shallower gasoline demand declines during the out years, and not a sign change (i.e., an absolute gasoline demand increase) for the better part of a next decade," Book said in a note to clients Tuesday.

Bob McNally, energy consultant and president of The Rapidan Group, said easing the CAFE standards would have more of a symbolic impact, given that the Obama-era rule was a "bedrock policy assumption underlying optimistic consensus expectations of fast efficiency gains or 'peak demand.'"

"Their formal easing would probably not have a big barrels-per-day impact, but would have a large symbolic impact on these consensus expectations," he said Monday.

Fatih Birol, executive director of the International Energy Agency, also indicated that any changes to fuel economy standards for lighter vehicles would have relatively little impact on global oil demand. "The growth in global oil demand comes from trucks, jets and petrochemicals where it is difficult to find alternatives to oil right now," Birol said Monday during a press conference at CERAWEEK in Houston.

He said one-third of oil demand growth comes from Asian trucks, alone.

PREMIUM GASOLINE

Sandy Fielden, director of oil and products research at Morningstar Commodities and Energy, said he will be watching for two things to gauge US gasoline demand in relation to the CAFE standards -- whether consumers buy more SUVs, assuming prices

stay reasonable, and whether changes to the rule

give automakers less of an incentive to produce higher-efficiency engines that require turbo chargers.

"Such devices require the use of higher octane gasoline to prevent 'early' ignition due to compression," Fielden said by email Monday. "So the current trend is for more cars requiring premium gas. That may be reversed if manufacturers don't need to improve efficiency."

California will be another major factor. The state has a waiver allowing it to set stricter tailpipe emission

standards than the national limit, but automakers have campaigned against it, arguing they cannot meet two different standards.

In 2007, the Bush administration denied the California waiver. The state then sued the Environmental Protection Agency, and the Obama administration ultimately reconsidered the waiver and approved it.

Some observers expect the Trump administration to revoke the waiver in response to pressure from automakers.

"I believe it is a credible threat and the ability of the federal government, but it should not be used at this time," said Robbie Diamond, president and CEO of Securing America's Future Energy, which focuses on reducing US oil import dependence as a means to improving national security.

NEW TECHNOLOGIES

Despite his concern about the California waiver, Diamond sees Trump's expected action on the CAFE standards as an opportunity to inject new technologies into the rules that were not present in 2009, including internet-connected vehicles, self-driving

vehicles and new business models like ride-sharing.

He said a new review could provide some relief to automakers, add flexibility for these technologies and possibly extend the rules out to 2035.

"We actually believe the parties are not so far apart," he said. "It will just take getting past the rhetoric and anger between them."

Diamond said ultimately oil prices and consumer choice will determine fuel demand more than the CAFE standards.

"If the consumers don't buy the vehicles, they won't hit the number," he said. "Even in the last year as oil prices have been low, the fuel efficiency number for fleet-wide average has not been growing at same rate. We have a much greater share of trucks being bought than EPA and [the National Highway

Traffic Safety Administration] anticipated."

The 2025 standards would create a fleet-wide average fuel economy of 51.4 mpg if all reductions were achieved through fuel economy improvements, based on the Energy Information Administration's Annual Energy Outlook 2016 reference case data on fuel prices, vehicle sales and a 53% car/47% light

truck mix, EPA said in January.

The agency accelerated the review to conclude during the Obama administration. An earlier timeline estimated the proposal would be released in late 2017 and a final determination made in April 2018.

An EPA spokeswoman declined to comment Tuesday.

<image007.jpg>

Column: Make energy security top goal

James T. Conway and David D. McKiernan

March 7, 2017

President Trump's America first energy plan gets it right by identifying oil as a strategic commodity, and placing our energy security front and center. This administration understands the acute and continued national security threat posed by our oil dependence and the OPEC cartel that distorts global oil prices; we urge them to leverage this awareness to modernize and improve fuel economy standards.

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Retired General James T. Conway served as the 34th commandant of the U.S. Marine Corps and the co-chair of the SAFE Energy Security Leadership Council. Retired General David D. McKiernan was the commander, U.S. Forces Afghanistan and the International Security Assistance Force in Afghanistan.

To: Dunham, Sarah[Dunham.Sarah@epa.gov]
Cc: Lewis, Josh[Lewis.Josh@epa.gov]
From: Grundler, Christopher
Sent: Thur 3/9/2017 9:46:52 PM
Subject: RE: CAFE FR Notice ready for signature

I also have no idea. Since this is a joint notice my first recommendation to Nancy would be to ask DOT to handle. In the meantime I will ask around, then quickly duck

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Dunham, Sarah
Sent: Thursday, March 09, 2017 4:14 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Lewis, Josh <Lewis.Josh@epa.gov>
Subject: FW: CAFE FR Notice ready for signature

I have no idea who usually does type setting requests. I know Josh figured it out last week for the oil and gas notice, but he's out. Chris, do you have someone who can do a type setting request?

From: Knapp, Kristien
Sent: Thursday, March 09, 2017 3:59 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>
Subject: Re: CAFE FR Notice ready for signature

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ED_001220_00002030

Also Nancy says to keep quiet, dot is holding on to it for now.

Because of the sensitivity I'm not sure who in OAR to ask for the typesetting request. We need to have one done sometime tomorrow. Can you recommend someone I can reach out to for it?

Sent from my iPhone

On Mar 9, 2017, at 3:39 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

Thanks

Sent from my iPhone

On Mar 9, 2017, at 3:07 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

Sarah - I'm not sure if you know about this already but it's getting signed today. Nancy said I could let you know.

Sent from my iPhone

Begin forwarded message:

From: "Grantham, Nancy" <Grantham.Nancy@epa.gov>
Date: March 9, 2017 at 12:04:31 PM EST
To: "Knapp, Kristien" <Knapp.Kristien@epa.gov>, "Reeder, John" <Reeder.John@epa.gov>
Subject: FW: CAFE FR Notice ready for signature

Kristien is going to work this now.

Thanks ng

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Schnare, David
Sent: Wednesday, March 08, 2017 3:23 PM
To: Dravis, Samantha <dravis.samantha@epa.gov>; Richardson, RobinH <Richardson.RobinH@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John <Reeder.John@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Konkus, John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>
Subject: CAFE FR Notice ready for signature

The attached is ready for signature, but for putting in the exact date of the signature directly above the signature block.

We need to get this signed and sent back to DOT for the Secretary's signature.

I would most appreciate it if this is signed today. We will hold it for FR publication until the White House directs us to have it published.

David W. Schnare

Assistant Deputy Administrator

US. EPA

<CAFE-FINAL FINAL-joint-notice-DOT-EPA.docx>

ED_001220_00002030-00003

ED_001220_00002030

To: Simon, Karl[Simon.Karl@epa.gov]
From: Grundler, Christopher
Sent: Thur 3/9/2017 7:40:23 PM
Subject: RE: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

Pls prepare—worth a shot

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Simon, Karl
Sent: Thursday, March 09, 2017 2:32 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>
Subject: RE: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

I got it – still might be useful to send Ryan J the exec summary of the report as info

From: Grundler, Christopher
Sent: Thursday, March 09, 2017 2:29 PM
To: Simon, Karl <Simon.Karl@epa.gov>
Cc: Charmley, William <charmley.william@epa.gov>
Subject: RE: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

ED_001220_00002031-00001

ED_001220_00002031

I was making a lame joke

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Simon, Karl

Sent: Thursday, March 09, 2017 2:20 PM

To: Grundler, Christopher <grundler.christopher@epa.gov>

Cc: Charmley, William <charmley.william@epa.gov>

Subject: RE: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

Don't think life is that simple, though there are probably 2-3 charts that would do a fair job of telling the story

From: Grundler, Christopher

Sent: Thursday, March 09, 2017 1:32 PM

To: Simon, Karl <Simon.Karl@epa.gov>

Cc: Charmley, William <charmley.william@epa.gov>

Subject: Re: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

Good idea--can u condense to one page?

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202/564-1682 (Washington DC)

734/214-4207 (Ann Arbor MI)

On Mar 9, 2017, at 1:31 PM, Simon, Karl <Simon.Karl@epa.gov> wrote:

May be we should send Ryan Jackson a copy of the trends report

From: Grundler, Christopher

Sent: Thursday, March 09, 2017 1:13 PM

To: Simon, Karl <Simon.Karl@epa.gov>; Charmley, William
<charmley.william@epa.gov>

Subject: RE: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose
'very soon'

This inaccurate statement is very troubling:

"I think that what has been broken in that process is, one, not a recognition of the great progress that's been made with those standards, but two, those in Detroit, those that are manufacturing autos in this country, expressed to the EPA that they wanted to evaluate the impact of the previous standards. And that was largely disregarded."

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202.564.1682 (Washington, DC)
734.214.4207 (Ann Arbor, MI)

From: Simon, Karl
Sent: Thursday, March 09, 2017 1:06 PM
To: Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>
Subject: FW: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

Hearing that signature could be today or tomorrow

From: Moran, Robin
Sent: Thursday, March 09, 2017 10:48 AM
To: Midterm Review <Midterm_Review@epa.gov>; Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>
Subject: CNBC: Trump's EPA chief says he's addressing a rule that automakers oppose 'very soon'

<http://www.cnbc.com/2017/03/09/trumps-epa-chief-says-he-will-address-fuel-economy-standards-very-soon.html>

Environmental Protection Agency chief Scott Pruitt said Thursday he expects an announcement rolling back fuel economy rules "very soon."

Automakers have expressed concern about the rules set during the Obama administration, which would have pushed auto fuel economy standards to 54.5 mpg by 2025. Some companies have said the Corporate Average Fuel Economy, or CAFE, standard would boost regulatory compliance costs.

Pruitt, who has pledged to roll back what he deems burdensome regulations, told CNBC that American automakers wanted to evaluate those standards. He said he believes the rule-making process was rushed.

"There's going to be an announcement on that very soon, and I think what's concerning to me and I think concerning to the president is how that process occurred," Pruitt said on "[Squawk Box](#)."

"I think that what has been broken in that process is, one, not a recognition of the great progress that's been made with those standards, but two, those in Detroit, those that are manufacturing autos in this country, expressed to the EPA that they wanted to evaluate the impact of the previous standards. And that was largely disregarded."

Backers of the Obama administration rules, which the EPA issued only a week before President [Donald Trump](#) took office, say automakers have overblown the potential costs of compliance. They also argue that consumers may be willing to pay for better fuel economy.

Trump has held several meetings with key executives since taking office, some of which have included the CEOs of [Ford](#) and [General Motors](#).

— *NBC News contributed to this report*

Robin Moran

Senior Policy Advisor

U.S. EPA, Office of Transportation and Air Quality

2000 Traverwood Dr.

Ann Arbor, MI 48105

(734) 214-4781 (phone)

(734) 214-4821 (fax)

To: Dunham, Sarah[Dunham.Sarah@epa.gov]
Cc: Millett, John[Millett.John@epa.gov]
From: Grundler, Christopher
Sent: Sat 3/4/2017 1:00:32 AM
Subject: Re: Draft notice

Thanks Sarah. Have a restful weekend

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202/564-1682 (Washington DC)
734/214-4207 (Ann Arbor MI)

> On Mar 3, 2017, at 6:41 PM, Dunham, Sarah <Dunham.Sarah@epa.gov> wrote:

>

>

> Attached is the latest version I have of the draft notice. My understanding is that all the suggested edits you see in red line in this draft were accepted (at least within EPA).

> <CAFE-FR-notice-joint-DOT-EPA notice DWS edits +OGC.DOCX>

>

>

ED_001220_00002053-00001

ED_001220_00002053

To: Simon, Karl[Simon.Karl@epa.gov]; Cook, Leila[cook.leila@epa.gov]
From: Grundler, Christopher
Sent: Fri 3/3/2017 7:52:00 PM
Subject: Fwd: DRAFT CAFE Top Line Talking Points

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202/564-1682 (Washington DC)
734/214-4207 (Ann Arbor MI)

Begin forwarded message:

From: "Grunder, Christopher" <grundler.christopher@epa.gov>
Date: March 3, 2017 at 12:41:26 PM EST
To: "Dunham, Sarah" <Dunham.Sarah@epa.gov>
Cc: "Hengst, Benjamin" <Hengst.Benjamin@epa.gov>, "Charmley, William" <charmley.william@epa.gov>
Subject: RE: DRAFT CAFE Top Line Talking Points

Sarah—I know you are in meetings.

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Chris

Christopher Grundler, Director
Office of Transportation and Air Quality
U.S. Environmental Protection Agency
202.564.1682 (Washington, DC)
734.214.4207 (Ann Arbor, MI)

From: Dunham, Sarah
Sent: Friday, March 03, 2017 11:22 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Fwd: DRAFT CAFE Top Line Talking Points

We should talk about this

Sent from my iPhone

Begin forwarded message:

From: "Millett, John" <Millett.John@epa.gov>
Date: March 3, 2017 at 11:12:25 AM EST
To: "Dunham, Sarah" <Dunham.Sarah@epa.gov>, "Hengst, Benjamin" <Hengst.Benjamin@epa.gov>, "Birgfeld, Erin" <Erin.Birgfeld@epa.gov>, "Lewis, Josh" <Lewis.Josh@epa.gov>
Subject: FW: DRAFT CAFE Top Line Talking Points

This is what they're currently working with –

From: Grantham, Nancy
Sent: Friday, March 03, 2017 10:50 AM
To: Millett, John <Millett.John@epa.gov>; Richardson, RobinH

ED_001220_00002054-00002

ED_001220_00002054

<Richardson.RobinH@epa.gov>

Subject: FW: DRAFT CAFE Top Line Talking Points

Nancy Grantham

Office of Public Affairs

US Environmental Protection Agency

202-564-6879 (desk)

202-253-7056 (mobile)

From: Konkus, John

Sent: Friday, March 03, 2017 10:49 AM

To: Hull, George <Hull.George@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>; Amy Dewey <amyhdewey@gmail.com>; Milbourn, Cathy <Milbourn.Cathy@epa.gov>

Subject: DRAFT CAFE Top Line Talking Points

DRAFT

Ex. 5 - Deliberative Process

ED_001220_00002054-00003

ED_001220_00002054

Ex. 5 - Deliberative Process

To: Dunham, Sarah[Dunham.Sarah@epa.gov]
From: Grundler, Christopher
Sent: Fri 3/3/2017 2:42:15 PM
Subject: RE: Looks like announcement on "CAFE" going Monday at 10am

Ben heard this from OPA—Julia Valentine

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Dunham, Sarah
Sent: Friday, March 03, 2017 9:39 AM
To: Grundler, Christopher <grundler.christopher@epa.gov>
Subject: Re: Looks like announcement on "CAFE" going Monday at 10am

From whom is Ben hearing this?

Sent from my iPhone

On Mar 3, 2017, at 9:36 AM, Grundler, Christopher <grundler.christopher@epa.gov> wrote:

Christopher Grundler, Director

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

202.564.1682 (Washington, DC)

734.214.4207 (Ann Arbor, MI)

From: Hengst, Benjamin

Sent: Friday, March 03, 2017 9:28 AM

To: Charmley, William <charmley.william@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>

Subject: Looks like announcement on "CAFE" going Monday at 10am

That's what I've heard so far. Details hard to come by, will let you know if I hear more, though it sounds like we know what the basic plan is.

ED_001220_00002056-00002

ED_001220_00002056

To: Dunham, Sarah[Dunham.Sarah@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]
From: Grundler, Christopher
Sent: Tue 2/21/2017 8:49:14 PM
Subject: FW: Request to Withdraw Final Determination Re. MY 2022-2025 GHG Standards
[Request to Withdraw Final Determination.pdf](#)

From: Julia Rege [mailto:JRege@globalautomakers.org]
Sent: Tuesday, February 21, 2017 3:19 PM
To: Pruitt, Scott <Pruitt.Scott@epa.gov>; pruit.gscott@epa.gov
Cc: John Bozzella <jbozzella@globalautomakers.org>; secretaryscheduler@dot.gov; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Rebecca S. Yoon <rebecca.yoon@dot.gov>; James Tamm <james.tamm@dot.gov>; Kevin.Green@dot.gov; Alberto.Ayala@arb.ca.gov; Ellen Gleberman <egleberman@globalautomakers.org>; Charles Haake <chaake@globalautomakers.org>; Annemarie Pender <apender@globalautomakers.org>
Subject: Request to Withdraw Final Determination Re. MY 2022-2025 GHG Standards
Importance: High

Dear Administrator Pruitt:

On behalf of John Bozzella, President and CEO of Global Automakers, I am sending you the attached correspondence related to the EPA's Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, which was announced by the Agency on January 13, 2017. A hard copy of this letter has been sent to your office via FedEx as well.

We welcome the opportunity to further discuss this matter with you at your earliest convenience.

Sincerely, Julia

ED_001220_00002073-00001

ED_001220_00002073

Julia M. Rege

Director, Environment & Energy

Association of Global Automakers, Inc. (Global Automakers)

1050 K Street, NW, Suite 650

Washington, DC 20001

202.650.5559 (direct)

202.650.5555 (main)

jrege@globalautomakers.org

GlobalAutomakers   

This e-mail is intended for the sole and exclusive use of Global Automakers, its member companies and their employees. Distribution or forwarding of these materials to any other person or entity is strictly prohibited, absent prior consent of Global Automakers.

To: Dunham, Sarah[Dunham.Sarah@epa.gov]
Cc: Lewis, Josh[Lewis.Josh@epa.gov]
From: Grundler, Christopher
Sent: Tue 2/21/2017 8:47:15 PM
Subject: FW: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
[Letter to EPA Admin. Pruitt Feb. 21, 2016 Signed.pdf](#)

Fyi; another letter coming from Global Automakers making same request. I am not recommending that this needs to be in the overview briefing because there is no emergency here

From: Susan Conti [mailto:sconti@autoalliance.org]
Sent: Tuesday, February 21, 2017 1:02 PM
To: Pruitt, Scott <Pruitt.Scott@epa.gov>; pruit.gscott@epa.gov
Cc: marianne.mcinerney@dot.gov; Grundler, Christopher <grundler.christopher@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Kevin.Green@dot.gov; james.tamm@dot.gov; rebecca.yoon@dot.gov; annette.hebert@arb.ca.gov; michael.mccarthy@arb.ca.gov; Chris Nevers <CNevers@autoalliance.org>; David Schwietert <DSchwietert@autoalliance.org>; Gloria Bergquist <GBERGQUIST@autoalliance.org>; John Whatley <JWhatley@autoalliance.org>
Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
Importance: High

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

ED_001220_00002077-00001

ED_001220_00002077

Mitch Bainwol
President and CEO

ED_001220_00002077-00002

ED_001220_00002077

To: Richard Corey[richard.corey@arb.ca.gov]; Alberto Ayala[Alberto.Ayala@arb.ca.gov]
From: Grundler, Christopher
Sent: Tue 2/21/2017 6:21:55 PM
Subject: Fwd: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt
[Letter to EPA Admin. Pruitt Feb. 21, 2016 Signed.pdf](#)
[ATT00001.htm](#)

FYI

Christopher Grundler, Director
 Office of Transportation and Air Quality
 U.S. Environmental Protection Agency
 202/564-1682 (Washington DC)
 734/214-4207 (Ann Arbor MI)

Begin forwarded message:

From: Susan Conti <sconti@autoalliance.org>
Date: February 21, 2017 at 1:02:29 PM EST
To: "pruitt.scott@epa.gov" <pruitt.scott@epa.gov>, "pruitt.gscott@epa.gov" <pruitt.gscott@epa.gov>
Cc: "marianne.mcinerney@dot.gov" <marianne.mcinerney@dot.gov>, "grundler.christopher@epa.gov" <grundler.christopher@epa.gov>, Bill Charmley <charmley.william@epa.gov>, "olechiw.michael@epa.gov" <olechiw.michael@epa.gov>, "Kevin.Green@dot.gov" <Kevin.Green@dot.gov>, "james.tamm@dot.gov" <james.tamm@dot.gov>, "rebecca.yoon@dot.gov" <rebecca.yoon@dot.gov>, "annette.hebert@arb.ca.gov" <annette.hebert@arb.ca.gov>, "michael.mccarthy@arb.ca.gov" <michael.mccarthy@arb.ca.gov>, Chris Nevers <CNevers@autoalliance.org>, "David Schwietert" <DSchwietert@autoalliance.org>, Gloria Bergquist <GBERGQUIST@autoalliance.org>, John Whatley <JWhatley@autoalliance.org>
Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

ED_001220_00002079-00001

ED_001220_00002079

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

Mitch Bainwol

President and CEO

ED_001220_00002079-00002

ED_001220_00002079

To: Jackson, Ryan[jackson.ryan@epa.gov]
From: Gunasekara, Mandy
Sent: Sun 3/26/2017 6:56:16 PM
Subject: Re: Ryan - 2min chat on CAFE?

Yes- that's fine

Sent from my iPhone

On Mar 26, 2017, at 2:41 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

I don't want to pile on you. You want the policy office to handle the CAFÉ issue moving forward?

From: Smith, Loren (OST) [mailto:Loren.Smith@dot.gov]
Sent: Friday, March 24, 2017 10:18 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Ryan - 2min chat on CAFE?

Or feel free to direct me to whoever you have running point on that issue now. Mike Catanzaro (WH NEC) was hoping to set up a call for Monday if possible, I'd love to talk to your CAFÉ point man later this afternoon if that can be managed.

Hope all's well otherwise!

~~~~~

Loren Smith

U.S. Department of Transportation

W85-115

[loren.smith@dot.gov](mailto:loren.smith@dot.gov)

202-430-2952

ED\_001220\_00002154-00001

ED\_001220\_00002154

ED\_001220\_00002154-00002

ED\_001220\_00002154

**From:** Smith, Ja'Ron K. EOP/WHO  
**Location:** Participant Dial-[Ex. 6 - Personal Privacy]-Participant Code: [Ex. 6 - Personal Privacy]  
**Importance:** Normal  
**Subject:** CAFE Standards Call with NEC, DPC, EPA, and DOT  
**Start Date/Time:** Mon 2/27/2017 2:30:00 PM  
**End Date/Time:** Mon 2/27/2017 3:00:00 PM

Participant Dial-[Ex. 6 - Personal Privacy]  
Participant Code: [Ex. 6 - Personal Privacy]

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Thomasson, Russell (WAS-CAS)  
**Sent:** Mon 3/27/2017 3:25:35 PM  
**Subject:** Arconic/CAFE

Ryan, We represent Arconic (they spun off from Alcoa) which manufactures aluminum parts for the automotive industry. They are a \$12.5 billion company with 23,000 employees across the United States. With the departure of David Schare, I wanted to reach out and see if you could point me in the right direction for a point of contact regarding CAFE way forward. Arconic would like to meet with someone next week if at all possible. Thanks. Russ

**Russell J. Thomasson**  
*Executive Vice President*  
733 Tenth Street, NW, Suite 400  
Washington, DC 20001  
202.585.2554 (direct)  
202.826.4491 (cell)  
[www.cassidy.com](http://www.cassidy.com)

**CASSIDY&ASSOCIATES**

This message contains information which may be confidential and privileged. Unless you are the intended recipient (or authorized to receive this message for the intended recipient), you may not use, copy, disseminate or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail, and delete the message. Thank you very much.

ED\_001220\_00002168-00001

ED\_001220\_00002168

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]; Millett, John[Millett.John@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Wed 3/15/2017 3:24:49 AM  
**Subject:** RE: MTE notice for web tomorrow

OK. Thanks Kristien. We will use that date on the disclaimer.

-----Original Message-----

From: Knapp, Kristien  
Sent: Tuesday, March 14, 2017 6:39 PM  
To: Millett, John <Millett.John@epa.gov>  
Cc: Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
Subject: RE: MTE notice for web tomorrow

I'm not sure what kind of text you need to put in the prepub disclaimer, but in case you need to know, the notice was signed by both Secretary Chao and Administrator Pruitt yesterday, March 13, 2017.

-----Original Message-----

From: Millett, John  
Sent: Tuesday, March 14, 2017 4:10 PM  
To: Knapp, Kristien <Knapp.Kristien@epa.gov>  
Cc: Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
Subject: Re: MTE notice for web tomorrow

That was easy! Thanks --

John Millett  
202.510.1822

> On Mar 14, 2017, at 4:02 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

>  
>  
>

> -----Original Message-----

> From: Millett, John  
> Sent: Tuesday, March 14, 2017 4:02 PM  
> To: Knapp, Kristien <Knapp.Kristien@epa.gov>  
> Cc: Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
> Subject: Re: MTE notice for web tomorrow

>

> We usually pdf the word file prior to signature, so just the word file should be fine.

>

> John Millett  
> 202.510.1822

>

>> On Mar 14, 2017, at 3:59 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

>>

>> Do you need the word file or the signed pdf?

>>

>> -----Original Message-----

>> From: Millett, John  
>> Sent: Tuesday, March 14, 2017 3:58 PM  
>> To: Knapp, Kristien <Knapp.Kristien@epa.gov>  
>> Cc: Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
>> Subject: MTE notice for web tomorrow

>>

ED\_001220\_00002226-00001

ED\_001220\_00002226



>> Hi Kristien -- anticipating that the re-opening of the MTE process will be announced tomorrow, we'll need a copy of the final prepublication notice to post online.

>>

>> Can you provide it, or do you have a suggestion for how we can get it?

>>

>> I'm guessing that we should have it by 10 or 11 if possible.

>>

>> Thanks!

>>

>> John Millett

>> 202.510.1822

> <CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx>

ED\_001220\_00002226-00002

ED\_001220\_00002226

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**Cc:** Knapp, Kristien[Knapp.Kristien@epa.gov]; Schnare, David[schnare.david@epa.gov]  
**From:** Smith, Loren (OST)  
**Sent:** Mon 3/13/2017 5:43:46 PM  
**Subject:** Re: Word version mte

Thank you all!

Sent from my iPhone

On Mar 13, 2017, at 1:39 PM, Grantham, Nancy <Grantham.Nancy@epa.gov> wrote:

Please find attached, the word version.

Thanks

Nancy Grantham  
Office of Public Affairs  
US Environmental Protection Agency  
202-564-6879 (desk)  
202-253-7056 (mobile)

-----Original Message-----

From: Knapp, Kristien  
Sent: Monday, March 13, 2017 1:28 PM  
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Hope, Brian <Hope.Brian@epa.gov>  
Subject: Word version mte

<CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx>

Sent from my iPhone

ED\_001220\_00002229-00001

ED\_001220\_00002229

**To:** loren.smith@dot.gov[loren.smith@dot.gov]; Knapp, Kristien[Knapp.Kristien@epa.gov]; Schnare, David[schnare.david@epa.gov]  
**Cc:** Grantham, Nancy[Grantham.Nancy@epa.gov]  
**From:** Grantham, Nancy  
**Sent:** Mon 3/13/2017 5:38:57 PM  
**Subject:** FW: Word version mte  
[CAFE-FINAL FINAL-joint-notice-DOT-EPA \(002\).docx](#)  
[ATT00001.txt](#)

Please find attached, the word version.

Thanks

Nancy Grantham  
Office of Public Affairs  
US Environmental Protection Agency  
202-564-6879 (desk)  
202-253-7056 (mobile)

-----Original Message-----

From: Knapp, Kristien  
Sent: Monday, March 13, 2017 1:28 PM  
To: Grantham, Nancy <Grantham.Nancy@epa.gov>; Hope, Brian <Hope.Brian@epa.gov>  
Subject: Word version mte

ED\_001220\_00002231-00001

ED\_001220\_00002231

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**Cc:** Hope, Brian[Hope.Brian@epa.gov]  
**From:** Grantham, Nancy  
**Sent:** Mon 3/13/2017 5:29:58 PM  
**Subject:** Re: Word version mte

Thx

Sent from my iPhone

> On Mar 13, 2017, at 1:27 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

>

>

>

> <CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx>

>

>

>

> Sent from my iPhone

ED\_001220\_00002234-00001

ED\_001220\_00002234

**To:** Hope, Brian[Hope.Brian@epa.gov]  
**Cc:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** Grantham, Nancy  
**Sent:** Mon 3/13/2017 5:24:57 PM  
**Subject:** Fwd: CAFE notice

Brian can you send to me? Kristien is on her way to dot- unsigned word document

Thx ng

Sent from my iPhone

Begin forwarded message:

**From:** "Schnare, David" <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)>  
**Date:** March 13, 2017 at 1:05:00 PM EDT  
**To:** "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** Fwd: CAFE notice

Please handle and let me know.  
d

Sent from my iPhone

Begin forwarded message:

**From:** "Smith, Loren (OST)" <[Loren.Smith@dot.gov](mailto:Loren.Smith@dot.gov)>  
**Date:** March 13, 2017 at 12:59:48 PM EDT  
**To:** David Schnare <[schnare.david@epa.gov](mailto:schnare.david@epa.gov)>  
**Subject:** CAFE notice

Please email me the final Word doc version as well - it is part of the Federal Register submission process.

Sent from my iPhone

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** Dunham, Sarah  
**Sent:** Thur 3/9/2017 8:39:37 PM  
**Subject:** Re: CAFE FR Notice ready for signature

Thanks

Sent from my iPhone

On Mar 9, 2017, at 3:07 PM, Knapp, Kristien <Knapp.Kristien@epa.gov> wrote:

Sarah - I'm not sure if you know about this already but it's getting signed today. Nancy said I could let you know.

Sent from my iPhone

Begin forwarded message:

**From:** "Grantham, Nancy" <Grantham.Nancy@epa.gov>  
**Date:** March 9, 2017 at 12:04:31 PM EST  
**To:** "Knapp, Kristien" <Knapp.Kristien@epa.gov>, "Reeder, John" <Reeder.John@epa.gov>  
**Subject:** **FW: CAFE FR Notice ready for signature**

Kristien is going to work this now.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

ED\_001220\_00002255-00001

ED\_001220\_00002255

**From:** Schnare, David  
**Sent:** Wednesday, March 08, 2017 3:23 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>; Reeder, John <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** CAFE FR Notice ready for signature

The attached is ready for signature, but for putting in the exact date of the signature directly above the signature block.

We need to get this signed and sent back to DOT for the Secretary's signature.

I would most appreciate it if this is signed today. We will hold it for FR publication until the White House directs us to have it published.

David W. Schnare  
Assistant Deputy Administrator  
US. EPA

<CAFE-FINAL FINAL-joint-notice-DOT-EPA.docx>

ED\_001220\_00002255-00002

ED\_001220\_00002255

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]; Reeder, John[Reeder.John@epa.gov]  
**From:** Grantham, Nancy  
**Sent:** Thur 3/9/2017 5:04:31 PM  
**Subject:** FW: CAFE FR Notice ready for signature  
CAFE-FINAL FINAL-joint-notice-DOT-EPA.docx

Kristien is going to work this now.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

**From:** Schnare, David

**Sent:** Wednesday, March 08, 2017 3:23 PM

**To:** Dravis, Samantha <dravis.samantha@epa.gov>; Richardson, RobinH  
<Richardson.RobinH@epa.gov>; Flynn, Mike <Flynn.Mike@epa.gov>; Reeder, John  
<Reeder.John@epa.gov>

**Cc:** Jackson, Ryan <jackson.ryan@epa.gov>; Brown, Byron <brown.byron@epa.gov>; Konkus,  
John <konkus.john@epa.gov>; Grantham, Nancy <Grantham.Nancy@epa.gov>

**Subject:** CAFE FR Notice ready for signature

The attached is ready for signature, but for putting in the exact date of the signature directly above the signature block.

We need to get this signed and sent back to DOT for the Secretary's signature.

ED\_001220\_00002266-00001

ED\_001220\_00002266



I would most appreciate it if this is signed today. We will hold it for FR publication until the White House directs us to have it published.

David W. Schnare

Assistant Deputy Administrator

US. EPA

ED\_001220\_00002266-00002

ED\_001220\_00002266

**To:** scheduling[scheduling@epa.gov]  
**Cc:** Knapp, Kristien[Knapp.Kristien@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]  
**From:** Atkinson, Emily  
**Sent:** Mon 3/6/2017 9:41:43 PM  
**Subject:** Meeting Request: Light-Duty Vehicles  
Administrator Meeting Request Form\_LD vehicles.docx

Today's Date: March 6, 2017

Requesting Office: OAR-OTAQ

Title of the Meeting: Light-Duty Vehicles

Purpose: To brief the Administrator on the light-duty vehicle program and the Mid-term Evaluation (MTE) process.

Role of the Administrator: Informational briefing

Background: The briefing will cover the light-duty vehicle program and MTE process.

Last possible date for the meeting: N/A - request is in response to Administrator's office request for a briefing

Is the meeting urgent and if so why?: N/A

Requested Time Length: 1 hour

EPA Staff (Required):

Sarah Dunham (OAR)

Christopher Grundler, Benjamin Hengst, William Charmley, Michael Olechiw, Robin Moran (OAR)

ED\_001220\_00002271-00001

ED\_001220\_00002271

David Orlin, Mark Kataoka (OGC)

EPA Staff (Optional):

Kristien Knapp (OA Special Assistant)

Josh Lewis, Gwen Stewart, JoNell Iffland (OAR)

External Participants: N/A

Teleconference Required?: Yes

Video Conference Required?: *(If so please provide the conference room name to be used for video connection)* Yes – Ann Arbor Conference Room C-174 DOD AA

Point of Contact for the Meeting: Emily Atkinson 202-564-1850

Emily Atkinson  
Management Analyst/Office Manager

Immediate Office of the Acting Assistant Administrator  
Office of Air and Radiation, USEPA  
Room 5412B, 1200 Pennsylvania Avenue NW  
Washington, DC 20460  
Voice: 202-564-1850  
Email: [atkinson.emily@epa.gov](mailto:atkinson.emily@epa.gov)



## **Meeting Request Form for Administrator Scott Pruitt**

Today's Date: March 6, 2017

Requesting Office: OAR-OTAQ

Title of the Meeting: Light-Duty Vehicles

Purpose: To brief the Administrator on the light-duty vehicle program and the Mid-term Evaluation (MTE) process.

Role of the Administrator: Informational briefing

Background: The briefing will cover the light-duty vehicle program and MTE process.

Last possible date for the meeting: N/A - request is in response to Administrator's office request for a briefing

Is the meeting urgent and if so why?: N/A

Requested Time Length: 1 hour

**EPA Staff (Required):**

Sarah Dunham (OAR)

Christopher Grundler, Benjamin Hengst, William Charmley, Michael Olechiw, Robin Moran (OAR)

David Orlin, Mark Kataoka (OGC)

**EPA Staff (Optional):**

Kristien Knapp (OA Special Assistant)

Josh Lewis, Gwen Stewart, JoNell Iffland (OAR)

External Participants: N/A

Teleconference Required?: Yes

Video Conference Required?: *(If so please provide the conference room name to be used for video connection)* Yes – Ann Arbor Conference Room C-174 DOD AA

Point of Contact for the Meeting: Emily Atkinson 202-564-1850

*NOTE: Meeting request forms should be submitted to [scheduling@epa.gov](mailto:scheduling@epa.gov). The AO Special Assistant who covers your office must be copied on the request. All briefing material must be sent to your AO Special Assistant by 3:00 pm the day before your meeting, or to OCIR 48 hours in advance. If briefing materials are not submitted on time, we may need to reschedule your briefing.*

ED\_001220\_00002272-00001

ED\_001220\_00002272

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** cmsadmin@epa.gov  
**Sent:** Mon 3/6/2017 7:41:04 PM  
**Subject:** CMS Courtesy Copy - StephanieN Brown - AX-17-000-5589

You are being alerted to control AX-17-000-5589. No action is currently required on your part, but you have been granted the ability to view the control by StephanieN Brown.

Summary Information -

Control Number: AX-17-000-5589

Control Subject: DRF - 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission and Corporate Average Fuel Economy Standards; EPA-HQ-OAR-2015-0827

From: Kelly, Anne L.

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or CMS Information@epa.gov.

ED\_001220\_00002304-00001

ED\_001220\_00002304

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** cmsadmin@epa.gov  
**Sent:** Mon 3/6/2017 7:17:32 PM  
**Subject:** CMS Courtesy Copy - Jacqueline Leavy - AX-17-000-5588

You are being alerted to control AX-17-000-5588. No action is currently required on your part, but you have been granted the ability to view the control by Jacqueline Leavy.

Summary Information -

Control Number: AX-17-000-5588

Control Subject: DRF - 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission and Corporate Average Fuel Economy Standards; EPA-HQ-OAR-2015-0827

From: Smith, Timothy

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or [CMS.Information@epa.gov](mailto:CMS.Information@epa.gov).

ED\_001220\_00002305-00001

ED\_001220\_00002305

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** cmsadmin@epa.gov  
**Sent:** Mon 3/6/2017 4:33:41 PM  
**Subject:** CMS Courtesy Copy - StephanieN Brown - AX-17-000-5562

You are being alerted to control AX-17-000-5562. No action is currently required on your part, but you have been granted the ability to view the control by StephanieN Brown.

Summary Information -

Control Number: AX-17-000-5562

Control Subject: DRF - Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation

From: Karpinski, Gene; Kimmell, Kenneth; Hamilton, Jonna; Suh, Rhea; Krupp, Fred; Alt, Margie; Brune, Michael; Becker, Dan; Nadel, Steven M

Note: This Email was automatically generated. Please do not attempt to respond to it. You can access this control at <https://cms.epa.gov/cms>. Questions or comments concerning CMS should be directed to CMS Support at 202-564-4985 or [CMS.Information@epa.gov](mailto:CMS.Information@epa.gov).

ED\_001220\_00002306-00001

ED\_001220\_00002306

**To:** Owens, Nicole[Owens.Nicole@epa.gov]  
**From:** Knapp, Kristien  
**Sent:** Thur 3/16/2017 8:16:50 PM  
**Subject:** RE: They have the wrong phone number for William Charmley in the pre-print publication  
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx

The mid-term evaluation notice.

**From:** Owens, Nicole  
**Sent:** Thursday, March 16, 2017 4:15 PM  
**To:** Knapp, Kristien <Knapp.Kristien@epa.gov>  
**Subject:** RE: They have the wrong phone number for William Charmley in the pre-print publication

Hi

Sorry, just saw this. I need more information. What notice?

**From:** Knapp, Kristien  
**Sent:** Wednesday, March 15, 2017 3:39 PM  
**To:** Owens, Nicole <Owens.Nicole@epa.gov>  
**Subject:** FW: They have the wrong phone number for William Charmley in the pre-print publication

Nicole – there is a typo in the MTE notice. Can it be fixed for FR publication?

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 3:14 PM  
**To:** Knapp, Kristien <Knapp.Kristien@epa.gov>  
**Subject:** Fwd: They have the wrong phone number for William Charmley in the pre-print publication

ED\_001220\_00002307-00001

ED\_001220\_00002307



See correction below.

Sent from my iPhone

Begin forwarded message:

**From:** "Charmley, William" <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>  
**Date:** March 15, 2017 at 12:13:18 PM EDT  
**To:** "Hengst, Benjamin" <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>, "Sutton, Tia" <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** "Birgfeld, Erin" <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>, "Moran, Robin" <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>, "Olechiw, Michael" <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>, "Cook, Leila" <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject: They have the wrong phone number for William Charmley in the pre-print publication**

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

ED\_001220\_00002307-00002

ED\_001220\_00002307

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

<cafe-joint-notice-dot-epa-2017-03-13.pdf>

**To:** Grantham, Nancy[Grantham.Nancy@epa.gov]; Hope, Brian[Hope.Brian@epa.gov]  
**From:** Knapp, Kristien  
**Sent:** Mon 3/13/2017 5:27:49 PM  
**Subject:** Word version mte  
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx  
ATT00001.txt

ED\_001220\_00002312-00001

ED\_001220\_00002312

**To:** Hengst, Benjamin[Hengst.Benjamin@epa.gov]  
**From:** Knapp, Kristien  
**Sent:** Fri 3/10/2017 4:11:13 PM  
**Subject:** FR notice  
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx  
ATT00001.txt

ED\_001220\_00002316-00001

ED\_001220\_00002316

**To:** Knapp, Kristien[Knapp.Kristien@epa.gov]  
**From:** Knapp, Kristien  
**Sent:** Thur 3/9/2017 10:12:56 PM  
**Subject:** CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx  
CAFE-FINAL FINAL-joint-notice-DOT-EPA (002).docx

ED\_001220\_00002320-00001

ED\_001220\_00002320

**To:** Dunham, Sarah[Dunham.Sarah@epa.gov]  
**From:** Knapp, Kristien  
**Sent:** Thur 3/9/2017 8:07:11 PM  
**Subject:** Fwd: CAFE FR Notice ready for signature  
[CAFE-FINAL\\_FINAL-joint-notice-DOT-EPA.docx](#)  
[ATT00001.htm](#)

Sarah - I'm not sure if you know about this already but it's getting signed today. Nancy said I could let you know.

Sent from my iPhone

Begin forwarded message:

**From:** "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Date:** March 9, 2017 at 12:04:31 PM EST  
**To:** "Knapp, Kristien" <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>, "Reeder, John" <[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>  
**Subject:** FW: CAFE FR Notice ready for signature

Kristien is going to work this now.

Thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

**From:** Schnare, David  
**Sent:** Wednesday, March 08, 2017 3:23 PM  
**To:** Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Richardson, RobinH <[Richardson.RobinH@epa.gov](mailto:Richardson.RobinH@epa.gov)>; Flynn, Mike <[Flynn.Mike@epa.gov](mailto:Flynn.Mike@epa.gov)>; Reeder, John

ED\_001220\_00002323-00001

ED\_001220\_00002323

<[Reeder.John@epa.gov](mailto:Reeder.John@epa.gov)>

**Cc:** Jackson, Ryan <[jackson.ryan@epa.gov](mailto:jackson.ryan@epa.gov)>; Brown, Byron <[brown.byron@epa.gov](mailto:brown.byron@epa.gov)>;  
Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>

**Subject:** CAFE FR Notice ready for signature

The attached is ready for signature, but for putting in the exact date of the signature directly above the signature block.

We need to get this signed and sent back to DOT for the Secretary's signature.

I would most appreciate it if this is signed today. We will hold it for FR publication until the White House directs us to have it published.

David W. Schnare

Assistant Deputy Administrator

US. EPA

ED\_001220\_00002323-00002

ED\_001220\_00002323

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 11:26:17 AM  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards  
[Joint Ltr re EPA GHG Standards.pdf](#)

**FYI, the Commissioners of the States of CT, DE, MD, MA, NY, OR, PA, RI and DC signed this letter to Pruitt supporting the 22-25 standards, and urging to keep the CA Section 177 state waiver provision intact.**

**From:** Arthur Marin [<mailto:amarin@nescaum.org>]  
**Sent:** Wednesday, March 22, 2017 2:58 PM  
**To:** Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>  
**Cc:** Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>  
**Subject:** Letter for State Environmental Commissioners on Final Determination for GHG Standards

Dear Chris and Karl:

Attached is a bi-partisan letter to Administrator Pruitt signed by Environmental Commissioners from 10 states and DC asking EPA to maintain the “Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards.” The letter also stresses the importance of the independent authority of California to implement its own standards and the right of other states to opt into those California standards.

Regards,

Arthur

Arthur Marin

Executive Director

NESCAUM

ED\_001220\_00002348-00001

ED\_001220\_00002348



617 259-2017

ED\_001220\_00002348-00002

ED\_001220\_00002348

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** French, Roberts  
**Sent:** Wed 3/22/2017 7:56:33 PM  
**Subject:** RE: Pruitt Op-Ed in USA Today

Go Jeff!

Transparency? That's pretty funny.

**Roberts W. French, Jr.**

U.S. Environmental Protection Agency

National Vehicle and Fuel Emissions Laboratory

2000 Traverwood Drive

Ann Arbor, Michigan 48105

(734) 214-4380

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 3:20 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** FW: Pruitt Op-Ed in USA Today

Someone just mentioned that this blog hadn't been sent around to the whole team, so wanted to make sure everyone was aware.

## Ex. 5 - Deliberative Process

ED\_001220\_00002350-00001

ED\_001220\_00002350

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 21, 2017 2:22 PM

**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>;  
Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher  
<[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Cook,  
Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** Pruitt Op-Ed

Just in case you missed it...

**Scott Pruitt: We're protecting jobs and  
the environment (USA Today)**

ED\_001220\_00002350-00002

ED\_001220\_00002350

***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — "The future ain't what it used to be." After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for 3% of our GDP. Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

Department of Transportation Secretary Elaine Chao and I, as administrator of the Environmental Protection Agency, took steps to help. We have announced that we will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

EPA will work with our partners at DOT to take a fresh look. This thorough review will help ensure that this national program is good for consumers and good for the environment.

After the November election the EPA rushed through these standards, as Forbes reported, "requiring automakers to more than double their fleet-wide fuel efficiency by 2025, a move that comes earlier than expected and is seen as a measure to try to lock in part of President Obama's legacy before Donald Trump gets into the White House."

The auto industry estimates that it would need to spend \$200 billion to comply. That type of expense would lead to higher prices for consumers, lower wages for workers and jobs moving out of the country. The National Center for Policy Analysis says these standards have pushed manufacturing and jobs to Mexico.

Last week, EPA and DOT put a pause on the process to reexamine the rule to hear from all stakeholders.

This is an example of how the Trump administration is going to do things differently. That includes a more transparent EPA. Americans can have both a clean and healthy environment and good paying manufacturing jobs. America is going to create jobs and grow the economy while at the same time be good stewards to our natural resources.

Improved technology has made the United States the world leader in clean air quality. From 1970 to 2015, aggregate national emissions of the six common pollutants dropped an average of 70% while gross domestic product grew by 246%. We have achieved this reduction during a time when more Americans were driving more cars, more miles. That is remarkable and shows American ingenuity is simply the best.

Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*

ED\_001220\_00002350-00004

ED\_001220\_00002350

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** McDonald, Joseph  
**Sent:** Wed 3/22/2017 7:34:36 PM  
**Subject:** Re: Pruitt Op-Ed in USA Today

## Ex. 5 - Deliberative Process

Telephone: 513-569-7421  
Cellular Telephone: 513-316-2380  
E-mail: [mcdonald.joseph@epa.gov](mailto:mcdonald.joseph@epa.gov)

On Mar 22, 2017, at 3:19 PM, Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)> wrote:

Someone just mentioned that this blog hadn't been sent around to the whole team, so wanted to make sure everyone was aware.

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 21, 2017 2:22 PM  
**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Pruitt Op-Ed

Just in case you missed it...

## Scott Pruitt: We're protecting jobs and the environment (USA Today)

***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — "The future ain't what it used to be." After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for [3% of our GDP](#). Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

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Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*



**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** Snapp, Lisa  
**Sent:** Wed 3/22/2017 7:27:02 PM  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards  
[Joint Ltr re EPA GHG Standards.pdf](#)

I assume you've seen?

**From:** Simon, Karl  
**Sent:** Wednesday, March 22, 2017 3:23 PM  
**To:** Dickinson, David <Dickinson.David@epa.gov>; Patulski, Meg <patulski.meg@epa.gov>; Moltzen, Michael <Moltzen.Michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards

FYI

**From:** Arthur Marin [<mailto:amarin@nescaum.org>]  
**Sent:** Wednesday, March 22, 2017 2:58 PM  
**To:** Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>  
**Cc:** Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>  
**Subject:** Letter for State Environmental Commissioners on Final Determination for GHG Standards

Dear Chris and Karl:

Attached is a bi-partisan letter to Administrator Pruitt signed by Environmental Commissioners from 10 states and DC asking EPA to maintain the "Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards." The letter also stresses the importance of the independent authority of California to implement its own standards and the right of other states to opt into those California standards.

Regards,

ED\_001220\_00002352-00001

ED\_001220\_00002352

Arthur

Arthur Marin

Executive Director

NESCAUM

617 259-2017

ED\_001220\_00002352-00002

ED\_001220\_00002352

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/22/2017 5:40:17 PM  
**Subject:** Amory Lovins article on MTE in Forbes

Thanks to Jeff for flagging this fantastic article. Many good quotes, here's just one good example:

“Obsolete piecemeal analyses showing high cost are contradicted by current market offerings and the industry’s own research. Regulators and at least some automakers know this. The new review would make it awkwardly manifest. Attempts to ignore it would doubtless be litigated. An enormously complex and ponderous industry critically dependent on long-term planning can ill afford the prolonged uncertainty self-inflicted by its own lobbyists—continuing a decades-long history of reflexively undermin-ing its basic strategic interests.”

### **Forbes**

[With Weaker Fuel Economy Standards, Everyone Loses, Including U.S. Automakers](#)

Amory B. Lovins, Rocky Mountain Institute

**From:** Alson, Jeff  
**Sent:** Wednesday, March 22, 2017 11:42 AM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Cc:** Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>  
**Subject:** FYI in case you missed it--very good article by Amory Lovins

The third article below, from the Monday OTAQ Daily News Brief, is a very good and lengthy piece by Amory Lovins defending the LD GHG standards. I see that Bill and Mike get this daily collection, but I wanted to make sure that the two of you saw this article both because it is well written but also because Lovins is very influential (he visited NVFEL twice in the old days).

Robin, I recommend that you ask David Richards to be added to the list, it is an efficient way to see 5-10 OTAQ-specific articles each day.

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ED\_001220\_00002355

**From:** Richards, David

**Sent:** Monday, March 20, 2017 9:44 AM

**To:** Acevedo, Frank <acevedo.francisco@epa.gov>; Adams, Elizabeth <Adams.Elizabeth@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Argyropoulos, Paul <Argyropoulos.Paul@epa.gov>; Audette, Lucie <audette.lucie@epa.gov>; Barba, Daniel <Barba.Daniel@epa.gov>; Beardslee, Renee <Beardslee.Renee@epa.gov>; Beardsley, Megan <Beardsley.Megan@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Bizer-Cox, Daniel <Bizer-Cox.Daniel@epa.gov>; Blubaugh, Jim <Blubaugh.Jim@epa.gov>; Bradish, Tracey <bradish.tracey@epa.gov>; Brusstar, Matt <brusstar.matt@epa.gov>; Bunker, Byron <bunker.byron@epa.gov>; Burch, Julia <Burch.Julia@epa.gov>; Bynum, Cheryl <bynum.cheryl@epa.gov>; Caldwell, Amy <caldwell.amy@epa.gov>; Charmley, William <charmley.william@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Clark, Sarah <clark.sarah@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Dickinson, David <Dickinson.David@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Donez, Francisco <Donez.Francisco@epa.gov>; Dotzel, Kathryn <dotzel.kathryn@epa.gov>; Drake, Kerry <Drake.Kerry@epa.gov>; Fowlkes, Sarah <fowlkes.sarah@epa.gov>; Galano, Fidel <Galano.Fidel@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Haley, Mike <Haley.Mike@epa.gov>; Hassan, Nora <hassan.nora@epa.gov>; Haugen, David <haugen.david@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Henning, Julie <henning.julie@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Imfeld, Sterling <imfeld.sterling@epa.gov>; Jackman, Dana <jackman.dana@epa.gov>; Jackson, Cleophas <jackson.cleophas@epa.gov>; Johnson, Dennis <Johnson.Dennis@epa.gov>; Keller, Jennifer <Keller.Jennifer@epa.gov>; Kolowich, Bruce <kolowich.bruce@epa.gov>; Kurpius, Meredith <Kurpius.Meredith@epa.gov>; Lakin, Matt <Lakin.Matthew@epa.gov>; Le, Madison <Le.Madison@epa.gov>; Levin, David <Levin.David@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Lo, Doris <Lo.Doris@epa.gov>; Machiele, Paul <machiele.paul@epa.gov>; Machol, Ben <Machol.Ben@epa.gov>; Maguire, Andrea <Maguire.Andrea@epa.gov>; Manners, Mary <manners.mary@epa.gov>; Martynowicz, Trina <Martynowicz.Trina@epa.gov>; Martz, Kathleen <martz.kathleen@epa.gov>; Mayfield, Dana <mayfield.dana@epa.gov>; McCubbin, Courtney <McCubbin.Courtney@epa.gov>; McDaniel, Penelope <MCDANIEL.PENELOPE@EPA.GOV>; Meekins, Tanya <Meekins.Tanya@epa.gov>; Michaels, Harvey <Michaels.Harvey@epa.gov>; MIKULIN, JOHN <MIKULIN.JOHN@EPA.GOV>; Miller, Patrick <miller.patrick@epa.gov>; Mitchell, George <Mitchell.George@epa.gov>; Moltzen, Michael <Moltzen.Michael@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Nelson, Brian <nelson.brian@epa.gov>; Nims, Kirk <Nims.Kirk@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Patulski, Meg <patulski.meg@epa.gov>; Peralta, Maria <Peralta.Maria@epa.gov>; Perez, Idalia <Perez.Idalia@epa.gov>; Revelt, Jean-Marie <revelt.jean-marie@epa.gov>; Samulski, Michael <samulski.michael@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Schenk, Ruth <schenk.ruth@epa.gov>; Schweinfurth, Rob <Schweinfurth.Rob@epa.gov>; Scoville, Pat <Scoville.Pat@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Spears, Matthew <spears.matthew@epa.gov>; Spieth, John <Spieth.John@epa.gov>; Storhok, Ines <storhok.ines@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; Sun, Lisa

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<[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; VanGessel, Benjamin <[vangessel.benjamin@epa.gov](mailto:vangessel.benjamin@epa.gov)>; Vawters, Katie <[Vawters.Katie@epa.gov](mailto:Vawters.Katie@epa.gov)>; Watkins, Erica <[Watkins.Erica@epa.gov](mailto:Watkins.Erica@epa.gov)>; Wehrly, Linc <[wehrly.linc@epa.gov](mailto:wehrly.linc@epa.gov)>; Weihrauch, John <[Weihrauch.John@epa.gov](mailto:Weihrauch.John@epa.gov)>; Wilcox, Jason <[Wilcox.Jason@epa.gov](mailto:Wilcox.Jason@epa.gov)>; Witkowski, Nicolas <[witkowski.nicolas@epa.gov](mailto:witkowski.nicolas@epa.gov)>; Yarbrough, Cody <[yarbrough.cody@epa.gov](mailto:yarbrough.cody@epa.gov)>; Zaremski, Sara <[zaremski.sara@epa.gov](mailto:zaremski.sara@epa.gov)>; Zimpfer, Amy <[Zimpfer.Amy@epa.gov](mailto:Zimpfer.Amy@epa.gov)>

**Subject:** OTAQ Daily News Brief

## **OTAQ Daily News Brief**

**\*\*Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at [richards.david@epa.gov](mailto:richards.david@epa.gov). Feedback welcomed. Thanks and enjoy!**

## **Reuters**

### Energy carbon emissions in 2016 flat for third year -IEA

A greener energy mix helped keep energy-related carbon dioxide emissions flat in 2016 yet more needs to be done to avert a harmful rise in global temperatures, International Energy Agency (IEA) data showed on Friday. Energy sector emissions of 32.1 gigatonnes were unchanged from 2015 and 2014 even though the global economy grew by 3.1 percent, the IEA estimated. "These three years of flat emissions in a growing global economy signal an emerging trend and that is certainly a cause for optimism, even if it is too soon to say that global emissions have definitely peaked," IEA Executive Director Fatih Birol said in a statement. Carbon dioxide emissions fell in the United States and China, the world's two largest energy users and emitters, and were stable in Europe. This helped to offset increases in CO2 emissions in the rest of the world, the IEA said. U.S. emissions fell by 3 percent to their lowest level since 1992 helped by higher use of shale gas and renewable energy displacing coal. For the first time, the United States produced more electricity from natural gas than from coal last year. Emissions in China fell by 1 percent as coal demand declined despite its economy growing by 6.7 percent.

## **Bloomberg**

### Icahn Pressed EPA Candidates on Ethanol Rule He Wants Scrapped

Billionaire investor Carl Icahn, who helped President Donald Trump vet candidates to lead the Environmental Protection Agency, pressed them for their views on a regulation that he says is costing his oil refineries hundreds of millions of dollars a year. Scott Pruitt, who got the EPA administrator job, seemed to agree that the rule should be changed, Icahn said last week in an interview at his New York office. Icahn was disappointed with what he considered Pruitt's scant knowledge of the issue during their first meeting, in November, but said he was satisfied after another meeting and additional phone calls. Icahn also met with at least two other men who wanted the job, Jeffrey Holmstead and Donald van der Vaart, and pressed them about the topic, according to people with knowledge of those conversations. All the meetings took place in Icahn's 47th-floor Manhattan office overlooking Central Park, about two blocks north of Trump Tower. Read more: [Trump Adviser Icahn Lobbies for Rule Change That Benefits Icahn](#). Icahn wants the EPA to scrap a longstanding rule key to enforcing the Renewable Fuel Standard, which mandates that biofuels make up part of the country's gasoline supply. The rule requires refineries and importers to blend renewable fuel into motor fuel or buy credits from others who do so.

## **Forbes**

### [With Weaker Fuel Economy Standards, Everyone Loses, Including U.S. Automakers](#)

Amory B. Lovins, Rocky Mountain Institute

On Wednesday in Detroit, beneath a vast American flag, President Trump answered 17 automakers' call to reopen the Mid-Term Review of the 2022-25 "CAFE" automotive efficiency standards. On his fourth day in office, he'd expedited approvals for two oil pipelines, skipping further assessments (if the courts permit). This time he did the opposite, scrapping the Obama Administration's quick decision and substituting a year's further study. On January 12, EPA had found—sooner than expected but based on a strong record—that the 2022-25 CAFE standards agreed by all parties in 2009-12 could indeed be profitably and practically met, and at even lower cost than expected. Now President Trump has rejected that finding and reinstated a year-long process in which automakers can argue that EPA's robust and exhaustive record of decision, backed by a 2015 National Academies study, was wrong. Automakers were pleased, but they must have been a mite surprised when the President said, "We are going to work on the CAFE standards so we can make cars in America again." Actually, under CAFE standards evolving since 1978, the industry in 2016 sold an all-time record 17.55 million vehicles. But such continued success is not guaranteed. Twice before, weak foresight has nearly destroyed U.S. automaking: first when 1970s oil shocks favored higher-mpg Japanese products and Detroit avoided a rout only by responding to President Ford's 1975 CAFE law, and in 2009 when two of the Big Three needed restructuring and an \$80 billion bailout.

## **Detroit News**

Column: Weakened fuel standards wrong turn

Shannon Baker-Branstetter, Consumers Union

As industry leaders gathered in Detroit last week for a conference on vehicle fuel economy, the Trump administration has said it is poised to roll back the standards that make cars go farther on less gas and save consumers money. But further improving fuel economy is actually a no-brainer. While the administration highlights the cost of improvements, the evidence shows that benefits of the new standards far outweigh them. Reasonable, well-paced and structured fuel economy gains help drive economic growth, including auto sales, and keep more money in consumers' pockets. The details confirm this is a win-win for the economy, environment and consumers. The Environmental Protection Agency's recently completed report was based on thousands of hours of research and analysis, concluding that the standards provide net savings of billions of dollars in fuel costs. Our own analysis showed that the new fuel economy rules would save consumers \$3,200 per car and \$4,800 per truck over the life of a vehicle designed to meet the standard set for 2025. And that's assuming that today's low gas prices continue for decades to come. If fuel prices shoot up, the savings would be substantially higher.

**LA Times**Column The California-U.S. brawl over auto emissions has begun

US automakers consistently have been great at grouching about safety and environmental regulations; in fact, that may be the only thing they've consistently been great at. Last week, this talent was again on display as they achieved one of their cherished goals — rolling back emissions and mileage standards set by the Obama administration in its final days. During an appearance in Detroit, President Trump announced that he would reverse the Obama decision, allowing mileage and emissions standards for 2017 to 2025 to be reconsidered over the next year by the Environmental Protection Agency and the Department of Transportation. EPA Administrator Scott Pruitt and Transportation Secretary Elaine Chao hailed the move as a boon to the economy. “These standards are costly for automakers and the American people,” declared Pruitt, a former Oklahoma attorney general and one of the best friends the oil industry ever had in government.

**BBC News**Climate change: Biofuels 'could limit jet contrails'

Some close-quarter flying has provided new insights into aircraft pollution. US space agency-led scientists flew small, instrumented, chase planes directly in the exhaust plume of a big jet to measure the sorts of gases and particles being thrown out. The data suggests aircraft burning a

mix of aviation kerosene and biofuel could reduce their climate impact. This would come from a substantial reduction in the production of the sooty particles that make contrails. "Those soot particles serve as nuclei for water vapour in the very cold atmosphere to condense on and for the artificial-looking linear contrails that we see when we look out the window," explained Richard Moore from Nasa's Langley Research Center. "You'll then see those lines spread and form cirrus clouds that weren't there before the plane flew through the airspace. "We know these contrails and cirrus clouds have a warming effect on the Earth's climate, and it's currently thought the warming effect associated with those clouds is more significant than all of the carbon dioxide emitted by aviation since the first powered flights began," he told the Science In Action programme on the BBC World Service.

## **International**

### **Reuters**

#### Indonesia plans to file WTO complaint over EU biodiesel duties

Indonesia plans to file a World Trade Organization complaint this month against European Union anti-dumping duties on biodiesel exports from the Southeast Asian country, trade officials said on Sunday. Indonesia said in a statement the EU duties on biodiesel were inconsistent with the WTO's Anti-Dumping Agreement and disputed the calculations that they were based on. "We are ready to file the suit at the first meeting in March 29-30 at WTO headquarter in Geneva," Indonesia's Director of Trade Security Pradnyawati said. In November 2013, the EU set duties of 8.8 percent to 20.5 percent for Indonesian producers and between 22 percent and 25.7 percent for Argentine producers, to apply for five years in both cases. The EU argued that by imposing duty on the raw product, soybeans in the case of Argentina and palm oil for Indonesia, they gave an advantage to domestic producers, which allowed them then to "dump" product at unfairly low prices.

### **Bloomberg**

#### Hate SUVs? Too Late

Resistance was futile. Comedians and environmentalists spent decades fighting the rise of the Canyonero, the Chelsea Tractor and other variants of the sports-utility vehicle. Now, the war between traditional passenger cars and their high-rise, roided-up cousins is all but over -- and SUVs won. In Australia, sales of SUVs overtook those of passenger vehicles last month.



David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

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**To:** Alson, Jeff[alson.jeff@epa.gov]; Charmley, William[charmley.william@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Helfand, Gloria[helfand.gloria@epa.gov]  
**Sent:** Wed 3/22/2017 11:17:00 AM  
**Subject:** RE: Pruitt Op-Ed

Bill,

## Ex. 5 - Deliberative Process

**From:** Alson, Jeff  
**Sent:** Tuesday, March 21, 2017 4:12 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Grundler, Christopher <grundler.christopher@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>  
**Cc:** Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Cook, Leila <cook.leila@epa.gov>  
**Subject:** RE: Pruitt Op-Ed

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 21, 2017 2:22 PM  
**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Pruitt Op-Ed

Just in case you missed it...

## Scott Pruitt: We're protecting jobs and the environment (USA Today)

***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — "The future ain't what it used to be." After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for 3% of our GDP. Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

Department of Transportation Secretary Elaine Chao and I, as administrator of the Environmental Protection Agency, took steps to help. We have announced that we will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

EPA will work with our partners at DOT to take a fresh look. This thorough review will help ensure that this national program is good for consumers and good for the environment.

After the November election the EPA rushed through these standards, as Forbes reported, "requiring automakers to more than double their fleet-wide fuel efficiency by 2025, a move that comes earlier than expected and is seen as a measure to try to lock in part of President Obama's legacy before Donald Trump gets into the White House."

The auto industry estimates that it would need to spend \$200 billion to comply. That type of expense would lead to higher prices for consumers, lower wages for workers and jobs moving out of the country. The National Center for Policy Analysis says these standards have pushed manufacturing and jobs to Mexico.

Last week, EPA and DOT put a pause on the process to reexamine the rule to hear from all stakeholders.

This is an example of how the Trump administration is going to do things differently. That includes a more transparent EPA. Americans can have both a clean and healthy environment and good paying manufacturing jobs. America is going to create jobs and grow the economy while at the same time be good stewards to our natural resources.

Improved technology has made the United States the world leader in clean air quality. From 1970 to 2015, aggregate national emissions of the six common pollutants dropped an average of 70% while gross domestic product grew by 246%. We have achieved this reduction during a time when more Americans were driving more cars, more miles. That is remarkable and shows American ingenuity is simply the best.

Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*

**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** E&E News  
**Sent:** Tue 3/21/2017 11:08:20 AM  
**Subject:** March 21 -- E&E Daily is ready

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AN E&E NEWS PUBLICATION

**E&E DAILY — Tue., March 21, 2017**

 [READ FULL EDITION](#)

**1.ADVOCACY:**

**Greens see Chamber support of renewables as 'window dressing'**

Even though the U.S. Chamber of Commerce — and its Institute for 21st Century Energy — has been talking more about cleaner power sources, critics and even some business leaders say the group appears to be more in sync with the interests of fossil fuels and utilities.

IN THE SENATE

**2.SUPREME COURT:**

**Dems gear up to blast '5-4 rampage' at Gorsuch hearing**

**3.POLITICS:**

**Bennet warns against 'destructive gridlock'**

**4.NUCLEAR:**

**Senate panel to vote on bipartisan legislation**

IN THE HOUSE

**5.CLIMATE:**

**Backers of GOP resolution pushing back on DOE cuts**

**6.REGULATIONS:**

**E&C Dems blast Trump admin's rule-stalling tactics**

**7.AUTOS:**

**Following Trump, bills would kill CAFE standards, research**

**8.PESTICIDES:**

**House passes bill to help improve oversight**

POLITICS

**9.DEMOCRATS:**

**DNC placates progressives after transition committee backlash**

ON THE HILL

**10.NATURAL GAS:**

**Industry renews plea for speedier exports**

**11.NOAA:**

**Groups, researchers urge lawmakers to reject agency cuts**

**12.COAL:**

**Key lawmaker floats second miner benefits bill**

UPCOMING HEARINGS AND MARKUPS

**13.CALENDAR:**

**Activity for March 20 - March 26, 2017**

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To send a press release, fax 202-737-5299 or email [editorial@eenews.net](mailto:editorial@eenews.net).

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**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Olechiw, Michael  
**Sent:** Tue 3/21/2017 11:00:57 AM  
**Subject:** RE: Blog calls out EPA Web posting of the Alliance letter

## Ex. 5 - Deliberative Process

**From:** Moran, Robin  
**Sent:** Monday, March 20, 2017 12:59 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Charmley, William <charmley.william@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>  
**Subject:** Blog calls out EPA Web posting of the Alliance letter

## Ex. 5 - Deliberative Process

**From:** Hula, Aaron  
**Sent:** Monday, March 20, 2017 11:17 AM  
**To:** Alson, Jeff <alson.jeff@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** Decicco blog - "The 'Job-Killing' Fiction Behind Trump's Retreat on Fuel Economy Standards"

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ED\_001220\_00002363

From John:

<http://e360.yale.edu/features/trump-fuel-economy-cafe-standards-decicco>

**Aaron Hula**

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**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 11:50:14 AM  
**Subject:** FW: MTE Clips

fyi

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 5:27 PM  
**To:** Charmley, William <charmley.william@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Hula, Aaron <Hula.Aaron@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>  
**Cc:** Grundler, Christopher <grundler.christopher@epa.gov>  
**Subject:** MTE Clips

Hi All – a few MTE clips from key outlets:

**Big win for automakers as Trump orders fuel economy standards review  
(Reuters)**

<http://www.reuters.com/article/us-usa-trump-autos-idUSKBN16M2C5>

By [Nick Carey](#) and [David Shepardson](#) | DETROIT/WASHINGTON

U.S. President Donald Trump on Wednesday ordered a review of tough U.S. vehicle fuel-efficiency standards put in place by the Obama administration, handing a victory to auto industry executives and provoking criticism from Democrats and environmental groups.

In a move that is widely seen as a preamble to loosening fuel standards, Trump told an audience of cheering union workers, he would "ensure that any regulations we have protect and defend your jobs, your factories," and promised he would encourage growth in the U.S. auto sector.

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"The assault on the American auto industry is over," Trump said, standing in front of a banner that read "Buy American-Hire American." Trump added he plans "a very big announcement next week regarding your industry," but did not say what that would be.

The backdrop and message underscored Trump's efforts to lock down support in industrial states such as Michigan that put him in the White House. Trump spoke at the site of the former Willow Run bomber factory in Ypsilanti, Michigan, which won fame for building an operational B-24 heavy bomber every 59 minutes during the Second World War. Now, the site is being redeveloped as a testing ground for autonomous vehicles.

At a roundtable with industry leaders Trump made clear he expected automakers to hire more Americans in return, a theme that dominated his election campaign.

"We're going to do some wonderful work with you but you're going to have to help us with jobs," he said.

Trump's event was attended by around 1,000 people, including automotive executives, United Auto Workers union President Dennis Williams - who sat next to Trump - and workers from Detroit's "Big Three" automakers: General Motors Co (GM.N), Ford Motor Co (F.N) and Fiat Chrysler Automobiles NV (FCA) (FCHA.MI) (FCAU.N). Automakers lined up examples of vehicles they build in the United States for the president to see.

Auto industry executives have said they are hopeful the Trump administration will pursue tax and regulatory policies that would benefit U.S. manufacturers.

Reopening the fuel efficiency rules put in place by Democratic President Barack Obama just a few weeks before he left office is one of the top items on the industry's agenda.

Automakers, through their lobbying groups, have said the Obama rules were too expensive and could cost American jobs.

"These standards are costly for automakers and the American people," said Environmental Protection Agency Administrator Scott Pruitt. "We will work with our partners at DOT to take a fresh look to determine if this approach is realistic," he said, referring to the Department of Transportation.

After one participant in Wednesday's meetings mentioned environmental concerns, Trump said he agreed but did not want an "extra thimbleful of fuel" to get in the way of growth.

Automakers are wary of being seen as out of touch with environmental concerns, or unwilling to invest in new technology. Ford, for example, used its Twitter account on Wednesday to highlight previously announced commitments to develop electric vehicles.

It could take a year for the review process to play out, and Wednesday's event was effectively a starting gun for intense lobbying efforts over how government policy will drive technology investment decisions in the auto sector.

Critics like Democratic U.S. Senator Edward Markey of Massachusetts said Trump's move could hurt consumers.

"Filling up their cars and trucks is the energy bill Americans pay most often, but President Trump's roll-back of fuel economy emissions standards means families will end up paying more at the pump," Markey added.

The president is not seeking to revoke California's authority to set vehicle efficiency rules even stricter than federal rules, including mandated sales of electric vehicles, as part of this move, a White House official said. The official did not rule out seeking to withdraw California's authority in the future. Pruitt, an ally of the fossil fuel industry, would not commit during his Senate confirmation hearing to allowing California to continue its own clean vehicle rules.

California's attorney general late Tuesday filed legal papers in a federal court defending the Obama administration's decision to finalize the determination in January.

The Obama administration's rules, negotiated with automakers in 2012, were aimed at doubling average fleetwide fuel efficiency to 54.5 miles per gallon by 2025, although the real-world mileage figures would be lower.

#### 'THOUGHTFUL AND COORDINATED'

Automotive industry executives and lobbying groups were quick to praise the administration's announcement.

"The Trump administration has created an opportunity for decision-makers to reach a thoughtful and coordinated outcome predicated on the best and most current data," said Mitch Bainwol, chief executive of the AutoAlliance, an industry lobby group.

Automakers have signaled they want the government to give manufacturers more credit toward achieving fuel efficiency targets for technologies such as "stop-start" systems that shut down a car's engine at a traffic light.

Regulators should also look at whether ride hailing and vehicle-to-vehicle communications systems designed to prevent accidents and alleviate road congestion could be counted toward the industry's greenhouse gas emissions goals, the Alliance for Automobile Manufacturers proposed in comments to the EPA last year. The group represents a dozen automakers, including GM, Ford and FCA.

Under the 2012 agreement with the industry, the EPA was given until April 2018 to decide whether the standards were feasible under a "midterm review," but the agency moved up its decision to a week before Obama left office in a bid to maintain a key part of his administration's environmental legacy.

An EPA analysis indicated that compared with previous rules, the 2025 standards would result in savings of between \$1,460 and \$1,620 over the lifetime of a vehicle and payback for new technology required to meet the new standards of around five years.

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## What lower gas-mileage standards would mean for car and gas prices (USAToday)

The stage is set for a possible rollback in fuel-economy standards as [President Trump is expected to order a review that takes aim at stiffer requirements](#) implemented by the Obama administration.

Here's a look at the potential implications of lower gas-mileage requirements, known as corporate average fuel economy (CAFE):

**The environment:** Lower fuel economy translates into higher carbon emissions. That contributes directly to climate change, which scientists blame for rising sea levels, extreme weather, harsher agricultural conditions, biodiversity loss and health concerns.

Obama cited [concerns about climate change](#) as one of the key reasons why higher fuel economy standards are necessary.

Higher gas mileage means lower petroleum consumption. To be sure, there is ample evidence that people drive more when gas is less expensive.

Miles driven in the U.S. increased for a sixth consecutive year in 2016, topping 3.2 trillion miles, [according to the Federal Highway Administration](#). In 2016, the average price of gasoline declined for a fourth consecutive year, plunging to \$2.13 per gallon nationwide, [according to GasBuddy](#).

But the Union of Concerned Scientists, which advocates for policies to combat climate change, [estimated that the U.S. would save 3 million barrels of oil per day](#) by 2030 if current fuel-economy standards remain in place.

**Vehicle design:** Vehicles are getting bigger, in part because consumers are embracing crossovers, sport-utility vehicles and pickup trucks with gasoline at low levels. Expect this trend to continue. Technological improvements have also made these vehicles more fuel-efficient, narrowing the gap with cars and removing the incentive for choosing a smaller vehicle.

One key question is whether automakers will still pursue alternative powertrain vehicles such as hybrids and electric cars if fuel economy standards are rolled back.

If sales of those products remain sluggish, they may fade from view. But that's not inevitable for multiple reasons. One factor to keep in mind is the impact of foreign markets on U.S. products. No one expects foreign markets to lessen fuel economy standards — and amid a market in which vehicles are often

designed for global distribution, it's unlikely automakers will suddenly abandon alternative powertrain vehicles for the American market.

Plus, there's a competitive factor. Automakers don't want to be caught empty-handed if and when consumers eventually demand electric cars, hydrogen vehicles or other alternative powertrain models.

"Our industry is committed to producing even safer and more energy-efficient vehicles in the future and that's what this process is all about," said Mitch Bainwol, CEO of the Auto Alliance, which lobbies in Washington on behalf of automakers and supports Trump's review of CAFE standards.

**California:** Because it's such a large market that cannot be ignored, California has retained a significant influence on automakers.

The state has implemented regulations requiring automakers to sell fuel-efficient and alternative-powertrain vehicles, setting a higher environmental benchmark for the industry than the Environmental Protection Agency.

A White House official said the EPA's new review of fuel economy standards won't challenge the waivers held by California and other states that allow them to impose even tougher emission-cutting requirements on vehicles than required under the federal regulations.

But Trump could reverse course and attempt to undermine those regulations, potentially weakening the state's outsized impact on the auto industry.

Still, "California can effectively counter a move to roll back the federal standards by retaining and even strengthening its own standards, creating dueling systems of emission control that would be unworkable for the industry," former Obama EPA official Bob Sussman wrote in February for the Brookings Institution.

**Profits:** The automakers are pursuing looser fuel economy restrictions because they're concerned that Obama's planned escalation would require them to manufacture fuel-efficient small cars that consumers don't want to buy.

What's more, bigger, less-fuel-efficient vehicles are generally more profitable. The more automakers sell, the better for the bottom line.

Eighteen automotive manufacturers wrote a letter to Trump in February asking him to review Obama's EPA standards.

"Any reversal of the existing status would be positive for" automakers, Evercore ISI analyst Arndt Ellinghorst said Tuesday in a research note.

**Vehicle prices:** Industry experts generally agree that average vehicle prices will increase if current fuel economy standards remain in place through 2025.

That's because higher CAFE standards will require automakers to adopt new powertrain technologies that are more expensive to the consumer, such as electric vehicles that, despite their promise, are still expensive for the average shopper.

David Cole, chairman emeritus of the Center for Automotive Research, said that automakers have exhausted most of the cost-effective ways to improve fuel economy, including weight reduction, tire improvements and aerodynamic design.

"The economics are a big deal and this is what really concerns the industry," Cole said in an interview.

"You add too much to the cost of a vehicle, they're hard to sell."

**Fuel costs:** It's indisputable that higher fuel economy requirements would save consumers money at the pump.

The Consumers Union, the policy arm of Consumer Reports, said in a recent report that the average buyer of a 2015 model-year vehicle spent \$523 less on gasoline than for a 2005 vehicle.

The question is whether those savings would offset potentially higher prices.

"Weakening the standard now would mean consumers would lose out on some of those savings," Consumers Union policy counsel Shannon Baker-Branstetter said in a statement. "For middle-class families struggling to pay bills, raising costs at the pump is a bad deal."

**Jobs:** Here's where it gets particularly tricky.

The Center for Automotive Research concluded in a September report that in eight out of nine scenarios, the U.S. economy would lose auto manufacturing jobs if current standards stay in place. The researchers analyzed three price levels for gasoline, based on U.S. Energy Information Administration projections — \$2.44, \$3 and \$4.64. They matched that with three different estimates for the average cost per vehicle required to meet the CAFE mandates — \$2,000, \$4,000 and \$6,000.

The Center for Automotive Research has historically received some funding from the auto industry but said this study was independently funded,

But the BlueGreen Alliance, which represents union and environmental interests, warned Tuesday that the U.S. has more than 1,200 facilities in 48 states manufacturing "key technologies that go into meeting fuel-economy standards."

"Effective, long-term standards are critical to maintaining robust advanced technology investment, innovation, and job growth, as well as to continuing to position the domestic industry as a global leader," the organization said in a December report.

Follow USA TODAY reporter Nathan Bomey on Twitter [@NathanBomey](#).

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## U.S. won't seek to roll back California vehicle authority

March 15, 2017 @ 6:42 am

David Shepardson

Reuters

ED\_001220\_00002368-00006

ED\_001220\_00002368

**UPDATED: 3/15/17 3:29 pm ET - adds details**

WASHINGTON -- President Donald Trump said the EPA will revive a review of the feasibility of strict fuel efficiency standards through 2025, but did not withdraw California's authority to set its own vehicle rules.

The president announced the review on Wednesday during an appearance in Michigan.

Earlier, a White House official briefing reporters said the Trump administration will spend the next year working on the review to determine if the 2022-25 model-year rules are feasible. The administration has made no decisions on how or if the standards should be revised.

But the Trump administration is not picking an immediate fight with California, which has long drawn the ire of automakers for setting more aggressive environmental vehicle rules, including requiring zero-emission cars.

In 2012, California, the most populous U.S. state, agreed to harmonize its vehicle emissions rules with Obama administration rules that were aimed at doubling average fleetwide fuel efficiency to 54.5 mpg by 2025. Thirteen other states have adopted California rules that account for about 40 percent of U.S. vehicle sales.

California has a waiver under the Clean Air Act to set its own vehicle rules and has said it would vigorously fight any effort to revoke it. The administration official did not rule out a potential effort to restrict California's authority at a future date but said the White House hoped to work collaboratively with the state on the review.

Securing America's Energy Future, a nonpartisan group of energy advocates and retired military leaders, urged the federal government, California and others to work together.

"There's no reason for environmentalists, automakers and conservatives to risk a nuclear war over these rules, which will result in zero progress for all sides," said SAFE's chief executive, Robbie Diamond.

In Michigan, Trump met with CEOs from General Motors, Ford Motor Co. and Fiat Chrysler Automobiles and top U.S. executives from Toyota Motor Corp., Daimler AG and others. He addressed hundreds of cheering autoworkers who attended the rally-like event.

EPA had had until April 2018 to decide whether the standards were feasible under a "midterm review," but moved up its decision to a week before President Barack Obama left office in January.

Automakers argue the vehicle emissions rules will impose significant costs and are out of step with consumer preferences. They say they need more flexibility to meet the rules amid low gas prices.

Environmentalists say the rules reduce fuel costs and greenhouse gases, and they have vowed to sue if the Trump administration weakens them.

## **Q&A: Change to fuel economy standards could impact consumers (WaPo/AP)**

By Dee-Ann Durbin | AP March 15 at 3:36 PM

DETROIT — President Donald Trump plans to re-examine federal fuel economy requirements for new cars and trucks.

The requirements were a centerpiece of President Barack Obama's strategy to combat global warming. But Trump appears to be making good on a pledge to car company CEOs to reduce "unnecessary regulations."

Here's what's happening:

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### WHAT ARE CAFE AND GHG STANDARDS?

CAFE (Corporate Average Fuel Economy) standards are mile-per-gallon targets for cars and trucks set by the U.S. government. The standards are based on size and are weighted by sales. Each manufacturer has a different requirement based on the models it sells.



Congress required the National Highway Traffic Safety Administration to develop CAFE standards in 1975 after gasoline shortages during the Arab oil embargo. The U.S. Environmental Protection Agency began regulating greenhouse gas emissions from vehicles in 2007. The agencies work together to produce CAFE standards.

The standard for passenger cars stayed at 27.5 mpg from 1990 until 2007. In 2009, the government set a fuel economy standard of 34.1 mpg for cars and light trucks by 2016. In 2012, it set a new target of 54.5 mpg by 2025. The number can change depending on the mix of vehicles customers buy. Right now, it stands at 51.4 mpg because people are buying more SUVs and trucks.

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UNDER THE CURRENT STANDARD, WOULD MY CAR GET 54.5 MPG IN 2025?

No. Manufacturers can apply credits for various fuel-saving technologies to arrive at that figure. Real-world mileage would be closer to 36 mpg.

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WHAT'S HAPPENING NOW?

In the last days of the Obama administration, the EPA completed a review of the standards for model years 2022-2025 and left them unchanged, saying the car companies have many affordable options to help them comply. The industry protested, saying the review was too hasty and didn't consider the fact that gas prices have fallen and few consumers want the smallest, most fuel-efficient vehicles.

President Trump is reopening the evaluation process, which could lead to weaker standards.

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WHY WOULD THE GOVERNMENT CONSIDER CHANGING THE STANDARDS?

President Trump wants automakers to expand production in the U.S. and hire more workers. In exchange, he has promised to cut regulations and taxes. Gasoline is more than \$1 per gallon cheaper than it was in 2012, when the standards were issued. The low prices hurt demand for more fuel-efficient cars. If

those cars don't sell, their high mileage can't be counted toward an automaker's corporate average fuel economy.

But environmental groups say weakening the standards would increase pollution and require consumers to spend more on gas.

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#### HOW ARE AUTOMAKERS IMPROVING THEIR FUEL ECONOMY?

Manufacturers have introduced all-electric cars like the Chevrolet Bolt and increased the use of lightweight materials like aluminum. Engine technologies, such as direct fuel injection, and more efficient transmissions are also contributing. The standards give manufacturers extra credit for new technologies, such as hybrid engines for pickup trucks and stop-start systems, which automatically shut off the engine when the vehicle stops in traffic.

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#### DO THOSE ADDED TECHNOLOGIES MAKE MY VEHICLE MORE EXPENSIVE?

Yes. In its final ruling in January, the EPA estimated the fuel economy standards will cost \$875 per vehicle. A study commissioned by the Alliance of Automobile Manufacturers estimates the cost of compliance at \$1,249 per vehicle. However, the EPA says the standards would save consumers up to \$1,620 in gas over the life of their vehicle.

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#### IF THE STANDARDS ARE WEAKENED, WILL THAT AFFECT WHAT KINDS OF CARS ARE AVAILABLE?

Maybe. Automakers might choose to offer fewer electric or hybrid cars in the U.S., since those are less profitable than trucks and SUVs. They also could scrap subcompact cars, which are unpopular with U.S. consumers but help meet fuel economy targets.

There are caveats. Automakers will still have to meet rising fuel economy standards in China and Europe, so they won't stop making efficient vehicles. If gas prices rise, U.S. consumers might demand more fuel-efficient cars. Finally, California and other blue states have a history of passing stricter standards than the rest of the country. If that continues, automakers would have to keep their most fuel-efficient models in U.S. showrooms, since California is the biggest

market in the U.S.

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## **Trump pumps brakes on Obama-era fuel efficiency standards (FOX News)**

By **Barnini Chakraborty**

Published March 15, 2017

Trump announced Wednesday that his administration would re-examine Obama-era fuel efficiency rules for cars and trucks, during a visit to the heart of the U.S. auto industry.

After meeting with auto CEOs and union leaders, Trump announced his plan at the American Center for Mobility in Ypsilanti, Mich., outside Detroit. He told the crowd his administration will “help the companies” that in turn “are going to help you.”

**“There is no more beautiful sight than an American-made car,” Trump said. “We want to be the car capital of the world again.”**

**Trump announced he's putting a midterm review of fuel efficiency standards back on track, giving officials another year to study the issue before setting new standards in 2018.**

**CAFE emissions targets were at the heart of former President Barack Obama's multi-year strategy to fight climate change. Trump's willingness to hit the brakes underscores his administration's aim to roll back environmental rules in order to boost economic growth.**

**Senate Minority Leader Chuck Schumer, D-N.Y., ripped the announcement as "one of the first steps in an all-out assault by the Trump administration to dismantle important environmental protection."**

**Under Obama, the EPA had pushed a rule for cars and light trucks requiring a fleet-wide average of 54.5 mpg by 2025.**

**Back in 2012, the Obama administration set fuel-economy regulations for model years 2017-2025. The administration agreed to complete a midterm evaluation in 2018. But a week before Obama left office, then-EPA head Gina McCarthy decided to keep the stringent requirements it had set in place for model years 2022-2025.**

**While the Trump administration has not flat-out said it wants to weaken the standards, the president campaigned on the promise of eliminating “job-killing” regulations.**

**“These standards are costly for automakers and the American people,” EPA Administrator Scott Pruitt said in a written statement. “We will work with our partners at DOT to take a fresh look at determine if this approach is realistic. This thorough review will help ensure that this national program is good for consumers and good for the environment.”**

**Transportation Secretary Elaine Chao also applauded the decision, calling the move “a win for the American economy.”**

**The news isn’t great for environmentalists who say the rules are working and claim they will save drivers thousands of dollars in fuel costs down the road and shouldn’t be changed.**

**Automakers argue that the gas-mileage targets make it too expensive for the industry to produce more high-mileage cars given the consumer preference to purchase larger vehicles that are less fuel-efficient.**

**In 2016, car sales slipped month after month as low gas prices made buying larger vehicles more attractive.**

**A group of 12 manufacturers including GM and Ford has pressed the White House to roll back the Obama fuel standard targets. The new rules “threaten to depress an industry that can ill afford spiraling regulatory costs,” Mitch Bainwol, chief executive of the Alliance of Automobile Manufacturers, wrote in a Feb. 27 letter to Pruitt.**

**Bainwol slammed the decision and reasoned it was “riddled with indefensible assumptions, inadequate analysis and a failure to engage with contrary evidence.”**

**Bainwol’s letter to Pruitt follows a separate letter to Trump from the heads of GM, Ford, Fiat Chrysler, Toyota, VW, Honda, Hyundai, Nissan asking him to reverse the rules.**

**Trump also told the crowd of auto workers they would be respected.**

**"Soon, now, already happened," he said.**

**After leaving Detroit, Trump was heading to Nashville to lay a wreath at former President Andrew Jackson’s tomb, before holding a campaign-style rally in the city.**

***The Associated Press contributed to this report.***

Opinion piece from March 10

# The High Cost of Rolling Back Fuel Standards

16

MARCH 10, 2017 6:30 AM EST

By

Cass R. Sunstein

A Republican president takes office, vowing to eliminate job-killing regulations issued by his Democratic predecessor. In his first weeks, the automobile industry publicly asks him to eliminate specific regulations that are, in its view, crushingly burdensome. He agrees.

Sound familiar? It should. But we're speaking of 1981, not 2017, and of Ronald Reagan's decision to repeal one of the central achievements of the Jimmy Carter administration: a rule designed to reduce highway deaths and injuries by requiring "passive restraints," such as airbags, in motor vehicles.

For fans of deregulation, the story ends badly. In 1983, the Supreme Court unanimously struck down Reagan's repeal on the ground it was arbitrary and unjustified by reasons or evidence -- a naked exercise of political power.

That's a warning for the Trump administration. Sure, the Supreme Court in coming years will not be the same as it was in 1983. But its current and future members are not likely to be comfortable with arbitrary or evidence-free decisions from federal administrators.

Reagan's ignominious defeat bears directly on what might well be the biggest regulatory controversy of the coming years. Acting in direct response to the pleas of the automobile industry, Trump's regulators appear poised to revisit a major accomplishment of the Obama administration: a fuel-economy rule intended to

save both money and lives, and finalized in 2012 by the Department of Transportation and the Environmental Protection Agency.

True, deregulation is often a sensible response to unjustifiably costly federal requirements. But on the basis of the numbers, discussed at length in the government's technical analysis, the fuel-economy program looks quite solid -- and if the Trump administration concludes otherwise, it will have to offer a detailed justification, not talking points.

The program covers the period from 2017 to 2025, and it is designed to increase vehicles' average fuel economy to more than 50 miles per gallon by the final year. It was developed in close collaboration with automobile companies, and in 2012, they embraced it. (Disclosure: As administrator of the Office of Information and Regulatory Affairs, I had some involvement in the rulemaking.)

It is true that the fuel-economy program will be quite expensive, imposing annual costs of about \$6.49 billion. Most of those costs will be borne by consumers, who will have to pay more for new cars. But according to the current numbers, those very consumers will ultimately be the rule's biggest beneficiaries: Because fuel-efficient vehicles are less costly to operate, people are expected to save a whopping \$20.5 billion annually. On net, the annual benefit to consumers is more than \$14 billion.

Putting climate change entirely to one side, you'll also find big benefits for human health, because the rule will cut emissions of both particulate matter and ozone. The result will be to reduce premature deaths, chronic bronchitis, hospital admissions for respiratory causes, and emergency admissions for asthma.

In terms of greenhouse-gas emissions, the program will also have a big impact. Over its lifetime, it is expected to eliminate the equivalent of two billion metric tons of carbon-dioxide emissions.

The technical analysis explores other effects as well, including reductions in imported oil and the impact on accidents, noise and congestion. The overall conclusion is that the program will produce annual net benefits of \$19.5 billion. You can't find a lot of regulations with that kind of payoff.

An unusual feature of the program, as it was finalized in 2012, is that it called for a midterm government review in 2017, reassessing the requirements for the period from 2022-2025. (Through 2021, the program now appears to be locked in.) Because markets and technology can go in surprising directions, the idea of a midterm review makes a ton of sense.

In January, the Obama administration undertook that review and elected to retain the program as it was originally designed. In the process, it offered a painstaking and highly technical explanation of its decision.

In fact, it concluded that the progress of technology development would support even more stringent standards from 2022-2025 -- but that in view of the need for regulatory certainty, and to respect the industry's need for long-term planning, the 2012 program should not be amended.

To be sure, it is perfectly appropriate for the Trump administration to reconsider the decisions of its predecessors, and to listen carefully to those who vigorously object to regulatory requirements. But as the Supreme Court made clear in 1983, an agency can't repeal a regulation simply because it doesn't like it. It must engage with the law and the facts. And if the prior administration has offered a technical justification, the repeal must be accompanied by an explanation of why that justification is wrong.

The Trump administration might be able to offer such an explanation. For example, it might conclude that by 2025, a standard in excess of 50 miles per gallon is not feasible, or that it cannot be achieved at reasonable cost. It might reject the EPA's conclusion, in January, that consumers would ultimately be big winners, gaining \$100 billion from the 2022-2025 standards. It might argue that a creative approach of its own could generate large benefits at lower cost.

But conclusions of this kind require evidence and analysis, rather than a plea from an interest group, or general skepticism about regulation and the very idea of climate change. Whether you're concerned about consumer savings, public health, energy independence, cost-benefit analysis or greenhouse-gas emissions, the fuel-economy program has a lot going for it. If the Trump administration wants to scale it back, it will have some explaining to do.

*This column does not necessarily reflect the opinion of the editorial board or Bloomberg LP and its owners.*

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

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8-6 M,T,Th

8-2:30 W,F

Flexiplace every Wed (call 202-255-4434 to reach me on Wednesday).

ED\_001220\_00002368-00016

ED\_001220\_00002368



**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 6:25:17 PM  
**Subject:** VOX: Trump's plan to roll back Obama's fuel economy rules for cars, explained

A lengthy piece which seems to get it mostly right. Stresses the real-world 36 mpg values.

<http://www.vox.com/energy-and-environment/2017/3/15/14828070/trump-fuel-economy-standards>

ED\_001220\_00002369-00001

ED\_001220\_00002369

**To:** Liao, Shan[Liao.Shan@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Wed 3/15/2017 5:52:34 PM  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

Hi Shan,

Thanks for adding the link.. the pre publication version of the FR notice still goes to the test page. Am I missing something?

-Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 1:50 PM  
**To:** Moran, Robin <moran.robin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

This link is added.

The pre-publication is posted to CMS also.

<https://wcms.epa.gov/node/162119/revision/506181/view>

<https://wcms.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 1:48 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: UPDATED location for letter

OK. Yes we should add the other letters then too. There was also a similar one from Global Automakers.

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:45 PM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** FW: UPDATED location for letter

Hi shan,

Can you make this one change...

Under the link to the FR notice add this link

- "Alliance of Auto Manufacturers Letter to Administrator Pruitt"
- <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

..

Robin – I am pushing back to include the other letters but want to be ready.

ED\_001220\_00002371-00002

ED\_001220\_00002371

**From:** Millett, John  
**Sent:** Wednesday, March 15, 2017 1:40 PM  
**To:** Hart, Daniel <[Hart.Daniel@epa.gov](mailto:Hart.Daniel@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** RE: UPDATED location for letter

Got it . . .

**From:** Hart, Daniel  
**Sent:** Wednesday, March 15, 2017 1:32 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** UPDATED location for letter

Erin and John,

Per my voicemail. Recommend this go on the midterm page:

Either link to attached or to their site: <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

Link language “Alliance of Auto Manufacturers Letter to Administrator Pruitt”

Daniel (Danny) Hart | Director, Office of Web Communication, Office of Public Affairs, U.S.  
EPA | desk: 202-564-7577 | cell: 202-365-7095

ED\_001220\_00002371-00003

ED\_001220\_00002371

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]  
**From:** Sutton, Tia  
**Sent:** Wed 3/15/2017 5:26:00 PM  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Oh shoot- sorry, I think we were emailing in tandem. I just sent a note to ask if one of them could check it. (Gwen usually catches this type of thing, so I'm hoping she already did and we're good to go)

Sent from my iPhone

On Mar 15, 2017, at 1:20 PM, Birgfeld, Erin <Birgfeld.Erin@epa.gov> wrote:

OK. Sounds good. I'll send gwen the updated pdf.

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:20 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

I agree on going with "announced on 3/15". But we shouldn't change the phone number in the pre-pub version -- otherwise, we won't actually be using what they signed. We usually keep the mistake in and just do a web errata note. Then we make the correction in the pub version.

Sent from my iPhone

On Mar 15, 2017, at 1:16 PM, Birgfeld, Erin <Birgfeld.Erin@epa.gov> wrote:

Crap. That was my fault. The actual date was 3/13. I say we note that this was announced on 3/15 though.

Tia – should we just edit the FR notice at this point with Bill's correct # and reformat for the web?

On another note – Robin can you confirm that the relevant statute for this action is CAA Section 202? They need it for the petitions page.

Thanks,

ERin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

The version I have uses two different dates in the pre-pub disclaimer: page 1 says 3/13, pages 2-5 says 3/15. I don't know the date of when this was actually signed, so defer to others to make the correction consistently in doc.

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:10 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Just to the 2 of you- shouldn't the below refer to a signature date of 3/13 if that's what's in the pre-pub file disclaimer? If that's wrong, of course you can just ignore- only sent to you 2 so I don't confuse everyone else if we do in fact want to leave 3/15.

Sent from my iPhone

On Mar 15, 2017, at 10:50 AM, Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)> wrote:

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

**Ex. 5 - Deliberative Process**

# Ex. 5 - Deliberative Process

- **Federal Register Notice:** [Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles \(PDF\)](#) ( 5 pp, 166 K, pre-publication, [About PDF](#))

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 10:38 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version: <https://wcms.epa.gov/node/162119/revisions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

ED\_001220\_00002372-00004

ED\_001220\_00002372



That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin

**Sent:** Wednesday, March 15, 2017 10:28 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:08 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

ED\_001220\_00002372-00006

ED\_001220\_00002372

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 9:15 AM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>  
**Subject:** NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 9:13 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>  
**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

ED\_001220\_00002372-00007

ED\_001220\_00002372

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 9:07 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this prepublication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

ED\_001220\_00002372-00008

ED\_001220\_00002372

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**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

ED\_001220\_00002372-00009

ED\_001220\_00002372

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 11:31 PM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED  
**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen

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<[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00002372-00011

ED\_001220\_00002372

**To:** Moran, Robin[moran.robin@epa.gov]  
**Cc:** Olechwi, Michael[olechwi.michael@epa.gov]  
**From:** Fernandez, Antonio  
**Sent:** Tue 3/14/2017 12:25:43 PM  
**Subject:** RE: Update on MTE actions

I reached out to Chris Nevers and he indicated that he was not asked to attend either.

**From:** Moran, Robin  
**Sent:** Tuesday, March 14, 2017 7:58 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** Update on MTE actions

Good morning, here's what we know....and don't know ... about what's happening:

- Yesterday Bill shared that he'd heard that Administrator Pruitt signed a FR Notice on Friday that would announce EPA's reconsideration of the Final Determination. He shared a hard copy of a version from Friday, but we don't know if this is in fact a final signed version, so I'll wait to share anything with the team till we have more certainty. We understand that the Notice was to go over to DOT for the Secretary's signature.

- In the version we saw yesterday, essentially the FR Notice:

## Ex. 5 - Deliberative Process

Below is the latest E&E report I've seen on the reported Trump announcement in Ypsilanti tomorrow. As of yesterday, there was no knowledge of any invitation for OTAQ to be present at this event.

### Trump to visit Mich., expected to weigh in on emissions

Camille von Kaenel, E&E News reporter



Published: Monday, March 13, 2017

President Trump will travel Wednesday to Michigan, where he is expected to announce whether his administration will consider lowering vehicle emissions and fuel economy requirements.

Trump will make remarks at the American Center for Mobility, an autonomous vehicle testing facility in Ypsilanti, Mich., at 2 p.m., according to the White House.

He is expected to meet with automakers who have asked for relief on stringent vehicle emissions rules in previous meetings on jobs. They say low gas prices and consumer preferences for big, less fuel-efficient trucks make meeting the standards increasingly difficult and costly.

Following petitions by CEOs in the auto industry and their trade lobbies, U.S. EPA is widely expected to reopen a review of the 2022-2025 vehicle standards that were finalized in the final days of the Obama administration. Automakers have said the process was "rushed" in an attempt to lock in a key part of President Obama's climate program.

Once the review restarts, EPA and the National Highway Traffic Safety Administration will have until April 2018 to decide whether the standards through 2025 are technologically feasible or whether they must be loosened.

Environmental, consumer and national security advocates have warned rolling back the rules could raise emissions, fuel costs and dependence on foreign oil and have vowed to fight any change. The Obama-era rules would lift the average fuel economy of the vehicle fleet to 50.6 mpg in 2025.

California lawmakers and environmental advocates were concerned the administration would also attack the state's clean car rules by revoking a special waiver that lets California set stricter standards, but the announcement is no longer expected this week.


The White House, EPA and the Transportation Department did not provide further details.

**From:** E&E News [<mailto:eaalerts@eenews.net>]  
**Sent:** Monday, March 13, 2017 4:23 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Subject:** March 13 -- E&E News PM is ready

[Read today's E&E News PM on the web](#)

AN E&E NEWS PUBLICATION

**E&E NEWS PM — Mon., March 13, 2017**

 [READ FULL EDITION](#)

**1.DOE:**

**Perry picks former Bush White House official as chief of staff**

A well-connected political consultant for electric utilities and former George W. Bush administration official is Energy Secretary Rick Perry's chief of staff.

ED\_001220\_00002380-00002

ED\_001220\_00002380

THIS AFTERNOON'S STORIES

2.WHITE HOUSE:

**Trump orders agencies to assess their relevance**

3.AUTOS:

**Trump to visit Mich., expected to weigh in on emissions**

4.NOMINATIONS:

**Paperwork puts Perdue's confirmation back on track**

5.WHITE HOUSE:

**Snow postpones Merkel visit**

6.CONGRESS:

**Storm delays votes, hearings**

7.AIR POLLUTION:

**Mass. Superfund site a major source of PCBs — study**

8.AIR POLLUTION:

**EPA to give Alaska, Idaho \$5M to reduce fine particles**

UPCOMING HEARINGS AND MARKUPS

9.CALENDAR:

**Activity for March 13 - March 19, 2017**

E&ETV'S ONPOINT

10.CLIMATE:

**Rural co-op group's Matheson talks anticipated power plan executive action**

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**To:** Helfand, Gloria[helfand.gloria@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]  
**From:** Olechiw, Michael  
**Sent:** Mon 3/6/2017 7:00:44 PM  
**Subject:** RE: Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

Hmmm ... with all due respect to the academic community C&D is surely more fun to read. ;)

**From:** Helfand, Gloria  
**Sent:** Monday, March 06, 2017 1:57 PM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>  
**Subject:** RE: Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

I'm sure it's far more credible than all those annoying academic studies.

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

**From:** Olechiw, Michael  
**Sent:** Monday, March 06, 2017 1:55 PM  
**To:** Helfand, Gloria <helfand.gloria@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Bolon,

ED\_001220\_00002392-00001

ED\_001220\_00002392

Kevin <Bolon.Kevin@epa.gov>

**Subject:** RE: Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

It's good to see I am not the only one that uses Car and Driver as a major reference. ☺

**From:** Charmley, William

**Sent:** Monday, March 06, 2017 8:10 AM

**To:** Olechiw, Michael <olechiw.michael@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Shelby, Michael <Shelby.Michael@epa.gov>

**Cc:** Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>

**Subject:** Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

Dear all,

Late last week in the context of draft announcement from EPA/DOT regarding the reconsideration of the EPA Final Determination, we saw a reference from the new Administration (I don't necessarily mean EPA, it could be from the White House, DOT, or perhaps EPA) to the following article.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

<http://retirementblog.nepa.org/cafe-standards-distort-auto-production-and-push-jobs-south/#sthash.4PmummPG.dpbs>

## **Ex. 5 - Deliberative Process**

Thanks

Bill

**From:** Olechiw, Michael  
**Location:** AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE  
**Importance:** Normal  
**Subject:** MTE Update  
**Start Date/Time:** Mon 3/6/2017 3:00:00 PM  
**End Date/Time:** Mon 3/6/2017 4:00:00 PM

Colleagues,

Many of you may have heard that the Administrator has decided to take action on the MTE Final Determination. While we do not yet know with certainty what that action will be, or the exact timing associated with the announcement, this meeting is being set to communicate what we do know and to discuss what this could potentially mean for us going forward.

**Call-in:**

**Ex. 6 - Personal Privacy**

ED\_001220\_00002397-00001

ED\_001220\_00002397

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Tue 2/28/2017 12:34:23 PM  
**Subject:** FYI: Consumers Union & Consumer Federation of America letter to President on MTE  
[17-000-4936.pdf](#)

A letter of strong support for the GHG/FE standards highlighting significant savings to American consumers.

**From:** Sutton, Tia  
**Sent:** Monday, February 27, 2017 6:33 PM  
**To:** Grundler, Christopher <grundler.christopher@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>  
**Subject:** Consumers Union & Consumer Federation of America letter to President on MTE

Please see attached for letter sent to the President by Consumers Union & the Consumer Federation of America last week. (We don't need to respond in any way, it was sent our way as an FYI.)

ED\_001220\_00002403-00001

ED\_001220\_00002403

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 2/22/2017 5:25:09 PM  
**Subject:** FYI - Reuters: Automakers urge new EPA chief to withdraw Obama car fuel-efficiency rules

This article is on the Alliance and Global letters requesting the Administrator to withdraw the Final Determination.

<http://www.reuters.com/article/us-usa-automakers-emissions-idUSKBN16102J>

By [David Shepardson](#) | WASHINGTON

WASHINGTON A trade association representing General Motors Co ([GM.N](#)), Toyota Motor Corp ([7203.T](#)), Volkswagen AG ([VOWG.p.DE](#)) and nine other automakers on Tuesday asked new Environmental Protection Agency chief Scott Pruitt to withdraw an Obama administration decision to lock in vehicle emission rules through 2025.

On Jan. 13, then-EPA Administrator Gina McCarthy finalized a determination that landmark fuel efficiency rules instituted by President Barack Obama should be finalized through 2025, a bid to maintain a key part of his administration's climate legacy.

Mitch Bainwol, president and chief executive of the Alliance of Automobile Manufacturers, said in a letter to Pruitt the decision was "the product of egregious procedural and substantive defects" and is "riddled with indefensible assumptions, inadequate analysis and a failure to engage with contrary evidence."

Automakers have argued that the rules could result in the loss of up to 1 million jobs because consumers could be less willing to buy the more fuel efficient vehicles since their engineering will result in higher price tags.

The EPA had until April 2018 to decide whether the 2025 standards were feasible but in November moved up its decision to Jan. 13, just before Obama left office.

Separately, the Association of Global Automakers, a trade group representing Honda Motor Co ([7267.T](#)), Nissan Motor Co Ltd ([7201.T](#)), Hyundai Motor Co ([005380.KS](#)) and others, said late Tuesday it had formally petitioned the EPA to withdraw the determination. The group argued in a separate letter to Pruitt Tuesday reviewed by Reuters that "EPA opted for political expediency" and "jammed through a final determination in the waning days of the lame-duck administration."

EPA spokeswoman Julia Valentine said the agency is reviewing the letter and declined to comment further. Pruitt told a Senate panel earlier he will review the Obama administration's decision.

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ED\_001220\_00002410



The auto group requests follow a separate letter to President Donald Trump earlier this month from the chief executives of GM, Ford Motor Co and Fiat Chrysler Automobiles NV, along with the top North American executives at Toyota, VW, Honda, Hyundai, Nissan and others urging Trump to revisit the decision.

Automakers say the rules impose significant costs and are out of step with consumer preferences. Environmentalists say the rules are working, saving drivers thousands in fuel costs and should not be changed.

In 2011, Obama announced an agreement with automakers to raise fuel efficiency standards to 54.5 miles per gallon. This, the administration said, would save motorists \$1.7 trillion in fuel costs over the life of the vehicles but cost the auto industry about \$200 billion over 13 years.

The EPA said in July that because Americans were buying fewer cars and more SUVs and trucks, it estimated the fleet will average 50.8 mpg to 52.6 mpg in 2025.

McCarthy could not be reached Tuesday but said in her determination in January the rules are "feasible, practical and appropriate" and in "the best interests of the auto industry."

(Reporting by David Shepardson; Editing by Cynthia Osterman and Lisa Shumaker)

March 22, 2017

Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1101A  
Washington, D.C. 20460

Re: 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission Standards

Dear Administrator Pruitt:

As the environmental agency heads for the states of Connecticut, Delaware, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington, and the District of Columbia, we write to urge you to maintain the U.S. Environmental Protection Agency's (EPA's) "Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards." While the record suggests that more stringent standards may be appropriate, we agree with EPA's January 13, 2017 decision to keep the current national greenhouse gas (GHG) standards for model year (MY) 2022-2025 to provide automobile manufacturers with regulatory certainty. We also support maintaining these national standards in order to maximize environmental and economic benefits and to ensure that the United States continues as a world leader in advanced vehicles. In addition, we strongly urge you to respect the independent authority of California to implement its own standards and the right of other states to opt into those California standards to meet the environmental challenges we face.

As part of the 2012 rulemaking establishing the MY 2017-2025 light-duty vehicle GHG standards, which the automobile manufacturers strongly endorsed, EPA made a commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025. After conducting a robust evaluation of an extensive technical record and providing multiple opportunities for public input, EPA determined that the standards for MY 2022-2025 are still appropriate under section 202(a) of the federal Clean Air Act. EPA's completion of the Midterm Evaluation ahead of schedule does not provide grounds to reopen or alter EPA's determination, nor does it change the facts supporting the decision. The record clearly shows that technologies needed to meet the standards are here today, automakers are expected to meet the standards at lower costs than previously estimated, and many other technologies in active development may provide even more cost effective compliance options. The record also establishes that the standards will save consumers money on fuels that will then be available to invest in other areas of the economy, provide public health and welfare benefits, and will not negatively impact the economic viability of the automobile industry or vehicle safety.

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ED\_001220\_00002349

In addition, we strongly urge you to resist industry lobbying to attempt to revoke the waiver issued to California to implement its own GHG standards. You have often spoken of the importance of states' rights, and the right of California to establish and enforce standards that are needed to meet its environmental challenges is fundamental to the Clean Air Act, as is the right of other states to opt into the California standards. California's authority to adopt its own standards has been recognized for the past half century by EPA Administrators on a bipartisan basis. Any effort to revoke EPA's waiver decision for California's standards would be unprecedented, run afoul of the statutory criteria for granting or denying a waiver in section 209(b) of the federal Clean Air Act, and undermine our state rights. In granting a waiver for California's GHG standards, EPA determined that California met its burden and an even stronger waiver case could be made today. Moreover, our states continue to have broad bipartisan support for the authority Congress granted to states in section 177 of the Clean Air Act to adopt and enforce California standards that are more protective of public health and welfare.

For these reasons, we respectfully request that you preserve EPA's current GHG standards for MY 2022-25 and leave California's waiver intact.

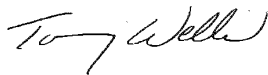
Sincerely,



Robert Klee  
Commissioner  
Connecticut Department of Energy and Environmental Protection



Shawn Garvin  
Secretary  
Delaware Department of Natural Resources and Environmental Control



Tommy Wells  
Director  
D.C. Department of Energy and Environment



Ben Grumbles  
Secretary  
Maryland Department of the Environment



Martin Suuberg  
Commissioner  
Massachusetts Department of Environmental Protection



Basil Seggos  
Commissioner  
New York Department of Environmental Conservation



Richard Whitman  
Director  
Oregon Department of Environmental Quality



Patrick McDonnell  
Acting Secretary  
Pennsylvania Department of Environmental Protection



Janet Coit  
Director  
Rhode Island Department of Environmental Management



Maia Bellon  
Director  
Department of Ecology  
State of Washington



Emily Boedecker  
Commissioner  
Vermont Department of Environmental Conservation

cc: Christopher Grundler, Director  
Office of Transportation and Air Quality  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Mary Nichols  
Chairman  
California Air Resources Board  
1001 "I" Street  
Sacramento, California 95814

March 22, 2017

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ED\_001220\_00002353

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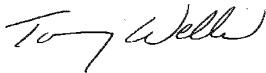
Sincerely,



Robert Klee  
Commissioner  
Connecticut Department of Energy and Environmental Protection



Shawn Garvin  
Secretary  
Delaware Department of Natural Resources and Environmental Control



Tommy Wells  
Director  
D.C. Department of Energy and Environment



Ben Grumbles  
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Martin Suuberg  
Commissioner  
Massachusetts Department of Environmental Protection



Basil Seggos  
Commissioner  
New York Department of Environmental Conservation



Richard Whitman  
Director  
Oregon Department of Environmental Quality



Patrick McDonnell  
Acting Secretary  
Pennsylvania Department of Environmental Protection



Janet Coit  
Director  
Rhode Island Department of Environmental Management





Maia Bellon  
Director  
Department of Ecology  
State of Washington



Emily Boedecker  
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cc: Christopher Grundler, Director  
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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Mary Nichols  
Chairman  
California Air Resources Board  
1001 "I" Street  
Sacramento, California 95814

**ConsumersUnion**

POLICY &amp; ACTION FROM CONSUMER REPORTS

**Consumer Federation of America**

FEBRUARY 23, 2017

February 23, 2017

2017 FEB 27 AM 10:11

President Donald J. Trump  
 The White House  
 1600 Pennsylvania Ave  
 Washington, D.C. 20500

OFFICE OF THE  
 EXECUTIVE SECRETARIAT

Dear Mr. President:

On behalf of Consumers Union and the Consumer Federation of America, we ask that you maintain the strong fuel economy standards established by the Environmental Protection Agency. These standards help to lower fuel costs for middle class families across the country, support job creation and innovation, and improve air quality.

Rolling back fuel economy standards would hurt hard-working, middle-class Americans and small businesses that rely on a car or truck for their livelihood. Even at today's lower prices, gasoline is a major expense for a majority of American families. Fuel economy standards are a cost-effective way to save consumers money on fuel. In fact, Consumers Union's research shows that consumers would enjoy net savings of \$3,200 per car and \$4,800 per truck, over the life of a vehicle that meet the 2025 standards, even at today's low gas prices. If gas prices rise, which we expect they will, the savings would be significantly higher. And when consumers save money, they spend it on local goods and services, helping to further boost the economy and encourage more job growth.

Rolling back the standards will rob consumers of these savings, providing them with less expendable income. For families struggling to cover basic needs, this would be an added burden. Improving fuel efficiency in cars and trucks not only saves money today, but help provide families with a bit of insurance against future gas price increases. In fact, strong majorities of consumers across the political spectrum value fuel economy standards—our recent surveys and polls show that about 80% of Americans support the standards.

Thanks to fuel economy standards, the automakers have invested in innovative technologies to improve fuel economy, and their efforts have paid off. Automakers have not only met today's fuel economy standards, but they have exceeded the standards in many cases, all while enjoying record profits and record sales. Many cars and trucks available today outperform standards set for 2020 and 2021. And one of the great features of the fuel economy standards is that they are flexible and adapt to the vehicles

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ED\_001220\_00002404

**ConsumersUnion**

POLICY &amp; ACTION FROM CONSUMER REPORTS

**Consumer Federation of America**

consumers actually buy--as consumer demand has shifted toward larger vehicles, automakers' targets have also lowered because larger vehicles have lower efficiency targets. The standards help improve consumer choices across the entire fleet regardless of the size of vehicles consumers choose to buy. Finally, the standards will go a long way to keeping the car companies from again needing a bailout as they did when their lots were filled with unsold inefficient vehicles the last time gas prices peaked.

Consumers are relying on fuel economy standards to lower their fuel costs in the future. Staying the course on fuel economy supports working families and increases American jobs, which are top priorities for our nation.

Sincerely,

A handwritten signature in black ink that reads "Shannon M. Baker-Branstetter".

Shannon Baker-Branstetter  
Consumers Union

A handwritten signature in black ink that reads "Jack Gillis".

Jack Gillis  
Consumer Federation of America

Cc: Administrator G. Scott Pruitt, EPA  
Secretary Elaine Chao, DOT  
Kevin Green, DOT  
Bill Charmley, EPA  
Chris Grundler, EPA  
Michael Olechiw EPA  
Rebecca Yoon, NHTSA  
James Tamm, NHTSA  
Mike McCarthy, CARB  
Annette Hebert, CARB

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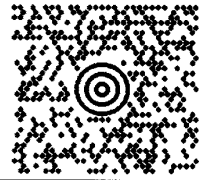
BRUCE DAVIS  
202-462-6262  
CONSUMERS UNION  
1101 17TH STREET, NW  
WASHINGTON DC 20036

0.0 LBS LTR

1 OF 1

**SHIP TO:**

G. SCOTT PRUITT  
U.S. ENVIRONMENTAL PROTECTION AGENC  
MAIL CODE 1101A  
1200 PENNSYLVANIA, N.W.  
WASHINGTON DC 20460-0001



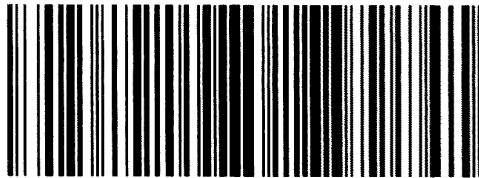
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**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** NADA Headlines  
**Sent:** Mon 3/27/2017 3:17:16 PM  
**Subject:** Forecast: U.S. March Sales to Reach 17-Year High

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March 27, 2017

**Inside this issue**

- [Forecast: U.S. March Sales to Reach 17-Year High](#)
- [Calif. Air Regulators Break with Trump on Fuel Rules](#)
- [IRS Issues Updated Annual Depreciation Tables for Passenger Vehicles](#)
- [Used-Car Market Likely to Eclipse 3.6M Sales](#)
- [Buy-Sells Shuffle Dealership Rankings](#)
- [Buick Steps Up to Join the Luxury Game, Debuting Two New Vehicles Ahead of the New York Auto Show](#)

**Top Stories**

**[Forecast: U.S. March Sales to Reach 17-Year High](#)**

A *WardsAuto* forecast calls for U.S. automakers to deliver 1.61 million light vehicles in March, a 17-year high for the month. The forecasted daily sales rate of 59,776 over 27 days is a best-ever March result.  
*Source: WardsAuto*

**Related article:**

**Quotable**

**"Auto sales in the first quarter of 2017 are humming along and deliveries are in line with our expectations for the full calendar year."**

-- ALG chief industry analyst Eric Lyman, *Auto Remarketing*, March 24

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- [April 5: NADA Quarterly Briefing on Auto Sales and Economy](#)

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### [Calif. Air Regulators Break with Trump on Fuel Rules](#)

California air regulators voted Friday to keep the state's tough vehicle emissions standards through 2025. The state Air Resources Board voted unanimously at a meeting in Riverside [Calif.] to continue with the standards for 2022 to 2025 after reaching a conclusion similar to one by the U.S. Environmental Protection Agency under the Obama administration. More recently, however, President Donald Trump said he wants to re-examine the rules governing gas mileage and set a uniform fuel mileage requirement for automakers in the U.S.

Source: *The Detroit News*

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### [IRS Issues Updated Annual Depreciation Tables for Passenger Vehicles](#)

**Revenue Procedure 2017-29** updates for 2017 tax years the annually published depreciation and inclusion tables for owners and lessees, respectively, of passenger vehicles, trucks and vans. First year depreciation for passenger cars placed in service in 2017 (and for which the § 168(k) additional first year depreciation deduction applies) is \$11,160, and for trucks and vans is \$11,560.

Source: *IRS*

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### [Used-Car Market Likely to Eclipse 3.6M Sales](#)

Used-car sales this month could approach 3.64 million units, according to a forecast released Friday by ALG. That would be a 2.4-percent year-over-year increase.

Source: *Auto Remarketing*

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### [Buy-Sells Shuffle Dealership Rankings](#)

The top 150 groups own 3,468 dealerships, or 19 percent of all the rooftops in the U.S., according to the Automotive News Data Center. They retailed 3,585,382 new vehicles or 21.6 percent of the industry's 2016 U.S. new-vehicle sales, up from 21.2 percent in 2015.

Source: *Automotive News*

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### [Past Articles Steps Up to Join the Luxury Game, Debuting Two New Vehicles Ahead of the](#)

## New York Auto Show

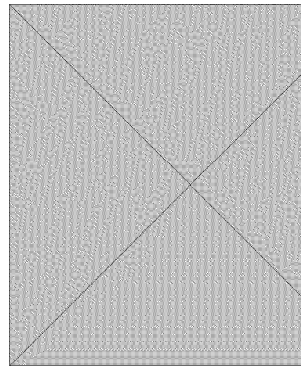
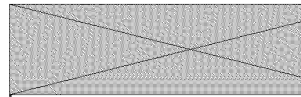
Buick, the 114-year-old Detroit brand trying to shed its blue-haired image, will take a significant step toward joining the ranks of global luxury automakers when it unveils its long-awaited upscale line at the New York Auto Show.

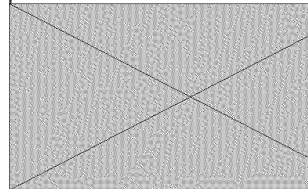
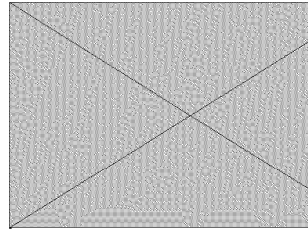
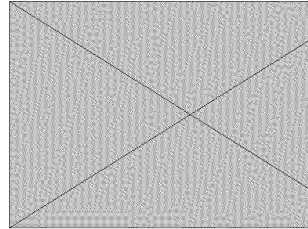
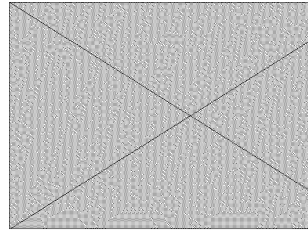
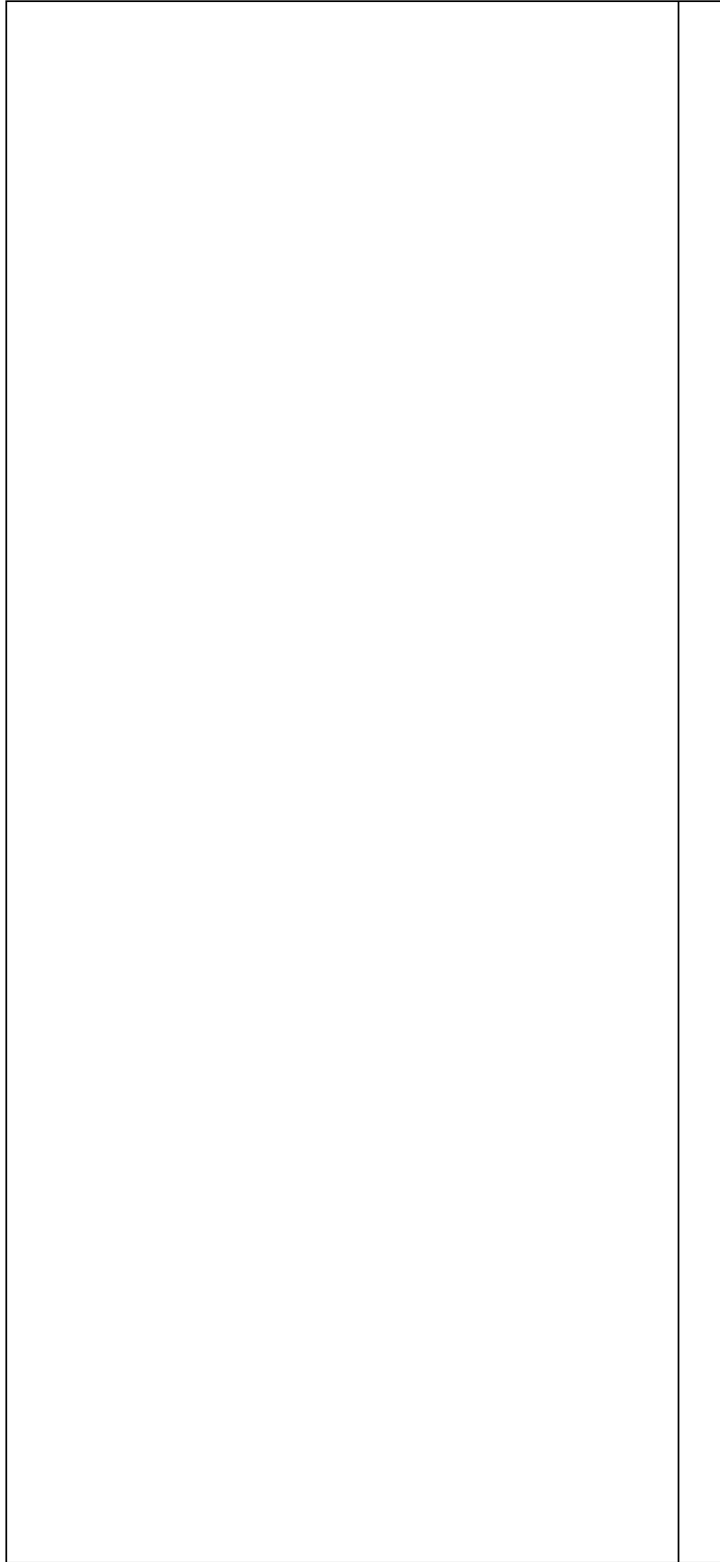
Source: *Forbes.com*

**Editor's note:** NADA, J.D. Power and the New York International Auto Show are hosting the 2017 Automotive Forum at the Grand Hyatt New York on April 11. The full-day forum, "Automotive 3.0 – Navigating through Changing Times," includes numerous speakers and panel sessions. For the full agenda or to register, visit [www.autoforumny.com](http://www.autoforumny.com). Attendees will receive exclusive access to the auto show during press days starting on April 12.

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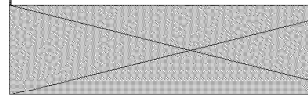
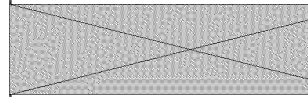
- [March 24 - Ford Warns Higher Rates, Decline in Resale Values Will Hurt Results](#)
- [March 23 - Californians Snub Free EVs, Carmakers Say in Pushback on Mandate](#)
- [March 22 - Jobs Bounce Debated As Trump Promises CAFE Review](#)
- [March 21 - NADA to Hold Quarterly Briefing on Auto Sales and Economy on April 5](#)
- [March 20 - With EPA Victory Comes New Uncertainty](#)



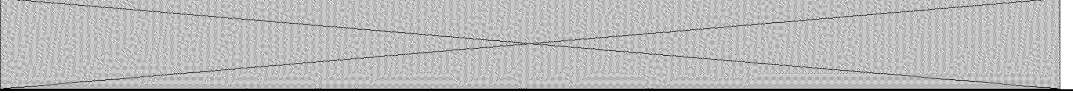



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**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Automotive News  
**Sent:** Fri 3/24/2017 7:01:23 PM  
**Subject:** P.M. NEWSCAST: Midterm review won't stop march toward higher mpg, experts say | Ford, Lyft join YouTube ad exodus | Sales rise predicted | VW's latest compliance boss | Toyota billboard clears the air

March 24, 2017

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**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** NADA Headlines  
**Sent:** Fri 3/24/2017 2:00:52 PM  
**Subject:** Ford Warns Higher Rates, Decline in Resale Values Will Hurt Results

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March 24, 2017

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| <p><b>Inside this issue</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> <a href="#">Ford Warns Higher Rates, Decline in Resale Values Will Hurt Results</a></li> <li><input checked="" type="checkbox"/> <a href="#">Trump's Auto Review May Only Slow March to Better Fuel Efficiency</a></li> <li><input checked="" type="checkbox"/> <a href="#">California Fuel Standards to Get Critical Review</a></li> <li><input checked="" type="checkbox"/> <a href="#">Honda's Dogged Hydrogen Push Yields A Remarkable New Clarity Fuel Cell Sedan</a></li> <li><input checked="" type="checkbox"/> <a href="#">Why It Might Be Easier to Get a Good Used Car Deal</a></li> <li><input checked="" type="checkbox"/> <a href="#">April 5: NADA Quarterly Briefing on Auto Sales and Economy</a></li> </ul> <p><b>Top Stories</b></p> <p><b><a href="#">Ford Warns Higher Rates, Decline in Resale Values Will Hurt Results</a></b></p> <p><b><i>Auto maker warns 2017 will fall on higher costs and continued investment in autonomous cars and other advanced technologies</i></b></p> <p>Ford Motor Co. raised a caution flag for the auto industry, saying higher interest rates and a steady decline in used-car values will hurt the most important factor in the recent U.S.</p> | <p><b>Quotable</b></p> <p><b>"We do think there will be people who fallout and they won't be able to afford a new vehicle."</b></p> <p>-- Ford Chief Financial Officer Bob Shanks, commenting on the impact of higher interest rates and a decline in used-car values, <i>The Wall Street Journal</i>, March 23</p> <p style="text-align: center;"><b>Sponsored by</b></p> <div style="background-color: black; color: white; text-align: center; padding: 2px;"><b>Automotive Forum -- April</b></div> <div style="background-color: #cccccc; height: 100px; width: 100%; margin-top: 10px;"></div> <div style="background-color: #cccccc; height: 100px; width: 100%; margin-top: 10px;"></div> |
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sales boom: affordability. The outlook, coming as the company forecast leaner results for the first quarter, comes amid a broader view that car sales in the world's two largest markets have peaked after a string of record profits and sales for the U.S. auto industry.

Source: *The Wall Street Journal* (subscription required)

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### **Trump's Auto Review May Only Slow March to Better Fuel Efficiency**

When U.S. President Donald Trump announced a review last week of tough Obama-era vehicle emissions and fuel-efficiency standards, he proclaimed that the "assault on the American auto industry is over." But rules set by the Environmental Protection Agency may take a backseat to consumers demanding vehicles that guzzle less gas and automakers having to meet tougher standards if they want to export cars overseas, according to auto industry analysts. In the end, U.S. carmakers may just gain a few more years to meet the more stringent targets that former President Barack Obama's administration negotiated with the companies in 2012, analysts said.

Source: *Reuters*

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### **California Fuel Standards to Get Critical Review**

California's Air Resources Board is expected to discuss the standards at a hearing in Riverside [Calif.] on Friday. Automakers say the standards could be tough to meet as more people are buying trucks and SUVs. Advocates say the review is critical following President Donald Trump's decision to re-examine rules governing gas mileage and establish one fuel mileage requirement for U.S. automakers.

Source: *The Associated Press*

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### **Honda's Dogged Hydrogen Push Yields A Remarkable New Clarity Fuel Cell Sedan**

All the sweat equity Honda engineers have invested in its fuel cell program, year after year, has yielded a remarkable new version of the Clarity sedan, the most compelling argument yet for the potential hydrogen cars still hold.

Source: *Forbes.com*

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### **Why It Might Be Easier to Get a Good Used Car Deal**

#### ***J.D. Power reports sales and price plunged last month***

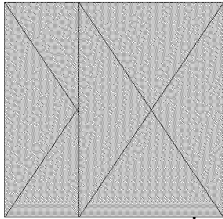
In most years, used car sales and prices go up in February. Usually there are plenty of buyers and the competition allows used car dealers to hold closer to the asking price. Last month wasn't like that. If you were used car shopping in February, chances are you drove away with a good deal. And

chances are you can still find some of those deals if you look hard enough. Market intelligence analysts at J.D. Power's Valuation Services division report used car prices dipped last month for three main reasons. The first is competition from new car dealers.

Source: *ConsumerAffairs.com*

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### **April 5: NADA Quarterly Briefing on Auto Sales and Economy**



Szakaly

NADA Chairman Mark Scarpelli and NADA Chief Economist Steven Szakaly will share their insights on the overall economy and where it is trending and provide any revisions to NADA's outlook following the first quarter sales results for new cars and light trucks, as well as highlight the key sales indicators and drivers of the retail-auto industry. NADA has forecast sales of 17.1 million new light vehicles for 2017.

**When:** Wednesday, April 5, 2017

**Call-in Time:** 11 a.m. ET

Scarpelli is president of Raymond Chevrolet and Raymond Kia in Antioch, Ill., and co-owner of Ray Chevrolet and Ray Chrysler-Jeep-Dodge-Ram in Fox Lake, Ill.

A Q&A session with members of the media and industry will follow the briefing. [Click here](#) to register.

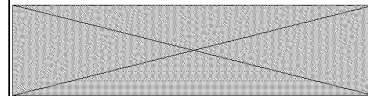
Source: *NADA*

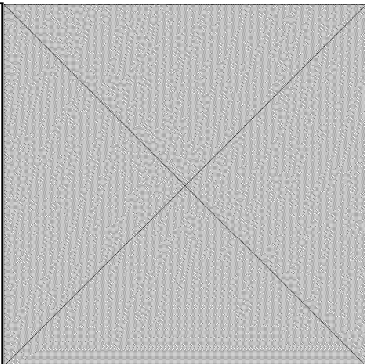
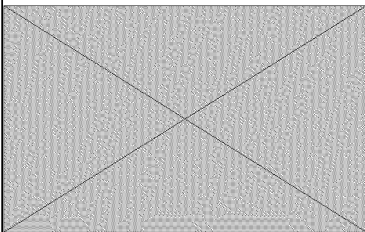
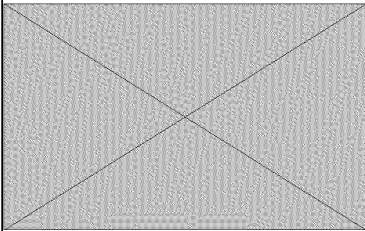
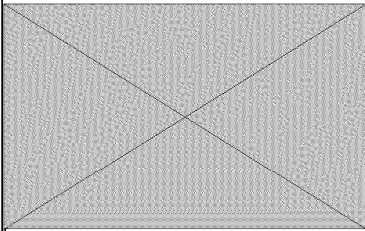
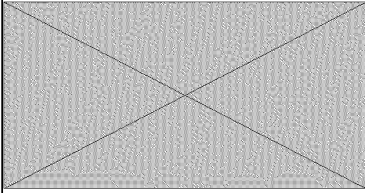
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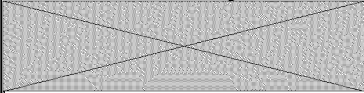

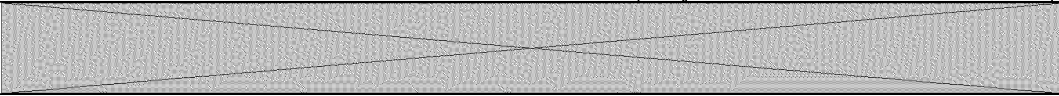

#### **Past Articles:**

- [March 23 - Californians Snub Free EVs. Carmakers Say in Pushback on Mandate](#)
- [March 22 - Jobs Bounce Debated As Trump Promises CAFE Review](#)
- [March 21 - NADA to Hold Quarterly Briefing on Auto Sales and Economy on April 5](#)
- [March 20 - With EPA Victory Comes New Uncertainty](#)
- [March 17 - Automotive Service Quality Rises Along with Overall Customer Satisfaction, J.D. Power Finds](#)

#### **Past Articles:**



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**To:** Helfand, Gloria[helfand.gloria@epa.gov]; Midterm Review[Midterm\_Review@epa.gov]  
**From:** Fernandez, Antonio  
**Sent:** Thur 3/23/2017 12:30:25 PM  
**Subject:** RE: Clean Vehicle Group Finds EPA 'Greatly Overestimated' GHG Rule Costs

Just a note that the ICCT statement below in red is the same thing they commented for the Tier 3 rule a couple of years ago.

**From:** Helfand, Gloria  
**Sent:** Thursday, March 23, 2017 8:06 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** Clean Vehicle Group Finds EPA 'Greatly Overestimated' GHG Rule Costs

<https://insideepa.com/daily-news/clean-vehicle-group-finds-epa-greatly-overestimated-ghg-rule-costs>

#### Citing an ICCT report

([https://insideepa.com/sites/insideepa.com/files/documents/mar2017/epa2017\\_0572.pdf](https://insideepa.com/sites/insideepa.com/files/documents/mar2017/epa2017_0572.pdf)):

“Continually improving technologies like cylinder deactivation, high compression Atkinson cycle engines, light weighting, and mild hybrid technology will each allow several percent greater [carbon dioxide] emission reduction benefits than the 2022-2025 regulatory analysis indicated,” the report says. “These developments will allow internal combustion engine vehicles that are much more advanced than those in 2017 to continue to play the predominant role in most automakers' compliance strategies in the 2025 timeframe.”

“The report also predicts “cost effective” 8-10 percent improvements by 2025 in vehicle efficiency compared to EPA analysis, based on emerging technologies for combustion efficiency.

“The ICCT report adds that previous government estimates of the rules' costs were too conservative, following a ‘long-standing pattern whereby the auto industry innovates and find less-expensive ways to comply with the standards once the standards have been in place for several years.’”

The article refers ([Jeff A., Andy](#)) to the NCPA analysis cited by Pruitt, saying that ICCT doesn't address the NCPA's jobs claims.

The article also notes that ICCT also finds that EVs will be a “very small share” of the fleet by 2025.

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

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ED\_001220\_00002442

**To:** Moskalik, Andrew[Moskalik.Andrew@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]  
**From:** Olechiw, Michael  
**Sent:** Thur 3/23/2017 11:53:18 AM  
**Subject:** Re: Pruitt Op-Ed in USA Today

Who knew you could graduate with a BS in Finance, blog about stuff you don't know, and influence major US energy policy!

We are trying too hard!

Sent from my iPhone

On Mar 23, 2017, at 6:47 AM, Moskalik, Andrew <[Moskalik.Andrew@epa.gov](mailto:Moskalik.Andrew@epa.gov)> wrote:

Just FYI, here's Matthew Ruland's Linked In profile: <https://www.linkedin.com/in/matthew-ruland-22888093/> (can't be more than one Matt Ruland who "conducts research for the National Center for Policy Analysis.")

He's currently employed by Occidental Chemical Corporation, after graduating from Arizona State University with a BS in Finance in 2016.

-AM

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 3:20 PM  
**To:** Midterm Review <[Midterm\\_Review@epa.gov](mailto:Midterm_Review@epa.gov)>  
**Subject:** FW: Pruitt Op-Ed in USA Today

Someone just mentioned that this blog hadn't been sent around to the whole team, so wanted to make sure everyone was aware.

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 21, 2017 2:22 PM

**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>;  
Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher  
<[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>;  
Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** Pruitt Op-Ed

Just in case you missed it...

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ED\_001220\_00002444

# Scott Pruitt: We're protecting jobs and the environment (USA Today)

## ***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — “The future ain't what it used to be.” After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for 3% of our GDP. Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

Department of Transportation Secretary Elaine Chao and I, as administrator of the Environmental Protection Agency, took steps to help. We have announced that we will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

EPA will work with our partners at DOT to take a fresh look. This thorough review will help ensure that this national program is good for consumers and good for the environment.

After the November election the EPA rushed through these standards, as Forbes reported, “requiring automakers to more than double their fleet-wide fuel efficiency by 2025, a move that comes earlier than expected and is seen as a measure to try to lock in part of President Obama's legacy before Donald Trump gets into the White House.”

The auto industry estimates that it would need to spend \$200 billion to comply. That type of expense would lead to higher prices for consumers, lower wages for workers and jobs moving out of the country. The National Center for Policy Analysis says these standards have pushed manufacturing and jobs to Mexico.

Last week, EPA and DOT put a pause on the process to reexamine the rule to hear from all stakeholders.

This is an example of how the Trump administration is going to do things differently. That includes a more transparent EPA. Americans can have both a clean and healthy environment and good paying manufacturing jobs. America is going to create jobs and grow the economy while at the same time be good stewards to our natural resources.

Improved technology has made the United States the world leader in clean air quality. From 1970 to 2015, aggregate national emissions of the six common pollutants dropped an average of 70% while

gross domestic product grew by 246%. We have achieved this reduction during a time when more Americans were driving more cars, more miles. That is remarkable and shows American ingenuity is simply the best.

Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Fernandez, Antonio  
**Sent:** Wed 3/22/2017 7:52:05 PM  
**Subject:** RE: Amory Lovins article on MTE in Forbes

It has John German's battle cry regarding real costs being lower.

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 3:23 PM  
**To:** Fernandez, Antonio <fernandez.antonio@epa.gov>  
**Subject:** RE: Amory Lovins article on MTE in Forbes

Thanks Tony, I hadn't seen this...will have to find the actual report

**From:** Fernandez, Antonio  
**Sent:** Wednesday, March 22, 2017 3:04 PM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: Amory Lovins article on MTE in Forbes

I don't know if you already have a read of the ICCT study but this article highlights its findings.

<http://www.thedetroitbureau.com/2017/03/costs-of-tougher-fuel-economy-standards-inflated/>

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 1:40 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** Amory Lovins article on MTE in Forbes

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Thanks to Jeff for flagging this fantastic article. Many good quotes, here's just one good example:

“Obsolete piecemeal analyses showing high cost are contradicted by current market offerings and the industry’s own research. Regulators and at least some automakers know this. The new review would make it awkwardly manifest. Attempts to ignore it would doubtless be litigated. An enormously complex and ponderous industry critically dependent on long-term planning can ill afford the prolonged uncertainty self-inflicted by its own lobbyists—continuing a decades-long history of reflexively undermin-ing its basic strategic interests.”

## **Forbes**

[With Weaker Fuel Economy Standards, Everyone Loses, Including U.S. Automakers](#)

Amory B. Lovins, Rocky Mountain Institute

**From:** Alson, Jeff

**Sent:** Wednesday, March 22, 2017 11:42 AM

**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>

**Subject:** FYI in case you missed it--very good article by Amory Lovins

The third article below, from the Monday OTAQ Daily News Brief, is a very good and lengthy piece by Amory Lovins defending the LD GHG standards. I see that Bill and Mike get this daily collection, but I wanted to make sure that the two of you saw this article both because it is well written but also because Lovins is very influential (he visited NVFEL twice in the old days).

Robin, I recommend that you ask David Richards to be added to the list, it is an efficient way to see 5-10 OTAQ-specific articles each day.

**From:** Richards, David

**Sent:** Monday, March 20, 2017 9:44 AM

**To:** Acevedo, Frank <[acevedo.francisco@epa.gov](mailto:acevedo.francisco@epa.gov)>; Adams, Elizabeth

<[Adams.Elizabeth@epa.gov](mailto:Adams.Elizabeth@epa.gov)>; Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Argyropoulos, Paul

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ED\_001220\_00002448



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<[witkowski.nicolas@epa.gov](mailto:witkowski.nicolas@epa.gov)>; Yarbrough, Cody <[yarbrough.cody@epa.gov](mailto:yarbrough.cody@epa.gov)>; Zaremski, Sara <[zaremski.sara@epa.gov](mailto:zaremski.sara@epa.gov)>; Zimpfer, Amy <[Zimpfer.Amy@epa.gov](mailto:Zimpfer.Amy@epa.gov)>

**Subject:** OTAQ Daily News Brief

## **OTAQ Daily News Brief**

**\*\*Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at [richards.david@epa.gov](mailto:richards.david@epa.gov). Feedback welcomed. Thanks and enjoy!**

### **Reuters**

[Energy carbon emissions in 2016 flat for third year -IEA](#)

A greener energy mix helped keep energy-related carbon dioxide emissions flat in 2016 yet more needs to be done to avert a harmful rise in global temperatures, International Energy Agency (IEA) data showed on Friday. Energy sector emissions of 32.1 gigatonnes were unchanged from 2015 and 2014 even though the global economy grew by 3.1 percent, the IEA estimated. "These three years of flat emissions in a growing global economy signal an emerging trend and that is certainly a cause for optimism, even if it is too soon to say that global emissions have definitely peaked," IEA Executive Director Fatih Birol said in a statement. Carbon dioxide emissions fell in the United States and China, the world's two largest energy users and emitters, and were stable in Europe. This helped to offset increases in CO2 emissions in the rest of the world, the IEA said. U.S. emissions fell by 3 percent to their lowest level since 1992 helped by higher use of shale gas and renewable energy displacing coal. For the first time, the United States produced more electricity from natural gas than from coal last year. Emissions in China fell by 1 percent as coal demand declined despite its economy growing by 6.7 percent.

### **Bloomberg**

[Icahn Pressed EPA Candidates on Ethanol Rule He Wants Scrapped](#)

Billionaire investor Carl Icahn, who helped President Donald Trump vet candidates to lead the Environmental Protection Agency, pressed them for their views on a regulation that he says is costing his oil refineries hundreds of millions of dollars a year. Scott Pruitt, who got the EPA

administrator job, seemed to agree that the rule should be changed, Icahn said last week in an interview at his New York office. Icahn was disappointed with what he considered Pruitt's scant knowledge of the issue during their first meeting, in November, but said he was satisfied after another meeting and additional phone calls. Icahn also met with at least two other men who wanted the job, Jeffrey Holmstead and Donald van der Vaart, and pressed them about the topic, according to people with knowledge of those conversations. All the meetings took place in Icahn's 47th-floor Manhattan office overlooking Central Park, about two blocks north of Trump Tower. Read more: [Trump Adviser Icahn Lobbies for Rule Change That Benefits Icahn](#). Icahn wants the EPA to scrap a longstanding rule key to enforcing the Renewable Fuel Standard, which mandates that biofuels make up part of the country's gasoline supply. The rule requires refineries and importers to blend renewable fuel into motor fuel or buy credits from others who do so.

## **Forbes**

[With Weaker Fuel Economy Standards, Everyone Loses, Including U.S. Automakers](#)

Amory B. Lovins, Rocky Mountain Institute

On Wednesday in Detroit, beneath a vast American flag, President Trump answered 17 automakers' call to reopen the Mid-Term Review of the 2022-25 "CAFE" automotive efficiency standards. On his fourth day in office, he'd expedited approvals for two oil pipelines, skipping further assessments (if the courts permit). This time he did the opposite, scrapping the Obama Administration's quick decision and substituting a year's further study. On January 12, EPA had found—sooner than expected but based on a strong record—that the 2022-25 CAFE standards agreed by all parties in 2009-12 could indeed be profitably and practically met, and at even lower cost than expected. Now President Trump has rejected that finding and reinstated a year-long process in which automakers can argue that EPA's robust and exhaustive record of decision, backed by a 2015 National Academies study, was wrong. Automakers were pleased, but they must have been a mite surprised when the President said, "We are going to work on the CAFE standards so we can make cars in America again." Actually, under CAFE standards evolving since 1978, the industry in 2016 sold an all-time record 17.55 million vehicles. But such continued success is not guaranteed. Twice before, weak foresight has nearly destroyed U.S. automaking: first when 1970s oil shocks favored higher-mpg Japanese products and Detroit avoided a rout only by responding to President Ford's 1975 CAFE law, and in 2009 when two of the Big Three needed restructuring and an \$80 billion bailout.

## **Detroit News**

[Column: Weakened fuel standards wrong turn](#)

Shannon Baker-Branstetter, Consumers Union

As industry leaders gathered in Detroit last week for a conference on vehicle fuel economy, the Trump administration has said it is poised to roll back the standards that make cars go farther on less gas and save consumers money. But further improving fuel economy is actually a no-brainer. While the administration highlights the cost of improvements, the evidence shows that benefits of the new standards far outweigh them. Reasonable, well-paced and structured fuel economy gains help drive economic growth, including auto sales, and keep more money in consumers' pockets. The details confirm this is a win-win for the economy, environment and consumers. The Environmental Protection Agency's recently completed report was based on thousands of hours of research and analysis, concluding that the standards provide net savings of billions of dollars in fuel costs. Our own analysis showed that the new fuel economy rules would save consumers \$3,200 per car and \$4,800 per truck over the life of a vehicle designed to meet the standard set for 2025. And that's assuming that today's low gas prices continue for decades to come. If fuel prices shoot up, the savings would be substantially higher.

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US automakers consistently have been great at grousing about safety and environmental regulations; in fact, that may be the only thing they've consistently been great at. Last week, this talent was again on display as they achieved one of their cherished goals — rolling back emissions and mileage standards set by the Obama administration in its final days. During an appearance in Detroit, President Trump announced that he would reverse the Obama decision, allowing mileage and emissions standards for 2017 to 2025 to be reconsidered over the next year by the Environmental Protection Agency and the Department of Transportation. EPA Administrator Scott Pruitt and Transportation Secretary Elaine Chao hailed the move as a boon to the economy. "These standards are costly for automakers and the American people," declared Pruitt, a former Oklahoma attorney general and one of the best friends the oil industry ever had in government.

## **BBC News**

### [Climate change: Biofuels 'could limit jet contrails'](#)

Some close-quarter flying has provided new insights into aircraft pollution. US space agency-led scientists flew small, instrumented, chase planes directly in the exhaust plume of a big jet to measure the sorts of gases and particles being thrown out. The data suggests aircraft burning a mix of aviation kerosene and biofuel could reduce their climate impact. This would come from a substantial reduction in the production of the sooty particles that make contrails. "Those soot particles serve as nuclei for water vapour in the very cold atmosphere to condense on and for the artificial-looking linear contrails that we see when we look out the window," explained Richard

Moore from Nasa's Langley Research Center. "You'll then see those lines spread and form cirrus clouds that weren't there before the plane flew through the airspace. "We know these contrails and cirrus clouds have a warming effect on the Earth's climate, and it's currently thought the warming effect associated with those clouds is more significant than all of the carbon dioxide emitted by aviation since the first powered flights began," he told the Science In Action programme on the BBC World Service.

## **International**

### **Reuters**

#### Indonesia plans to file WTO complaint over EU biodiesel duties

Indonesia plans to file a World Trade Organization complaint this month against European Union anti-dumping duties on biodiesel exports from the Southeast Asian country, trade officials said on Sunday. Indonesia said in a statement the EU duties on biodiesel were inconsistent with the WTO's Anti-Dumping Agreement and disputed the calculations that they were based on. "We are ready to file the suit at the first meeting in March 29-30 at WTO headquarter in Geneva," Indonesia's Director of Trade Security Pradnyawati said. In November 2013, the EU set duties of 8.8 percent to 20.5 percent for Indonesian producers and between 22 percent and 25.7 percent for Argentine producers, to apply for five years in both cases. The EU argued that by imposing duty on the raw product, soybeans in the case of Argentina and palm oil for Indonesia, they gave an advantage to domestic producers, which allowed them then to "dump" product at unfairly low prices.

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#### Hate SUVs? Too Late

Resistance was futile. Comedians and environmentalists spent decades fighting the rise of the Canyonero, the Chelsea Tractor and other variants of the sports-utility vehicle. Now, the war between traditional passenger cars and their high-rise, roided-up cousins is all but over -- and SUVs won. In Australia, sales of SUVs overtook those of passenger vehicles last month.

David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

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ED\_001220\_00002448

**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** Richards, David  
**Sent:** Wed 3/22/2017 5:20:26 PM  
**Subject:** RE: Please add me to your OTAQ list serve

Thanks, you two! It's been a really great experience at the EPA, but now unfortunately, under a new direction. I will be joining IFPRI (International Food Policy Research Institute) an international NGO based in DC. Good luck to all of you in AA as well!

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 1:15 PM  
**To:** Richards, David <Richards.David@epa.gov>  
**Subject:** RE: Please add me to your OTAQ list serve

Oh no, sorry to see you go? What are your plans? Its been great working with you, best of luck!

**From:** Richards, David  
**Sent:** Wednesday, March 22, 2017 1:14 PM  
**To:** Moran, Robin <moran.rob@epa.gov>  
**Cc:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Subject:** RE: Please add me to your OTAQ list serve

Hi Robin,

I will add you to the list! I'm actually leaving the EPA this Friday, but Chris Mylan and Erin Birgfeld will try to continue the briefs. Thanks for the interest.

David

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 1:11 PM  
**To:** Richards, David <Richards.David@epa.gov>

ED\_001220\_00002454-00001

ED\_001220\_00002454

**Subject:** Please add me to your OTAQ list serve

Hi David, I didn't even realize this list serve existed, sorry I've been missing it! Do you mind adding me, thanks!!

Robin

**From:** Alson, Jeff  
**Sent:** Wednesday, March 22, 2017 11:42 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>  
**Subject:** FYI in case you missed it--very good article by Amory Lovins

The third article below, from the Monday OTAQ Daily News Brief, is a very good and lengthy piece by Amory Lovins defending the LD GHG standards. I see that Bill and Mike get this daily collection, but I wanted to make sure that the two of you saw this article both because it is well written but also because Lovins is very influential (he visited NVFEL twice in the old days).

Robin, I recommend that you ask David Richards to be added to the list, it is an efficient way to see 5-10 OTAQ-specific articles each day.

**From:** Richards, David  
**Sent:** Monday, March 20, 2017 9:44 AM  
**To:** Acevedo, Frank <[acevedo.francisco@epa.gov](mailto:acevedo.francisco@epa.gov)>; Adams, Elizabeth <[Adams.Elizabeth@epa.gov](mailto:Adams.Elizabeth@epa.gov)>; Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Argyropoulos, Paul <[Argyropoulos.Paul@epa.gov](mailto:Argyropoulos.Paul@epa.gov)>; Audette, Lucie <[audette.lucie@epa.gov](mailto:audette.lucie@epa.gov)>; Barba, Daniel <[Barba.Daniel@epa.gov](mailto:Barba.Daniel@epa.gov)>; Beardslee, Renee <[Beardslee.Renee@epa.gov](mailto:Beardslee.Renee@epa.gov)>; Beardsley, Megan <[Beardsley.Megan@epa.gov](mailto:Beardsley.Megan@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Bizer-Cox, Daniel <[Bizer-Cox.Daniel@epa.gov](mailto:Bizer-Cox.Daniel@epa.gov)>; Blubaugh, Jim <[Blubaugh.Jim@epa.gov](mailto:Blubaugh.Jim@epa.gov)>; Bradish, Tracey <[bradish.tracey@epa.gov](mailto:bradish.tracey@epa.gov)>; Brusstar, Matt <[brusstar.matt@epa.gov](mailto:brusstar.matt@epa.gov)>; Bunker, Byron <[bunker.byron@epa.gov](mailto:bunker.byron@epa.gov)>; Burch, Julia <[Burch.Julia@epa.gov](mailto:Burch.Julia@epa.gov)>; Bynum, Cheryl <[bynum.cheryl@epa.gov](mailto:bynum.cheryl@epa.gov)>; Caldwell, Amy <[caldwell.amy@epa.gov](mailto:caldwell.amy@epa.gov)>; Charmley, William

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<charmley.william@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Clark, Sarah  
 <clark.sarah@epa.gov>; Cohen, Janet <cohen.janet@epa.gov>; Cook, Leila  
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 <spears.matthew@epa.gov>; Spieth, John <Spieth.John@epa.gov>; Storhok, Ines  
 <storhok.ines@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; Sun, Lisa  
 <Sun.Lisa@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; VanGessel, Benjamin  
 <vangessel.benjamin@epa.gov>; Vawters, Katie <Vawters.Katie@epa.gov>; Watkins, Erica  
 <Watkins.Erica@epa.gov>; Wehrly, Linc <wehrly.linc@epa.gov>; Weihrauch, John  
 <Weihrauch.John@epa.gov>; Wilcox, Jason <Wilcox.Jason@epa.gov>; Witkowski, Nicolas  
 <witkowski.nicolas@epa.gov>; Yarbrough, Cody <yarbrough.cody@epa.gov>; Zaremski, Sara  
 <zaremski.sara@epa.gov>; Zimpfer, Amy <Zimpfer.Amy@epa.gov>

**Subject:** OTAQ Daily News Brief

**OTAQ Daily News Brief**

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**\*\*Welcome everyone to OTAQ's daily news listserv. The OTAQ Daily News Brief compiles articles from around the world focused on our office's work; this includes everything from light duty/heavy duty vehicles, electric vehicles, air quality studies, aircrafts, boats and ships, to alternative fuels, and of course, climate change. If you'd like to be removed or would like to add another person to the listserv please contact David Richards at [richards.david@epa.gov](mailto:richards.david@epa.gov). Feedback welcomed. Thanks and enjoy!**

## **Reuters**

### Energy carbon emissions in 2016 flat for third year -IEA

A greener energy mix helped keep energy-related carbon dioxide emissions flat in 2016 yet more needs to be done to avert a harmful rise in global temperatures, International Energy Agency (IEA) data showed on Friday. Energy sector emissions of 32.1 gigatonnes were unchanged from 2015 and 2014 even though the global economy grew by 3.1 percent, the IEA estimated. "These three years of flat emissions in a growing global economy signal an emerging trend and that is certainly a cause for optimism, even if it is too soon to say that global emissions have definitely peaked," IEA Executive Director Fatih Birol said in a statement. Carbon dioxide emissions fell in the United States and China, the world's two largest energy users and emitters, and were stable in Europe. This helped to offset increases in CO2 emissions in the rest of the world, the IEA said. U.S. emissions fell by 3 percent to their lowest level since 1992 helped by higher use of shale gas and renewable energy displacing coal. For the first time, the United States produced more electricity from natural gas than from coal last year. Emissions in China fell by 1 percent as coal demand declined despite its economy growing by 6.7 percent.

## **Bloomberg**

### Icahn Pressed EPA Candidates on Ethanol Rule He Wants Scrapped

Billionaire investor Carl Icahn, who helped President Donald Trump vet candidates to lead the Environmental Protection Agency, pressed them for their views on a regulation that he says is costing his oil refineries hundreds of millions of dollars a year. Scott Pruitt, who got the EPA administrator job, seemed to agree that the rule should be changed, Icahn said last week in an interview at his New York office. Icahn was disappointed with what he considered Pruitt's scant knowledge of the issue during their first meeting, in November, but said he was satisfied after another meeting and additional phone calls. Icahn also met with at least two other men who wanted the job, Jeffrey Holmstead and Donald van der Vaart, and pressed them about the topic, according to people with knowledge of those conversations. All the meetings took place in Icahn's 47th-floor Manhattan office overlooking Central Park, about two blocks north of Trump

Tower. Read more: [Trump Adviser Icahn Lobbies for Rule Change That Benefits Icahn](#). Icahn wants the EPA to scrap a longstanding rule key to enforcing the Renewable Fuel Standard, which mandates that biofuels make up part of the country's gasoline supply. The rule requires refineries and importers to blend renewable fuel into motor fuel or buy credits from others who do so.

## **Forbes**

### [With Weaker Fuel Economy Standards, Everyone Loses, Including U.S. Automakers](#)

Amory B. Lovins, Rocky Mountain Institute

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David Richards

ORISE Research Participant

Office of Transportation and Air Quality

US Environmental Protection Agency

ph. 202.564.4964

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ED\_001220\_00002454-00008

ED\_001220\_00002454

**To:** Moran, Robin[moran.robin@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]  
**Cc:** Orlin, David[Orlin.David@epa.gov]  
**From:** Kataoka, Mark  
**Sent:** Wed 3/22/2017 2:09:36 PM  
**Subject:** RE: Midterm Review

You may already have this – Intent to reconsider FR notice published today

<https://www.federalregister.gov/d/2017-05316>

ED\_001220\_00002459-00001

ED\_001220\_00002459

**To:** Hengst, Benjamin[Hengst.Benjamin@epa.gov]  
**Cc:** Orlin, David[Orlin.David@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]; Simon, Karl[Simon.Karl@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Cook, Leila[cook.leila@epa.gov]  
**From:** Charmley, William  
**Sent:** Tue 3/21/2017 7:59:03 PM  
**Subject:** Final OTAQ draft of 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards  
[2 page on history, status, next steps for LD MTE, March 20, 2017, Final.docx](#)

Ben –

Here's the final draft. I believe this is ready to be sent to Sarah.

Bill

ED\_001220\_00002464-00001

ED\_001220\_00002464



**To:** Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Bohac, Stani  
**Sent:** Mon 3/20/2017 6:08:58 PM  
**Subject:** article on GHG standards

Dear Robin and Mike,

The following is to an article by John DeCicco, a Research Professor at the University of Michigan. It contains a little more historical and technical information than many articles.

<http://e360.yale.edu/features/trump-fuel-economy-cafe-standards-decicco>

-Stani

**Stani Bohac**

Light-Duty Vehicles and Small Engines Center, U.S. EPA

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ED\_001220\_00002474-00001

ED\_001220\_00002474

**To:** Alson, Jeff[alson.jeff@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]  
**From:** Hula, Aaron  
**Sent:** Mon 3/20/2017 3:16:42 PM  
**Subject:** Decicco blog - "The 'Job-Killing' Fiction Behind Trump's Retreat on Fuel Economy Standards"

From John:

<http://e360.yale.edu/features/trump-fuel-economy-cape-standards-decicco>

**Aaron Hula**

Office of Transportation and Air Quality

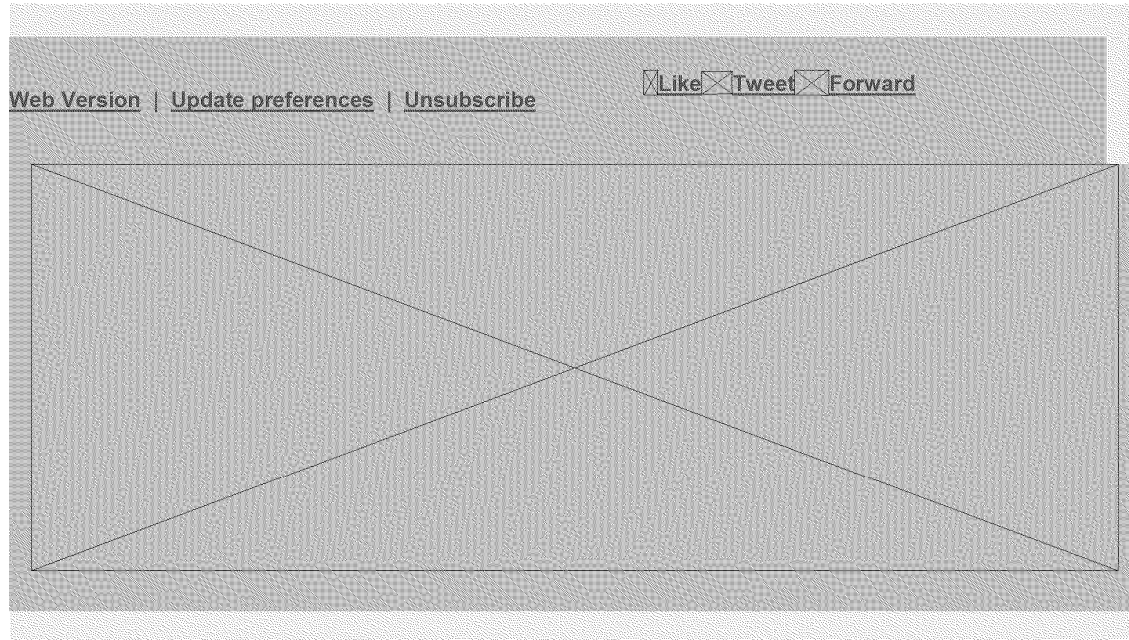
US Environmental Protection Agency

734.214.4267

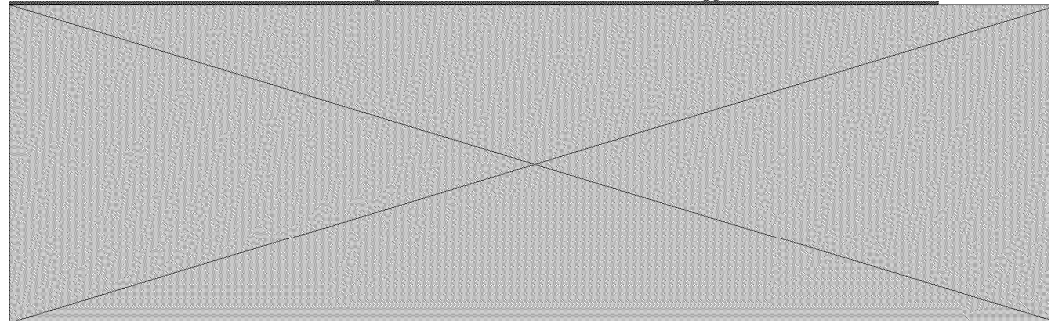
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ED\_001220\_00002476

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** The Fuse  
**Sent:** Fri 3/17/2017 7:33:03 PM  
**Subject:** Making the Most of the Mid-Term Review of Fuel Economy Standards, CERAWeek's Contradictions, A Kingpin's View of OPEC Compliance, and More



### **EPA Puts Fuel Economy Review Back on Original Timetable**



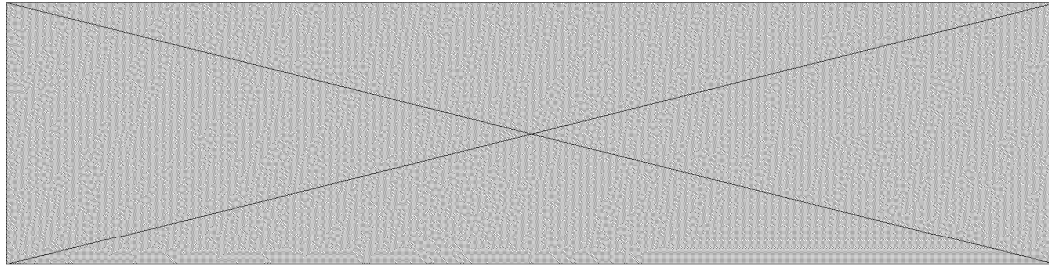
The Mid-term Evaluation for fuel economy standards opens the door to including new vehicle technology, such as autonomy, in federal regulations, a development that could lead to even greater efficiency in the longer term. [\(Read More\)](#)

### **A Midterm Evaluation Is a Terrible Thing to Waste**

Experts: In the chicken-or-the-egg conundrum between EVs and charging infrastructure, autonomous

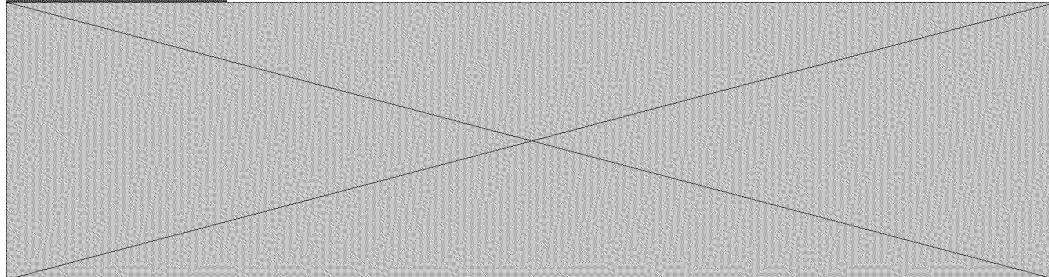
### **OPEC Cuts, Higher Prices Will Not Be Enough to Revive Algeria's**

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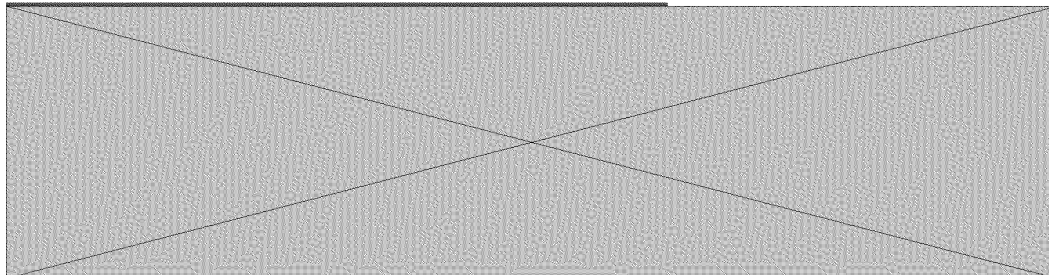
vehicles are the "rooster." Can regulators keep up? [\(Read More\)](#)

## **Energy Sector**



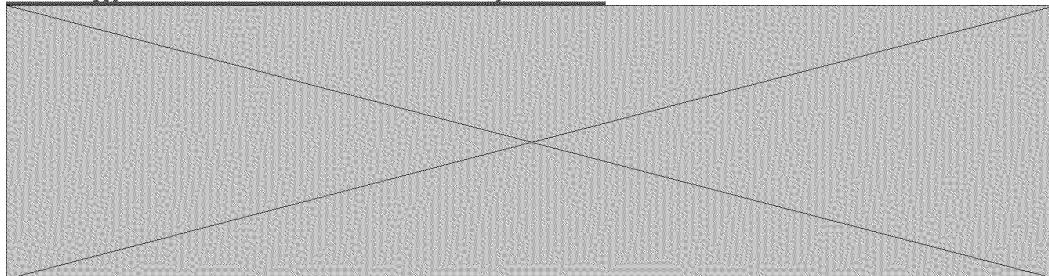
Algeria's president has called for the country to combat the "hegemony of fuel" in light of recent economic devastation. [\(Read More\)](#)

## **CERAWeek: A Short List of Contradictions**



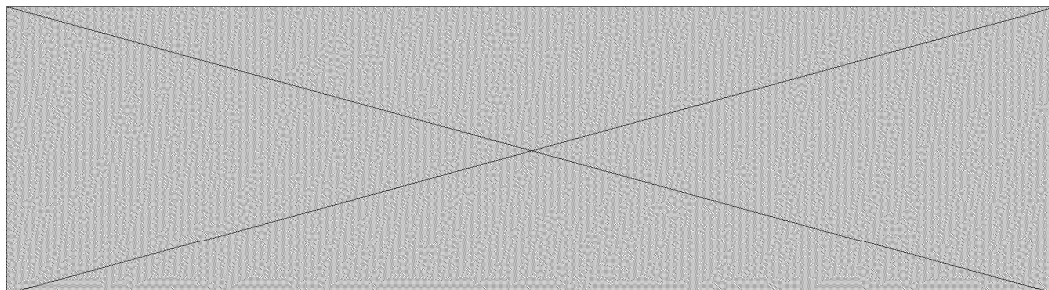
Although the world is still in the midst of a seemingly perpetual glut, does a supply gap loom? Is peak oil demand imminent? Why is OPEC praising shale and meeting with hedge funds? [\(Read More\)](#)

## **A Kingpin's View of OPEC Compliance**



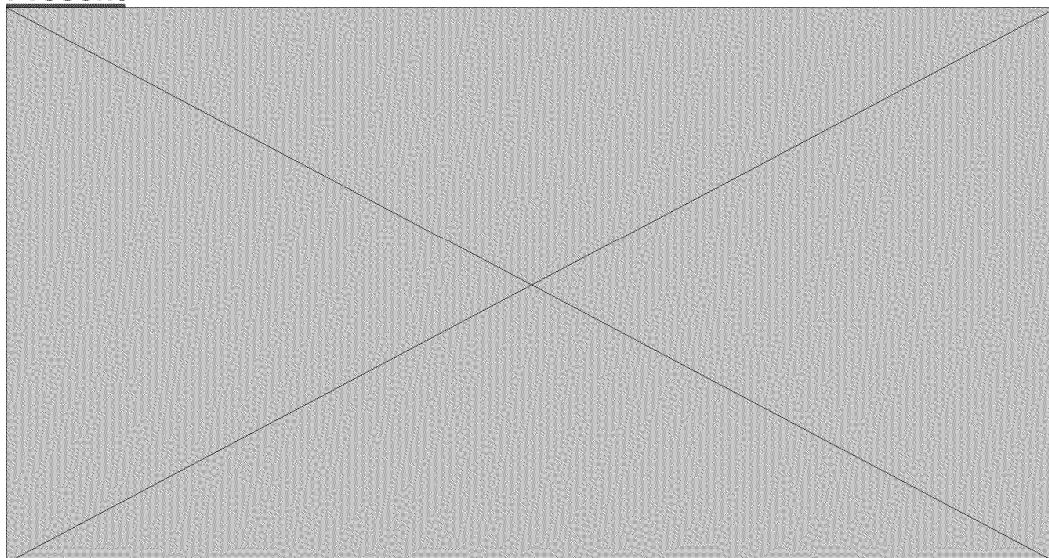
Between now and OPEC's next meeting in May, much more must be done in order to make sure the cuts are fairly distributed, slackers come around, and non-OPEC members stick to the deal. [\(Read More\)](#)

## **Will OPEC's Production Cut Delay The Neutral Zone's Return?**



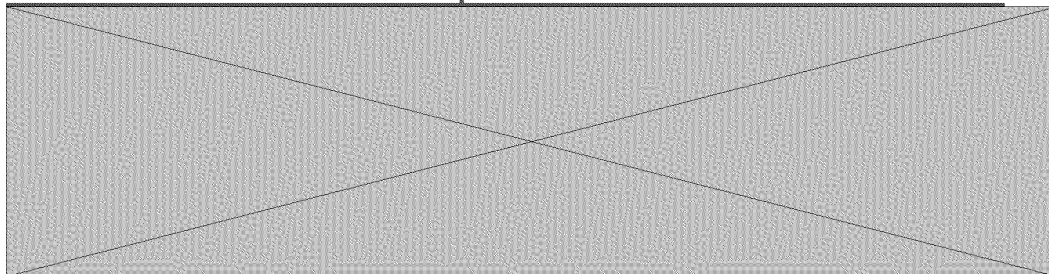
If there is an extension of the OPEC cut in May, then a re-start date for the Neutral Zone would likely be pushed to Q4 2017 or into 2018 as a result of a lack of short-term benefits for Kuwait and Saudi Arabia. [\(Read More\)](#)

### **Chart Of The Week: U.S. Plug-In Electric Vehicle Sales, 2011-Present**



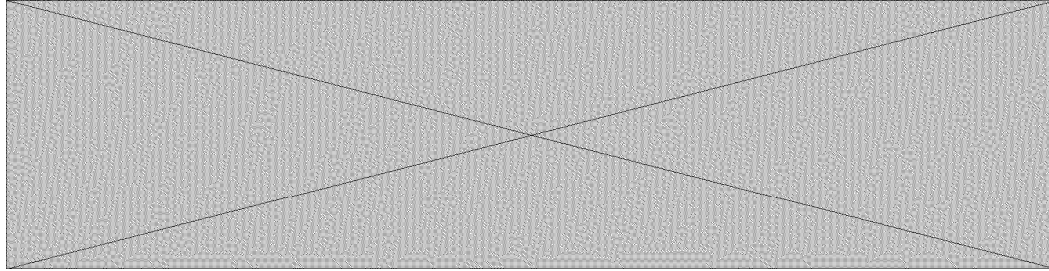
Consumer demand for plug-in vehicles continues to see strong growth. Sales during the first two months in 2017 are already exceeding the comparable period in 2016, and may well set up 2017 to be another record year for plug-in vehicles. [\(Read More\)](#)

### **INRIX: Cities With Shorter Trips Poised to Benefit First from AVs**



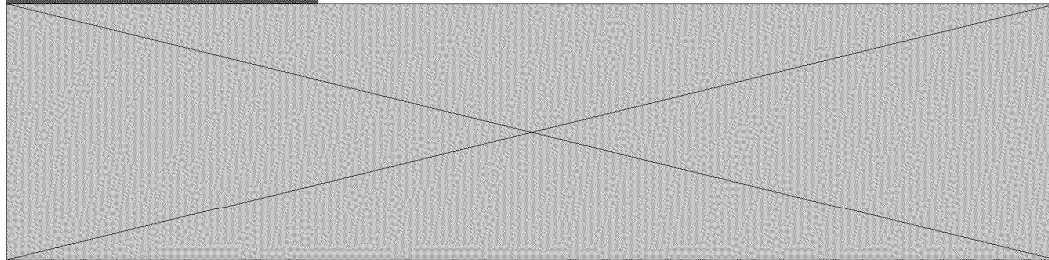
By looking at trip, parking, and demographic data, cities can mark deployment areas where autonomous vehicles will be immediately effective and can push for them to operate in those sections first. [\(Read More\)](#)

### **Crosspost: How Volkswagen Is Shaping America's Energy Future**



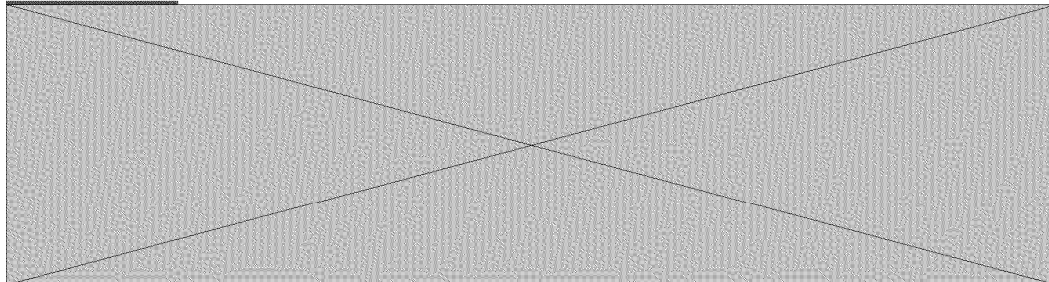
T. Boone Pickens explains why Volkswagen's settlement with the Justice Department can help move U.S. energy security in the right direction. [\(Read More\)](#)

### **CERAWeek Panel Sees Oil as Biggest Loser in Electric, Autonomous Future**



In a side panel removed from the conference's primary keynotes, transportation experts laid out a very different vision for the future of mobility, expressing confidence that—at least in urban centers—a shift towards efficient, autonomous, electric vehicles is a matter of when, not if. [\(Read More\)](#)

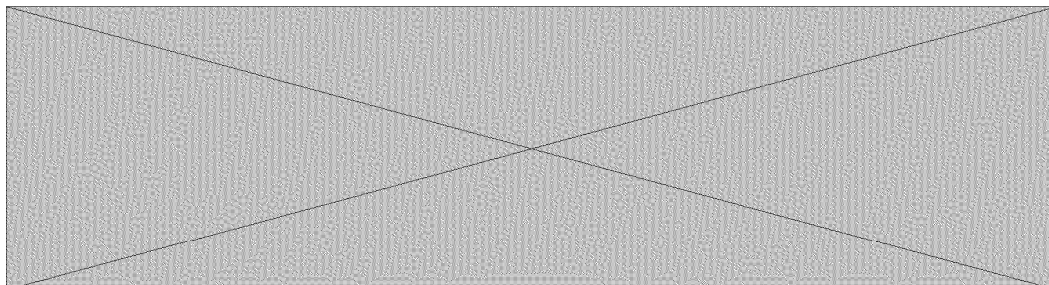
### **U.S. Oil Sector Back from 'Brink of Extinction,' Total Boosts Investment**



The U.S. oil and gas sector is very upbeat with prices above \$50 per barrel, but one CEO warns that the industry must manage its growth or the market could collapse again. [\(Read More\)](#)

### **Saudi Aramco IPO Encounters Resistance From Domestic Critics**





Plans to open up the Kingdom to outside investors will continue to cause fissures within the country, and may also bring about tensions within the OPEC cartel. [\(Read More\)](#)

Securing America's Future Energy  
1111 19th Street NW, Suite 406  
Washington, DC 20036

[Edit your subscription](#) | [Unsubscribe](#)

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Levin, David[Levin.David@epa.gov]  
**From:** Liao, Shan  
**Sent:** Thur 3/16/2017 4:04:04 PM  
**Subject:** the page is published also. -- RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

The page is published: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 12:00 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Thank you Shan. This is good to post live.

**From:** Liao, Shan  
**Sent:** Thursday, March 16, 2017 11:58 AM  
**To:** Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

ED\_001220\_00002498-00001

ED\_001220\_00002498



Dear All,

The updated pre-publication is re-posted live:

<https://www.epa.gov/sites/production/files/2017-03/documents/caf-joint-notice-dot-epa-2017-03-13.pdf>

Please advise whether I can also publish the updated page (with the FR correction note), <https://wcms.epa.gov/node/162119/revisions/506889/view> .

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

***<http://www.surveymonkey.com/s/epalibsurvey>***

**From:** Dietrich, Gwen

**Sent:** Thursday, March 16, 2017 11:26 AM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Everyone,

Here is the corrected version.

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 149 KB and 5 pages

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Sutton, Tia

**Sent:** Thursday, March 16, 2017 11:13 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

ED\_001220\_00002498-00003

ED\_001220\_00002498

As long as this doesn't violate any web posting rules to have a correction in the disclaimer, I personally agree that it makes sense to have the correction both in the disclaimer (and in red font, as well) and on the webpage itself.

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:54 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Hi Gwen,

I adjusted the location of the correction so it is inside the disclaimer language. Tia can you let me know if this is OK to do? If so Gwen can finalize for the web. We can also highlight on the web page itself.

Thanks,

Erin

**From:** Dietrich, Gwen  
**Sent:** Thursday, March 16, 2017 10:40 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Phone number has been corrected, read for posting.

Attached:

ED\_001220\_00002498-00004

ED\_001220\_00002498

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 146 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Thursday, March 16, 2017 10:22 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Thanks to you both!

**From:** Liao, Shan

**Sent:** Thursday, March 16, 2017 10:13 AM

**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear Gwen,

ED\_001220\_00002498-00005

ED\_001220\_00002498

I understand that the phone number correct is needed in the pre-publication PDF file (<https://www.epa.gov/sites/production/files/2017-03/documents/caf-joint-notice-dot-epa-2017-03-13.pdf>) . (please see Robin's email below for details.)

Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

Once I receive the updated PDF, I will re-post it to CMS.

Many thanks in advance!

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 9:59 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** FW: Web correction for the FR Notice Bill's phone #

Hi Shan,

Can you make the change below. Thank you!

-Erin

**From:** Moran, Robin

**Sent:** Thursday, March 16, 2017 9:50 AM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>

**Subject:** Web correction for the FR Notice Bill's phone #

Tia, Erin, I think this correction slipped through the cracks yesterday in our flurry. To ward off phone calls to Mark Coryell's phone (what's now listed under Bill's name in the FR), can we add this Correction note below? Or something similar.

Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

•□□□□□

•□□□□□

•□□□□□ Alliance of Auto Manufacturers Letter to Administrator Pruitt EXIT

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Yep- that's not a problem at all, we've done that before.

**Erin-** can you ask Shan to include that note when she sends you the page to review & approve?

Sent from my iPhone

On Mar 15, 2017, at 1:11 PM, Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)> wrote:

Since this will go on the web with the wrong phone number, could we add Correction note to the web: such as: "Correction: The EPA contact number listed below contains a typo. The correct phone number is (734) 214-4466."

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:04 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin

ED\_001220\_00002498-00008

ED\_001220\_00002498

<[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Hi Bill,

A phone number update would generally be considered a minor typo fix that can be corrected when FR reviews and sends us back their formatting edits to review & approve before publication.

When I looked at this notice yesterday, it was not in proper FR format, so I'm assuming we'll get it back with edits before it's published. We just need to flag it for whoever was put down as the EPA contact on the FR cover sheet (**Ben**- do you know who that is- someone in the AO maybe?) so they know to also make this edit. On the off chance that FR publishes this without a full review, we can try to flag it for our OP liaisons as well.

-Tia

Sent from my iPhone

On Mar 15, 2017, at 12:24 PM, Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)> wrote:

Got it—we'll see if we can get it fixed in the publication version

**From:** Charmley, William  
**Sent:** Wednesday, March 15, 2017 12:13 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,



The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

ED\_001220\_00002498-00011

ED\_001220\_00002498

**To:** Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Levin, David[Levin.David@epa.gov]  
**From:** Liao, Shan  
**Sent:** Thur 3/16/2017 3:29:47 PM  
**Subject:** NNT0: Shan is to re-post this version to CMS now. Please let me know if any concerns. -- RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

**From:** Dietrich, Gwen  
**Sent:** Thursday, March 16, 2017 11:26 AM  
**To:** Sutton, Tia <sutton.tia@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Everyone,

Here is the corrected version.

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 149 KB and 5 pages

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

ED\_001220\_00002509-00001

ED\_001220\_00002509

734-214-4639

**From:** Sutton, Tia  
**Sent:** Thursday, March 16, 2017 11:13 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

As long as this doesn't violate any web posting rules to have a correction in the disclaimer, I personally agree that it makes sense to have the correction both in the disclaimer (and in red font, as well) and on the webpage itself.

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:54 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Hi Gwen,

I adjusted the location of the correction so it is inside the disclaimer language. Tia can you let me know if this is OK to do? If so Gwen can finalize for the web. We can also highlight on the web page itself.

Thanks,

Erin

ED\_001220\_00002509-00002

ED\_001220\_00002509

**From:** Dietrich, Gwen  
**Sent:** Thursday, March 16, 2017 10:40 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>;  
France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE:  
Web correction for the FR Notice Bill's phone #

Phone number has been corrected, read for posting.

Attached:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 146 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:22 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE:  
Web correction for the FR Notice Bill's phone #

Thanks to you both!

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ED\_001220\_00002509

**From:** Liao, Shan

**Sent:** Thursday, March 16, 2017 10:13 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear Gwen,

I understand that the phone number correct is needed in the pre-publication PDF file (<https://www.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>) . (please see Robin's email below for details.)

Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

Once I receive the updated PDF, I will re-post it to CMS.

Many thanks in advance!

Shan

**From:** Birgfeld, Erin

**Sent:** Thursday, March 16, 2017 9:59 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** FW: Web correction for the FR Notice Bill's phone #

ED\_001220\_00002509-00004

ED\_001220\_00002509

Hi Shan,

Can you make the change below. Thank you!

-Erin

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 9:50 AM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
**Subject:** Web correction for the FR Notice Bill's phone #

Tia, Erin, I think this correction slipped through the cracks yesterday in our flurry. To ward off phone calls to Mark Coryell's phone (what's now listed under Bill's name in the FR), can we add this Correction note below? Or something similar.

Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

- [REDACTED]
- [REDACTED]
- [REDACTED] [Alliance of Auto Manufacturers Letter to Administrator Pruitt EXIT](#)

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Yep- that's not a problem at all, we've done that before.

**Erin-** can you ask Shan to include that note when she sends you the page to review & approve?

Sent from my iPhone

On Mar 15, 2017, at 1:11 PM, Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)> wrote:



Since this will go on the web with the wrong phone number, could we add Correction note to the web: such as: "Correction: The EPA contact number listed below contains a typo. The correct phone number is (734) 214-4466."

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:04 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
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-Tia

Sent from my iPhone

On Mar 15, 2017, at 12:24 PM, Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)> wrote:

Got it—we'll see if we can get it fixed in the publication version

ED\_001220\_00002509-00007

ED\_001220\_00002509

**From:** Charmley, William  
**Sent:** Wednesday, March 15, 2017 12:13 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

ED\_001220\_00002509-00009

ED\_001220\_00002509

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**From:** Liao, Shan  
**Sent:** Thur 3/16/2017 3:01:49 PM  
**Subject:** add this note to the web page in a draft version. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

I add this note to the Web page in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506889/view>

Please let me know any further updates if needed.

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:58 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Hi Shan,

It sounds odd I know but we cannot change the error in the FR notice since that is the version that has been signed. Instead can you simply add this language below the link to the FR notice on the web? I'm asking Tia if we can also include the same language on the disclaimer portion of the FR notice.

Thank you!

-Erin

• Federal Register Notice: Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles (PDF) ( 5 pp, 166 K, pre-publication, [About PDF](#))

FR Notice Correction: The EPA contact number listed in this notice contains a typo. The correct phone number is (734) 214-4466.

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**Sent:** Thursday, March 16, 2017 10:13 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
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Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

Once I receive the updated PDF, I will re-post it to CMS.

ED\_001220\_00002513-00002

ED\_001220\_00002513

Many thanks in advance!

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 9:59 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** FW: Web correction for the FR Notice Bill's phone #

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Can you make the change below. Thank you!

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**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
**Subject:** Web correction for the FR Notice Bill's phone #

Tia, Erin, I think this correction slipped through the cracks yesterday in our flurry. To ward off phone calls to Mark Coryell's phone (what's now listed under Bill's name in the FR), can we add this Correction note below? Or something similar.

ED\_001220\_00002513-00003

ED\_001220\_00002513

Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

- [REDACTED]

- [REDACTED]

- [REDACTED] [Alliance of Auto Manufacturers Letter to Administrator Pruitt](#) [EXIT](#)

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Erin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Yep- that's not a problem at all, we've done that before.

**Erin-** can you ask Shan to include that note when she sends you the page to review & approve?

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-Tia

Sent from my iPhone

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Got it—we'll see if we can get it fixed in the publication version

**From:** Charmley, William

**Sent:** Wednesday, March 15, 2017 12:13 PM

**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>

**Cc:** Birgfeld, Erin <[birgfeld.erin@epa.gov](mailto:birgfeld.erin@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

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This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

**To:** Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Liao, Shan[Liao.Shan@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Thur 3/16/2017 2:54:20 PM  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #  
[cafe-joint-notice-dot-epa-2017-03-13 - correction notice.docx](#)

Hi Gwen,

I adjusted the location of the correction so it is inside the disclaimer language. Tia can you let me know if this is OK to do? If so Gwen can finalize for the web. We can also highlight on the web page itself.

Thanks,

Erin

**From:** Dietrich, Gwen  
**Sent:** Thursday, March 16, 2017 10:40 AM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Phone number has been corrected, read for posting.

Attached:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 146 KB and 5 pages.

Gwen Dietrich

ED\_001220\_00002515-00001

ED\_001220\_00002515

Communications/Graphic Design Specialist  
Senior Service America, Inc. (Grantee)  
Supporting the Office of Transportation and Air Quality  
U.S. Environmental Protection Agency  
734-214-4639

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:22 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Thanks to you both!

**From:** Liao, Shan  
**Sent:** Thursday, March 16, 2017 10:13 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>  
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ED\_001220\_00002515-00002

ED\_001220\_00002515

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**Cc:** Charmley, William <[william.charmley@epa.gov](mailto:william.charmley@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
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ED\_001220\_00002515-00003

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## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

- [REDACTED]

- [REDACTED]

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**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
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**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

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**To:** Liao, Shan[Liao.Shan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Levin, David[Levin.David@epa.gov]; France, Jennifer[france.jennifer@epa.gov]  
**From:** Dietrich, Gwen  
**Sent:** Thur 3/16/2017 2:31:11 PM  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Shan,

I will correct and send the PDF back to you .

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Liao, Shan  
**Sent:** Thursday, March 16, 2017 10:13 AM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Subject:** Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear Gwen,

I understand that the phone number correct is needed in the pre-publication PDF file (<https://www.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>) . (please see Robin's email below for details.)

ED\_001220\_00002520-00001

ED\_001220\_00002520

Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

Once I receive the updated PDF, I will re-post it to CMS.

Many thanks in advance!

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 9:59 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** FW: Web correction for the FR Notice Bill's phone #

Hi Shan,

Can you make the change below. Thank you!

-Erin

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 9:50 AM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Charmley, William <[william.charmley@epa.gov](mailto:william.charmley@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
**Subject:** Web correction for the FR Notice Bill's phone #

ED\_001220\_00002520-00002

ED\_001220\_00002520

Tia, Erin, I think this correction slipped through the cracks yesterday in our flurry. To ward off phone calls to Mark Coryell's phone (what's now listed under Bill's name in the FR), can we add this Correction note below? Or something similar.

Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

- [REDACTED]

- [REDACTED]

- [REDACTED] [Alliance of Auto Manufacturers Letter to Administrator Pruitt](#) [EXIT](#)

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Olechiw, Michael <[michael.olechiw@epa.gov](mailto:michael.olechiw@epa.gov)>; Cook, Leila <[leila.cook@epa.gov](mailto:leila.cook@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Yep- that's not a problem at all, we've done that before.

**Erin-** can you ask Shan to include that note when she sends you the page to review & approve?

Sent from my iPhone

On Mar 15, 2017, at 1:11 PM, Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)> wrote:

Since this will go on the web with the wrong phone number, could we add Correction note to the web: such as: "Correction: The EPA contact number listed below contains a typo. The correct phone number is (734) 214-4466."

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:04 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Olechiw, Michael <[michael.olechiw@epa.gov](mailto:michael.olechiw@epa.gov)>; Cook, Leila <[leila.cook@epa.gov](mailto:leila.cook@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Hi Bill,

A phone number update would generally be considered a minor typo fix that can be corrected when FR reviews and sends us back their formatting edits to review & approve before publication.

When I looked at this notice yesterday, it was not in proper FR format, so I'm assuming we'll get it back with edits before it's published. We just need to flag it for whoever was put down as the EPA contact on the FR cover sheet (**Ben**- do you know who that is- someone in the AO maybe?) so they know to also make this edit. On the off chance that FR publishes this without a full review, we can try to flag it for our OP liaisons as well.

-Tia

Sent from my iPhone

On Mar 15, 2017, at 12:24 PM, Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)> wrote:

Got it—we'll see if we can get it fixed in the publication version

**From:** Charmley, William

**Sent:** Wednesday, March 15, 2017 12:13 PM

**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>

**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

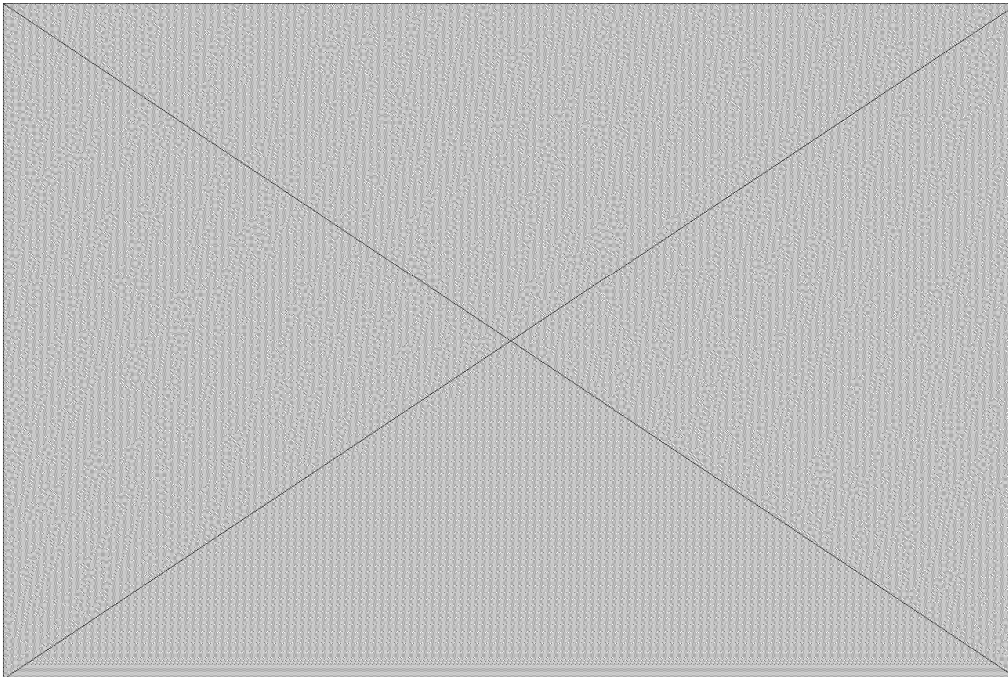
ED\_001220\_00002520-00007

ED\_001220\_00002520



**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Robbie Diamond  
**Sent:** Wed 3/15/2017 10:41:38 PM  
**Subject:** Objects In Mirror Are Closer Than They Appear

## **Objects In Mirror Are Closer Than They Appear**



**Over the past week, we at SAFE have taken an active role asserting our views on the best way forward for fuel economy standards in light of the Trump administration's reopening of the mid-**

**term evaluation. SAFE understands that today's announcement is simply a return to the original timeline, and more importantly, that the interests of all stakeholders are more closely aligned than they may appear. The review could lead to even greater transportation efficiency and larger reductions in oil dependence in the longer term.**

**A battle between the White House, California, and the auto industry is surely possible, but we're still early enough in this process to not only keep things on track but fundamentally improve these critical regulations. What matters is that everyone remained focused on the nation's interests—ending oil dependence while strengthening our industry, creating jobs, safeguarding air and water, and improving national security. This is the reason we started last week with an [OpEd in The Detroit News](#) by Generals Conway and McKiernan that laid out a step-by-step deal that would benefit all the parties. As I told the press yesterday, "There's no reason for environmentalists, automakers, and conservatives to risk a nuclear war over these rules, which will result in zero progress for all sides."**

To learn more about SAFE's proposal, read our [issue brief](#) with more details on our position, and our comments today in [Reuters](#), [Politico](#), and the [Financial Times](#).

Finally, I would like to share some quotes from the relevant parties that show a collective willingness to collaborate.

A senior White House energy official, speaking yesterday to reporters, expressed little interest in picking a fight. He stated, *“Will we be prohibiting states from setting their own higher fuel standards? In 2018 we are going to have to work with California. Fourteen other states are following California, so we are hoping that as we go through this process California will be a partner and we can figure this out—but that’s a long way down the road. We welcome California to the table.”*

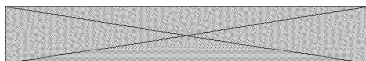
Meanwhile, California’s top air-quality regulator Mary Nichols told Bloomberg, *“We’re not going to refuse to participate in the newly-reopened review process. We’ll be there and we’ll be active. We have the technical and legal ability to run a program that recognizes where electrification of vehicles is headed. We’re trying to put together a mix of incentives and regulations to move the entire industry in this direction. This is what we’re going to do.”*

As for industry, Mitch Bainwol President and CEO of the Auto Alliance, says, *“President Trump agreed, and now we will get back to work with EPA, NHTSA, CARB and other stakeholders in carefully determining how we can improve mileage and reduce carbon emissions while preserving vehicle safety, auto jobs and affordable new cars and trucks.”*

Michigan Congresswoman Debbie Dingell also put it well. *“My goal is to bring permanent peace between California, Michigan and the rest of the country and have everybody working together toward strong fuel economy standards. That was the beauty of the process that President Obama established and the agreement that was reached.”*

Stay tuned as we continue our work to end America’s oil dependence through smart policy and political compromise. Thank you for staying engaged and I look forward to keeping you updated on our progress.

Regards,



Robbie Diamond  
President and CEO  
Securing America’s Future Energy

 [Like](#)  [Tweet](#)  [Forward](#)

Securing America’s Future Energy | 1111 19th Street, NW, Suite 406 | Washington, DC | 202-461-2360 | [info@secureenergy.org](mailto:info@secureenergy.org)  
If you would prefer not to receive further messages from SAFE, please click here to [unsubscribe](#).

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Ellies, Ben  
**Sent:** Wed 3/15/2017 7:43:09 PM  
**Subject:** National Geographic coverage of Final Determination announcement

<http://news.nationalgeographic.com/2017/03/cape-standards-miles-per-gallon-gas-efficiency-technology/>

# Ben

Benjamin Ellies

EPA Office of Transportation and Air Quality

2000 Traverwood Drive

Ann Arbor, MI 48103

(734) 214-4496

ED\_001220\_00002531-00001

ED\_001220\_00002531

**To:** Liao, Shan[Liao.Shan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**From:** Suarez, Patricia  
**Sent:** Wed 3/15/2017 5:58:30 PM  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

I works now. Was there just a delay?

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 1:54 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

The live URL doesn't work.

<https://www.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Only the staging URL for this pre-publication works. I am to write an email to Web CMS support team to ask the reason.

<https://wcms.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:53 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

Hi Shan,

Thanks for adding the link.. the pre publication version of the FR notice still goes to the test page. Am I missing something?

-Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 1:50 PM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

This link is added.

The pre-publication is posted to CMS also.

<https://wcms.epa.gov/node/162119/visions/506181/view>

<https://wcms.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Shan

**From:** Moran, Robin

ED\_001220\_00002534-00002

ED\_001220\_00002534

**Sent:** Wednesday, March 15, 2017 1:48 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: UPDATED location for letter

OK. Yes we should add the other letters then too. There was also a similar one from Global Automakers.

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:45 PM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** FW: UPDATED location for letter

Hi shan,

Can you make this one change...

Under the link to the FR notice add this link

- "Alliance of Auto Manufacturers Letter to Administrator Pruitt"
- <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

..

Robin – I am pushing back to include the other letters but want to be ready.

**From:** Millett, John  
**Sent:** Wednesday, March 15, 2017 1:40 PM

ED\_001220\_00002534-00003

ED\_001220\_00002534

**To:** Hart, Daniel <[Hart.Daniel@epa.gov](mailto:Hart.Daniel@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** RE: UPDATED location for letter

Got it . . .

**From:** Hart, Daniel  
**Sent:** Wednesday, March 15, 2017 1:32 PM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Millett, John <[John.Millett@epa.gov](mailto:John.Millett@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** UPDATED location for letter

Erin and John,

Per my voicemail. Recommend this go on the midterm page:

Either link to attached or to their site: <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

Link language “Alliance of Auto Manufacturers Letter to Administrator Pruitt”

Daniel (Danny) Hart | Director, Office of Web Communication, Office of Public Affairs, U.S.  
EPA | desk: 202-564-7577 | cell: 202-365-7095



**To:** Liao, Shan[Liao.Shan@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Wed 3/15/2017 5:57:51 PM  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

Shan – will the problem be fixed if we go live now?

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 1:54 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

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<https://wcms.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:53 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

ED\_001220\_00002535-00001

ED\_001220\_00002535

Hi Shan,

Thanks for adding the link.. the pre publication version of the FR notice still goes to the test page. Am I missing something?

-Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 1:50 PM

**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>

**Subject:** the link is added. the pre-publication is posted to CMS. - RE: UPDATED location for letter

This link is added.

The pre-publication is posted to CMS also.

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<https://wcms.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>

Shan

**From:** Moran, Robin

ED\_001220\_00002535-00002

ED\_001220\_00002535

**Sent:** Wednesday, March 15, 2017 1:48 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: UPDATED location for letter

OK. Yes we should add the other letters then too. There was also a similar one from Global Automakers.

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:45 PM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** FW: UPDATED location for letter

Hi shan,

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Under the link to the FR notice add this link

- "Alliance of Auto Manufacturers Letter to Administrator Pruitt"
- <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

..

Robin – I am pushing back to include the other letters but want to be ready.

**From:** Millett, John  
**Sent:** Wednesday, March 15, 2017 1:40 PM

ED\_001220\_00002535-00003

ED\_001220\_00002535

**To:** Hart, Daniel <[Hart.Daniel@epa.gov](mailto:Hart.Daniel@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** RE: UPDATED location for letter

Got it . . .

**From:** Hart, Daniel  
**Sent:** Wednesday, March 15, 2017 1:32 PM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Millett, John <[John.Millett@epa.gov](mailto:John.Millett@epa.gov)>  
**Cc:** Morin, Jeff <[Morin.Jeff@epa.gov](mailto:Morin.Jeff@epa.gov)>; Orquina, Jessica <[Orquina.Jessica@epa.gov](mailto:Orquina.Jessica@epa.gov)>  
**Subject:** UPDATED location for letter

Erin and John,

Per my voicemail. Recommend this go on the midterm page:

Either link to attached or to their site: <https://autoalliance.org/2017/02/22/alliance-letter-epa-regarding-midterm-evaluation-2022-2025-ghg-standards/>

Link language “Alliance of Auto Manufacturers Letter to Administrator Pruitt”

Daniel (Danny) Hart | Director, Office of Web Communication, Office of Public Affairs, U.S.  
EPA | desk: 202-564-7577 | cell: 202-365-7095

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]; Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Liao, Shan  
**Sent:** Wed 3/15/2017 5:31:06 PM  
**Subject:** updated --RE: please preview. -- RE: Web Markup - MTE Notice

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 1:29 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Subject:** FW: please preview. -- RE: Web Markup - MTE Notice

Hi Shan,

A few more edits for you. See below. I will have one more after this...

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

**From:** Sutton, Tia

ED\_001220\_00002542-00001

ED\_001220\_00002542

**Sent:** Wednesday, March 15, 2017 1:20 PM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

I agree on going with "announced on 3/15". But we shouldn't change the phone number in the pre-pub version -- otherwise, we won't actually be using what they signed. We usually keep the mistake in and just do a web errata note. Then we make the correction in the pub version.

Sent from my iPhone

On Mar 15, 2017, at 1:16 PM, Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)> wrote:

Crap. That was my fault. The actual date was 3/13. I say we note that this was announced on 3/15 though.

Tia – should we just edit the FR notice at this point with Bill's correct # and reformat for the web?

On another note – Robin can you confirm that the relevant statute for this action is CAA Section 202? They need it for the petitions page.

Thanks,

ERin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 1:13 PM  
**To:** Sutton, Tia <[Tia.Sutton@epa.gov](mailto:Tia.Sutton@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

The version I have uses two different dates in the pre-pub disclaimer: page 1 says 3/13, pages 2-5 says 3/15. I don't know the date of when this was actually signed, so defer to others to make the correction consistently in doc.

ED\_001220\_00002542-00002

ED\_001220\_00002542

**From:** Sutton, Tia

**Sent:** Wednesday, March 15, 2017 1:10 PM

**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>

**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Just to the 2 of you- shouldn't the below refer to a signature date of 3/13 if that's what's in the pre-pub file disclaimer? If that's wrong, of course you can just ignore- only sent to you 2 so I don't confuse everyone else if we do in fact want to leave 3/15.

Sent from my iPhone

On Mar 15, 2017, at 10:50 AM, Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)> wrote:

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

**Ex. 5 - Deliberative Process**

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 10:38 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechwiw, Michael <[olechwiw.michael@epa.gov](mailto:olechwiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:  
<https://wcms.epa.gov/node/162119/revisions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
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Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:28 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

ED\_001220\_00002542-00005

ED\_001220\_00002542

**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:08 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

ED\_001220\_00002542-00006

ED\_001220\_00002542

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 9:15 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 9:13 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

ED\_001220\_00002542-00007

ED\_001220\_00002542

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 9:07 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this prepublication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

ED\_001220\_00002542-00008

ED\_001220\_00002542

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
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734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards,  
David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

ED\_001220\_00002542-00009

ED\_001220\_00002542

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 14, 2017 11:31 PM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

ED\_001220\_00002542-00010

ED\_001220\_00002542

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00002542-00011

ED\_001220\_00002542

**To:** Moran, Robin[moran.rob@epa.gov]  
**Cc:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**From:** Sutton, Tia  
**Sent:** Wed 3/15/2017 5:16:54 PM  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Thanks for catching that Robin! Sorry Erin, I didn't realize that only the 1st page disclaimer was changed last night. I'll send a quick note to Shan & co- Gwen usually catches this type of thing, but we should just check to be sure.

Sent from my iPhone

On Mar 15, 2017, at 1:13 PM, Moran, Robin <moran.rob@epa.gov> wrote:

The version I have uses two different dates in the pre-pub disclaimer: page 1 says 3/13, pages 2-5 says 3/15. I don't know the date of when this was actually signed, so defer to others to make the correction consistently in doc.

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:10 PM  
**To:** Moran, Robin <moran.rob@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Just to the 2 of you- shouldn't the below refer to a signature date of 3/13 if that's what's in the pre-pub file disclaimer? If that's wrong, of course you can just ignore- only sent to you 2 so I don't confuse everyone else if we do in fact want to leave 3/15.

Sent from my iPhone

On Mar 15, 2017, at 10:50 AM, Moran, Robin <moran.rob@epa.gov> wrote:

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

**Ex. 5 - Deliberative Process**



# Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 10:38 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:  
<https://wcms.epa.gov/node/162119/revisions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao

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Task Order Manager & Web Librarian  
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Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

**<http://www.surveymonkey.com/s/epalibsurvey>**

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

ED\_001220\_00002546-00003

ED\_001220\_00002546

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin

**Sent:** Wednesday, March 15, 2017 10:28 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>;  
Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>;  
Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer  
<[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>;  
Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
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**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

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**Sent:** Wednesday, March 15, 2017 9:15 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

ED\_001220\_00002546-00005

ED\_001220\_00002546

**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 9:13 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>  
**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

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Erin

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**Sent:** Wednesday, March 15, 2017 9:07 AM  
**To:** Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>  
**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

ED\_001220\_00002546-00006

ED\_001220\_00002546

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

**<http://www.surveymonkey.com/s/epalibsurvey>**

**From:** Dietrich, Gwen

ED\_001220\_00002546-00007

ED\_001220\_00002546

**Sent:** Wednesday, March 15, 2017 9:02 AM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 14, 2017 11:31 PM

**To:** Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

**Importance:** High

ED\_001220\_00002546-00008

ED\_001220\_00002546

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

ED\_001220\_00002546-00009

ED\_001220\_00002546



**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00002546-00010

ED\_001220\_00002546

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Moran, Robin[moran.robins@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Liao, Shan  
**Sent:** Wed 3/15/2017 4:06:23 PM  
**Subject:** related box is updated - RE: McCarthy's is updated. -- RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 12:03 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Moran, Robin <moran.robins@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: McCarthy's is updated. -- RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Hi Shan,

One more edit for you. In the related links box on the right can you delete the last bullet?

Thank you!

-Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:30 AM  
**To:** Moran, Robin <moran.robins@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** McCarthy's is updated. -- RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

ED\_001220\_00002552-00001

ED\_001220\_00002552

This typo is fixed: <https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:28 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Oops, just noticed a typo on McCarthy:

## Previous Steps in the Midterm Evaluation Process

On January 12, 2017, Administrator Gina McCarthy signed her determination to maintain the current GHG emissions standards for model year (MY) 2022-2025 vehicles. Her final determination found that automakers are well positioned to meet the standards at lower costs than previously estimated.

Highlights of Administrator McCarthy's January 2017 Final Determination

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:25 AM  
**To:** Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

ED\_001220\_00002552-00002

ED\_001220\_00002552

Two requests related to “standards for model years 2022-2025” are updated.

<https://wcms.epa.gov/node/162119/revisions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:22 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Another similar catch to clarify 2022-2025

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:18 AM  
**To:** Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

2015 is updated to 2017.

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:16 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Hi Shan, we just caught that the first sentence has a typo in the date....should be 2017

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:11 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

ED\_001220\_00002552-00004

ED\_001220\_00002552

The jump links are updated:

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 11:06 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>

**Subject:** RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Thank you Shan. I think we just need to edit the jump links so they reflect the new organization as follows:

- [Overview](#)
- [Final Determination \[NEW\] Midterm Evaluation Process](#)
- [Previous Steps](#)
- [Proposed Determination](#)
- [Draft Technical Assessment Report](#)
- [EPA Technical Projects to Inform the Midterm Evaluation](#)
- [EPA Publications Informing the Midterm Evaluation](#)
- [EPA Presentations Regarding the Midterm Evaluation](#)

**From:** Liao, Shan

ED\_001220\_00002552-00005

ED\_001220\_00002552

**Sent:** Wednesday, March 15, 2017 11:01 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** updated -- RE: please preview. -- RE: Web Markup - MTE Notice

These changes are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:59 AM  
**To:** Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Hi Robin,

I'm taking the rest of the team off this email chain to reduce inbox clogging.

These edits look good to me. Shan can you go ahead and make them?

-Erin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:51 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Gwen.Dietrich@epa.gov](mailto:Gwen.Dietrich@epa.gov)>; Sutton, Tia <[Tia.Sutton@epa.gov](mailto:Tia.Sutton@epa.gov)>; Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>; France, Jennifer <[Jennifer.France@epa.gov](mailto:Jennifer.France@epa.gov)>; Mylan, Christopher

ED\_001220\_00002552-00006

ED\_001220\_00002552

<[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael  
<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 10:38 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** please preview. -- RE: Web Markup - MTE Notice



These changes (including Erin and Robin's) are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

***<http://www.surveymonkey.com/s/epalibsurvey>***

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen

ED\_001220\_00002552-00008

ED\_001220\_00002552

<[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:28 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:08 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

ED\_001220\_00002552-00010

ED\_001220\_00002552

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

ED\_001220\_00002552-00011

ED\_001220\_00002552

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:07 AM

**To:** Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

***<http://www.surveymonkey.com/s/epalibsurvey>***

ED\_001220\_00002552-00012

ED\_001220\_00002552

**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 11:31 PM

ED\_001220\_00002552-00013

ED\_001220\_00002552

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED  
**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

ED\_001220\_00002552-00014

ED\_001220\_00002552

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00002552-00015

ED\_001220\_00002552



**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Simon, Joseph  
**Sent:** Wed 3/15/2017 3:27:06 PM  
**Subject:** RE: MTE ReOpen: Final FR Notice and Press Release

These have been posted to the LD SharePoint site.

--joe

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:10 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Cc:** Snapp, Lisa <snapp.lisa@epa.gov>; Orlin, David <Orlin.David@epa.gov>  
**Subject:** MTE ReOpen: Final FR Notice and Press Release

Team,

We have just received the final signed FR notice (attached) in which Administrator Pruitt and DOT Secretary Chao announce that EPA will reconsider the Final Determination, in coordination w/NHTSA.

Also attached is the joint EPA/DOT press release, which we saw for the first time after it had been finalized.

We're in the process of making minor updates to the MTE web page to add the pre-publication FR Notice and a very brief description.

Below is that latest news article, which includes quotes from CARB's Mary Nichols at end.

I'll continue to share any details that I hear....

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ED\_001220\_00002557

<https://www.bloomberg.com/news/articles/2017-03-15/trump-gives-carmakers-a-year-to-push-for-reset-of-mileage-rules>

## **Trump Gives Carmakers a Year to Push for Reset of Mileage Rules** **2017-03-15 09:00:00.14 GMT**

By Ryan Beene and John Lippert

(Bloomberg) -- Carmakers will get another year to dispute fuel economy standards the Trump administration will scrutinize, overruling an Obama-era ruling that the industry is capable of meeting tougher mileage and emissions rules.

Automakers were right to cry foul over the Environmental Protection Agency failing to collaborate with them and expediting a review of requirements for the companies to boost the fuel economy of their fleets to an average of more than 50 miles per gallon by 2025, a senior White House official said.

President Donald Trump will tell auto workers and executives near Detroit on Wednesday that his administration will examine the standards into 2018.

Trump's overruling of an attempt by Barack Obama's government, a week before his departure from the White House, to solidify the regulations marks a victory for carmakers.

Companies including General Motors Co., Toyota Motor Corp. and Volkswagen Group AG have argued the standards are out of step with market realities. Low gasoline prices have spurred record demand for sport utility vehicles and pickups and dragged on demand for electric vehicles and fuel-sipping passenger cars.

The automakers now get to make their case to new EPA Administrator Scott Pruitt, who downplayed how much human activity is contributing to climate change. The agency will restore the original timeline set in agreement with carmakers, which was to determine by April 2018 whether the standards for 2022 through 2025 are still feasible, the White House official said, speaking on the condition of anonymity ahead of Trump's announcement.

Automakers agreed in 2011 to the so-called "one national program" that coordinated fuel

economy standards set by the U.S. Transportation Department, and greenhouse gas emissions standards set by the EPA and California's Air Resources Board.

Eighteen auto industry executives including Mary Barra of GM, Ford Motor Co.'s Mark Fields and Fiat Chrysler Automobiles NV boss Sergio Marchionne sent a letter to Trump in February, asking him to reinstate the review of fuel economy regulations.

The EPA's decision to end the review prematurely ended a promised debate, they said.

Cars and light trucks from the 2016 model year will be the first to fall short of fleet-wide average fuel economy targets in more than a decade, according to automaker projections released by the National Highway Traffic Safety Administration.

The White House official said the administration is not currently contemplating a challenge to California's authority to set its own vehicle emissions standards or electric-car sales mandates. The official said reopening the review does not guarantee that the standards will be weakened.

While the official told reporters the president's move was narrowly focused on reviving the review, the former head of Trump's EPA transition team said Trump's administration is contemplating a full-blown attack on Obama's fuel economy standards.

"This is not coming from the auto industry, it's coming from consumers and the auto dealers association," Myron Ebell, who left the Trump transition team in January, said of the onus for the potential rollback. "I don't think the auto companies are united in what they want."

Automakers aren't looking to slash the efficiency goals they agreed to under Obama, according to Representative Debbie Dingell, a Michigan Democrat and former GM executive. The review will offer a forum for parties involved to reach fresh consensus on the standards, she said in an interview.

"My goal is to bring permanent peace between California, Michigan and the rest of the country and have everybody working together toward strong fuel economy standards," Dingell said. "That was the beauty of the process that President Obama established and the agreement that was reached."

California's top air-quality regulator meanwhile said she's ready to consider changes to the fuel economy standards -- to a point. The current regulations could be improved from both an environmental and administrative standpoint, said Mary Nichols, chairman of California's Air Resources Board. "We're not going to refuse to participate in the newly-reopened review process," Nichols said in a phone interview. "We'll be there and we'll be active."

That said, the Trump administration and automakers shouldn't expect California to abandon its core principles. "We have the technical and legal ability to run a program that recognizes where electrification of vehicles is headed," she said. "We're trying to put together a mix of incentives and regulations to move the entire industry in this direction. This is what we're going to do."

ED\_001220\_00002557-00004

ED\_001220\_00002557

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Liao, Shan  
**Sent:** Wed 3/15/2017 3:10:32 PM  
**Subject:** jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

The jump links are updated:

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 11:06 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Thank you Shan. I think we just need to edit the jump links so they reflect the new organization as follows:

- [Overview](#)
- [Final Determination-\[NEW\] Midterm Evaluation Process](#)
- [Previous Steps](#)
- [Proposed Determination](#)
- [Draft Technical Assessment Report](#)
- [EPA Technical Projects to Inform the Midterm Evaluation](#)
- [EPA Publications Informing the Midterm Evaluation](#)
- [EPA Presentations Regarding the Midterm Evaluation](#)

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:01 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** updated -- RE: please preview. -- RE: Web Markup - MTE Notice

These changes are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:59 AM  
**To:** Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Hi Robin,

I'm taking the rest of the team off this email chain to reduce inbox clogging.

These edits look good to me. Shan can you go ahead and make them?

-Erin

ED\_001220\_00002560-00002

ED\_001220\_00002560

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:51 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 10:38 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran\\_robin@epa.gov](mailto:moran_robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:

<https://wcms.epa.gov/node/162119/visions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 10:30 AM

**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael

<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin

**Sent:** Wednesday, March 15, 2017 10:28 AM

**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael

<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 10:08 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

ED\_001220\_00002560-00006

ED\_001220\_00002560

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately -- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

ED\_001220\_00002560-00007

ED\_001220\_00002560

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:07 AM

**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**<http://www.surveymonkey.com/s/epalibsurvey>**

**From:** Dietrich, Gwen

**Sent:** Wednesday, March 15, 2017 9:02 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

ED\_001220\_00002560-00009

ED\_001220\_00002560

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 11:31 PM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED  
**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The date of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

ED\_001220\_00002560-00010

ED\_001220\_00002560

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

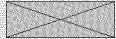
Thanks!

-Tia

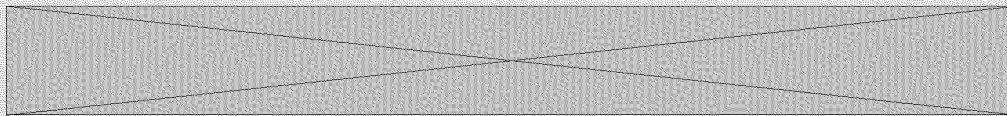
ED\_001220\_00002560-00011

ED\_001220\_00002560

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** NPR Business  
**Sent:** Wed 3/15/2017 2:57:46 PM  
**Subject:** EPA Reopens U.S. Rules Setting Vehicle Efficiency Standards For 2025 Plus 4 More Stories



[View this email in your browser](#)



The Two-Way

## **EPA Reopens U.S. Rules Setting Vehicle Efficiency Standards For 2025**

U.S. automakers may not have to reach fuel efficiency standards that were set during the Obama administration, which had set a target of 54.5 miles per gallon for 2025.

[Read this story](#)

The Two-Way

## **Murdoch And Trump, An Alliance Of Mutual Interest**

The media titan, long accustomed to influence and access when it comes to Australian and British prime ministers, is poised to enjoy similar status with President Trump.

[Read this story](#)

Code Switch

## **New York City Bodegas And The Generations Who Love Them**



Small grocery stores known as bodegas were once the cornerstones of New York City's Puerto Rican community. The industry has transitioned between ethnic groups, including now the Yemeni community.

## **Trump Adviser's Warning About Food Supply Takeover Met With Skepticism**

Peter Navarro, top trade adviser to the president, worries that foreign takeovers of U.S. food and defense companies could make America less secure. But economists see no signs of that happening.

[Read this story](#)

Kitchen Table Conversations

## **Oregon Lumber Community Looks To Trump And Innovation To Survive**

In Oregon, lumber companies try to innovate to survive the years-long downturn in the timber industry. Some are succeeding. Others aren't and their communities suffer.

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This message was sent to moran.robin@epa.gov based on your NPR email subscriptions. If you no longer wish to receive these emails, you may [unsubscribe](#) at any time.

**To:** Liao, Shan[Liao.Shan@epa.gov]; Suarez, Patricia[suarez.patricia@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]; France, Jennifer[france.jennifer@epa.gov]; Mylan, Christopher[Mylan.Christopher@epa.gov]; Levin, David[Levin.David@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Wed 3/15/2017 2:36:29 PM  
**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.--  
RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Thank you Shan... just one edit – can you delete the highlighted language below?

Thank you!

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 10:31 AM  
**To:** Suarez, Patricia <suarez.patricia@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

These changes are made in the CMS in a draft version:

<https://wcms.epa.gov/node/162119/revisions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

I will work on Robin Moran's edit now.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Suarez, Patricia

**Sent:** Wednesday, March 15, 2017 10:28 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS

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ED\_001220\_00002566

immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

We will need division director/delegate approval from ASD also. Thanks.

Trish Suarez

EPA's Office of Transportation and Air Quality

734-214-4312

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 10:08 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

ED\_001220\_00002566-00003

ED\_001220\_00002566

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

ED\_001220\_00002566-00004

ED\_001220\_00002566

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:07 AM

**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:tia.sutton@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105

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[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

ED\_001220\_00002566-00006

ED\_001220\_00002566

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 14, 2017 11:31 PM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia

ED\_001220\_00002566-00007

ED\_001220\_00002566



**Sent:** Tuesday, March 14, 2017 6:08 PM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Levin, David <Levin.David@epa.gov>

**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>; Richards, David <Richards.David@epa.gov>

**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00002566-00008

ED\_001220\_00002566

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Moran, Robin[moran.robin@epa.gov]  
**From:** Alson, Jeff  
**Sent:** Tue 3/14/2017 8:53:51 PM  
**Subject:** 2017 FRM RIA Table with MY 2012-2015 per vehicle incremental technology costs

**Table 7.4-5 Industry Average Technology Costs per Vehicle Associated**

**with the MYs 2012-2016 & 2017-2025 Final Standards (2010\$) <sup>a</sup>**

| Model Year | Cars    | Trucks  | Combined |
|------------|---------|---------|----------|
| 2012       | \$342   | \$314   | \$331    |
| 2013       | \$507   | \$496   | \$503    |
| 2014       | \$631   | \$652   | \$639    |
| 2015       | \$749   | \$820   | \$774    |
| 2016       | \$869   | \$1,098 | \$948    |
| 2017       | \$1,044 | \$1,119 | \$1,069  |
| 2018       | \$1,179 | \$1,222 | \$1,193  |
| 2019       | \$1,284 | \$1,293 | \$1,287  |
| 2020       | \$1,377 | \$1,367 | \$1,373  |
| 2021       | \$1,478 | \$1,680 | \$1,549  |
| 2022       | \$1,776 | \$2,086 | \$1,881  |
| 2023       | \$2,040 | \$2,445 | \$2,176  |
| 2024       | \$2,291 | \$2,780 | \$2,454  |
| 2025       | \$2,381 | \$2,909 | \$2,555  |

<sup>a</sup>This \$2,555 cost is conservative and overstated, as we did not subtract the cost of bringing the MY 2008 baseline to compliance with the MY

2011 standards, but rather used the direct estimate of bringing the MY 2008 vehicles to the MY 2016 technology. In the MYs 2012-2016 rule, we estimated this cost at \$89 (See Page 4-18 in EPA-420-R-10-009) per vehicle on average, in 2007 dollars and using MY 2016 technology costs. This cost would be lower in later MYs, and higher in earlier MYs due to the effects of cost learning. We did not repeat the analysis of MY 2011 compliance costs for this rulemaking.

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 4:09 PM  
**To:** Alson, Jeff <alson.jeff@epa.gov>  
**Subject:** FW: Q and A's

ED\_001220\_00002579-00001

ED\_001220\_00002579

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 2:40 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Cc:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Subject:** RE: Q and A's

Hi Ben,

See this q below. I intend to answer the entire group with the following. The language is cut and pasted from the phase 1 LD GHG rulemaking fact sheet.

Hi Cathy,

Apologies, I for some reason thought this was focused on the MTE. Our data are separated into the projections for 2 separate rulemakings.

**First, here is some information from the 2012-2016 standards.**

Together, EPA and NHTSA estimate that the average cost increase for a model year 2016 vehicle due to the national program will be approximately **\$950**.

Consumers would save more than \$3,000 over the lifetime of a model year 2016 vehicle (that is, the \$4,000 saved on fuel easily offsets the increased cost of the vehicle). To calculate these fuel savings, fuel prices (including taxes) were estimated to range from \$2.61/gallon in 2012, to \$3.60/gallon in 2030, to \$4.49/gallon in 2050, based on Department of Energy projections available at the time of the rulemaking.

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EPA estimates that the lifetime cost of 2012-2016 model year vehicles under the national program are less than \$52 billion, well below the expected benefits, which are expected to be approximately \$240 billion.

All this language is found on the fact sheet here: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-model-year-2012-2016-light-duty-vehicle>

## **Second – here is language on costs from the rulemaking for model years 2017-2025**

Higher costs for new vehicle technology are projected to add, on average, about **\$1,800** for consumers who buy a new vehicle in MY 2025. Those consumers who drive their MY 2025 vehicle for its entire lifetime will save, on average, \$5,700 to \$7,400 (7 and 3 percent discount rates, respectively) in fuel savings, for a net lifetime savings of \$3,400 to \$5,000 (when compared to a vehicle meeting the MY 2016 standards). For those consumers who purchase their new MY 2025 vehicle outright, the discounted fuel savings will offset the higher vehicle cost in less than 3.5 years, and fuel savings will continue for as long as the consumer owns the vehicle.

So total the additional total average per vehicle cost to manufacturers and consumers for improved fuel economy when compared to MY2011 vehicles is projected to be about **\$2750** (\$1,800 +\$950)

**From:** Milbourn, Cathy

**Sent:** Tuesday, March 14, 2017 2:26 PM

**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>

**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Konkus, John <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>; Hull, George <[Hull.George@epa.gov](mailto:Hull.George@epa.gov)>; Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>

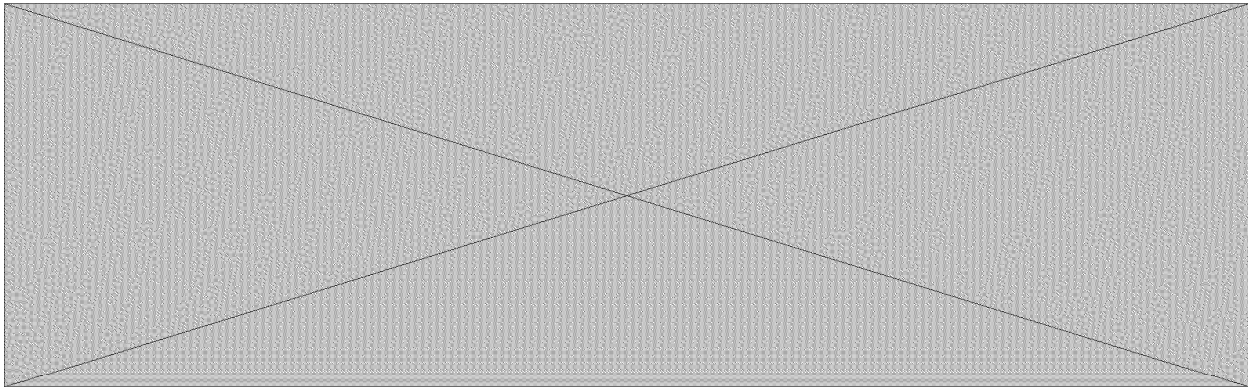
**Subject:** Re: Q and A's

Is there an updated answer for the cost of cars since the rule was promulgated in 2012? - see the question posed yesterday. Also, DOT is asking for an EPA updated chart with EPA numbers. If we have that we can use it instead of the one below.

ED\_001220\_00002579-00003

ED\_001220\_00002579

## EPA Estimated Required Average Fuel Economy Under Augural Standards – MY2022-2025



Thanks John and Erin— would you please provide numbers since the GHG standards were finalized in 2012? We were looking at the total cost of the standards from start to finish, not just for the mid-year review---2020- 2025. Thanks.

How much more do Americans pay for a car due to the CAFE standards. (recognizing the cost goes up with the incremental increase in fuel economy and more stringent standards)

*EPA* estimates that the added costs for manufacturers to meet the 2025 standards when compared to the 2021 standards are \$875 per vehicle. Note the range of values from the sensitivity analysis is \$800-\$1100. Average fuel cost savings due improved fuel economy for a person who purchases a new model year 2025 vehicle and owns it throughout its lifetime is estimated to be \$2525 when compared to a MY 2021 vehicle. Thus, taking the fuel savings and the extra cost of fuel efficiency results in net lifetime consumer savings of about \$1650.

\*Values taken from the mid-term evaluation process: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

**Additional detail:** A typical person with a 5 year loan would recoup the extra cost within the first year of ownership, and would continue to save money on fuel costs throughout the lifetime of the vehicle. A consumer who buys a new vehicle in 2025 with cash would save enough on gasoline to offset the extra cost in 5 years and then would continue to save money for the rest of the vehicle lifetime.

---

**From:** Grantham, Nancy  
**Sent:** Tuesday, March 14, 2017 2:06 PM  
**To:** Millett, John; Drinkard, Andrea  
**Cc:** Milbourn, Cathy; Birgfeld, Erin  
**Subject:** RE: Q and A's

Are these considered final? thanks ng

**Nancy Grantham**

**Office of Public Affairs**

**US Environmental Protection Agency**

**202-564-6879 (desk)**

**202-253-7056 (mobile)**

**From:** Millett, John  
**Sent:** Monday, March 13, 2017 4:39 PM  
**To:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>  
**Cc:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>  
**Subject:** FW: Q and A's

Looping Nancy and Andrea –

Thanks, Erin.

**From:** Birgfeld, Erin  
**Sent:** Monday, March 13, 2017 4:37 PM  
**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Cc:** Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>

ED\_001220\_00002579-00005

ED\_001220\_00002579

**Subject:** Q and A's

Hi Cathy,

Here are the Q and A's you requested. Thank you!

-Erin

Erin Birgfeld  
Communications Director  
Office of Transportation and Air Quality  
U.S. EPA

202-564-6741 (work)

202-255-4434 (cell)

Work Schedule:

8-6 M,T,Th

8-2:30 W,F

Flexiplace every Wed (call 202-255-4434 to reach me on Wednesday).

ED\_001220\_00002579-00006

ED\_001220\_00002579

**To:** Moran, Robin[moran.robin@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**From:** Charmley, William  
**Sent:** Mon 3/13/2017 5:54:03 PM  
**Subject:** FW: GHG Standards Q and A - due Monday  
CAFE Questions 3-10.docx

Robin, Mike, and Jeff –

I should have forwarded this to you sooner, sorry about that. As I mentioned at our meeting this afternoon, some Q&As came into the EPA press folks and OAR front office from someone within the Administration regarding the topic of LD GHG and CAFE.

The attached I believe shows the status as of late Friday.

Here are the 4 questions as we received them:

CAFE/ GHG Standard Questions

## Ex. 5 - Deliberative Process

ED\_001220\_00002597-00001

ED\_001220\_00002597



# **Ex. 5 - Deliberative Process**

In the attached you will see the Draft response from Friday with 2 options for Question #3, which I am going to copy below.

# **Ex. 5 - Deliberative Process**

Erin – what is the current status of the response to Question #3

Thanks

Bill

**From:** Senn, John

**Sent:** Monday, March 13, 2017 11:36 AM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Ng, Brian <Ng.Brian@epa.gov>; Charmley, William <charmley.william@epa.gov>

**Cc:** Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Cook, Leila <cook.leila@epa.gov>; Millett, John <Millett.John@epa.gov>

**Subject:** RE: GHG Standards Q and A - due Monday

Here is some language the Evan Belser put together for No. 2—thanks,

John

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin  
**Sent:** Friday, March 10, 2017 2:34 PM  
**To:** Orlin, David <[Orlin.David@epa.gov](mailto:Orlin.David@epa.gov)>; Ng, Brian <[Ng.Brian@epa.gov](mailto:Ng.Brian@epa.gov)>; Senn, John <[Senn.John@epa.gov](mailto:Senn.John@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>  
**Cc:** Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>  
**Subject:** GHG Standards Q and A - due Monday

Hi gang,

Just so we are all on the same page, the press office asked OGC, OECA and OTAQ to weigh in on these Q and A's on the CAFE/GHG standards. Here is the initial draft for review. It still needs input from OTAQ technical staff, but though I'd share anyway. Nancy has asked that we provide input on Monday.

I am happy to consolidate input on Monday.

Thanks and have a great weekend.

Best,

Erin

ED\_001220\_00002597-00004

ED\_001220\_00002597

**From:** Millett, John  
**Sent:** Friday, March 10, 2017 10:16 AM  
**To:** Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>  
**Cc:** Grantham, Nancy <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>; Kenny, Shannon <[Kenny.Shannon@epa.gov](mailto:Kenny.Shannon@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>; Ng, Brian <[Ng.Brian@epa.gov](mailto:Ng.Brian@epa.gov)>; Senn, John <[Senn.John@epa.gov](mailto:Senn.John@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>  
**Subject:** Re: Q's that need A's

So we're all on the same page. Offices that should take first crack at the answers. --

1 --OGC

2 -- OECA

3 -- OAR

4 -- I'm not aware of the information necessary to respond to this.

John Millett

202.510.1822

On Mar 10, 2017, at 10:07 AM, Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)> wrote:

I'm adding Ben and Erin.

**From:** Grantham, Nancy  
**Sent:** Friday, March 10, 2017 10:00 AM  
**To:** Kenny, Shannon <[Kenny.Shannon@epa.gov](mailto:Kenny.Shannon@epa.gov)>; Dravis, Samantha <[dravis.samantha@epa.gov](mailto:dravis.samantha@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Dunham, Sarah <[Dunham.Sarah@epa.gov](mailto:Dunham.Sarah@epa.gov)>; Ng, Brian <[Ng.Brian@epa.gov](mailto:Ng.Brian@epa.gov)>; Senn, John <[Senn.John@epa.gov](mailto:Senn.John@epa.gov)>; Grantham, Nancy

ED\_001220\_00002597-00005

ED\_001220\_00002597

<[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>  
**Subject:** Fwd: Q's that need A's

As part of our comms prep for cafe rollout next week - we need assistance with answers for these questions-- unfortunately on a fast turnaround - thx ng

Sent from my iPhone

Begin forwarded message:

**From:** "Milbourn, Cathy" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>  
**Date:** March 10, 2017 at 9:45:56 AM EST  
**To:** "Grantham, Nancy" <[Grantham.Nancy@epa.gov](mailto:Grantham.Nancy@epa.gov)>, "Konkus, John" <[konkus.john@epa.gov](mailto:konkus.john@epa.gov)>  
**Cc:** "Milbourn, Cathy" <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>, "Dewey, Amy" <[Dewey.Amy@epa.gov](mailto:Dewey.Amy@epa.gov)>  
**Subject:** Q's that need A's

Here are few questions. Nancy, are you sending this to OP or OAR?

Catherine C. Milbourn  
Office of Media Relations  
Office of the Administrator  
U.S. EPA HQ  
202-564-7849 (office)  
202-420-8648 (mobile)  
[Milbourn.cathy@epa.gov](mailto:Milbourn.cathy@epa.gov)

<CAFE Questions.docx>

ED\_001220\_00002597-00007

ED\_001220\_00002597

**To:** Moran, Robin[moran.robin@epa.gov]; Alson, Jeff[alson.jeff@epa.gov]  
**From:** Birgfeld, Erin  
**Sent:** Mon 3/13/2017 5:19:20 PM  
**Subject:** RE: Question from DOT--Should we have a 3-way phone call on this? I am flexible this afternoon  
[CAFE Questions 3-13.docx](#)

For our discussion in a few... the current Q and A . I took the cost and benefit info from the 2025 standards only because I think the question was not artfully crafted and we have updated consumer benefits and costs to provide for this timeframe.

**From:** Moran, Robin  
**Sent:** Monday, March 13, 2017 12:22 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Subject:** RE: Question from DOT--Should we have a 3-way phone call on this? I am flexible this afternoon

Im free at 1-3:30 ☺

**From:** Birgfeld, Erin  
**Sent:** Monday, March 13, 2017 12:21 PM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>  
**Subject:** RE: Question from DOT--Should we have a 3-way phone call on this? I am flexible this afternoon

Agree. I'll set up a time for us to chat...

**From:** Moran, Robin  
**Sent:** Monday, March 13, 2017 12:20 PM  
**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>

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ED\_001220\_00002600

**Subject:** RE: Question from DOT--Should we have a 3-way phone call on this? I am flexible this afternoon

Erin, this is our analogous table of EPA GHG standards, in CO<sub>2</sub> g/mi space. But I agree with Jeff that a call might be best to make sure we're being most responsive to whatever Q's are coming in.

## Ex. 5 - Deliberative Process

TABLE I-4—PROJECTED FLEET-WIDE CO<sub>2</sub> COMPLIANCE TARGETS UNDER THE FOOTPRINT-BASED CO<sub>2</sub> STANDARDS (G/M) (PRIMARY ANALYSIS)<sup>a</sup>

|                                | 2016 base         | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 | 2025 |
|--------------------------------|-------------------|------|------|------|------|------|------|------|------|------|
| Passenger Cars .....           | 225               | 212  | 202  | 191  | 182  | 172  | 164  | 157  | 150  | 143  |
| Light Trucks .....             | 298               | 295  | 285  | 277  | 269  | 249  | 237  | 225  | 214  | 203  |
| Combined Cars and Trucks ..... | <sup>no</sup> 250 | 243  | 232  | 222  | 213  | 199  | 190  | 180  | 171  | 163  |

<sup>a</sup>Projected results using MY 2008 based fleet projection analysis. These values differ slightly from those shown in the proposal because of revisions to the MY 2008 based fleet.

62642 Federal Register / Vol. 77, No. 199 / Monday, October 15, 2012 / Rules and Regulations

**From:** Alson, Jeff

**Sent:** Monday, March 13, 2017 12:09 PM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Moran, Robin <moran.robin@epa.gov>

**Subject:** RE: Question from DOT--Should we have a 3-way phone call on this? I am flexible this afternoon

ED\_001220\_00002600-00002

ED\_001220\_00002600



**From:** Birgfeld, Erin  
**Sent:** Monday, March 13, 2017 11:52 AM  
**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** FW: Question from DOT

Hi Jeff and Robin,

Do we have an analogous chart to this NHTSA chart from their 2012 fact sheet from the TAR?

I'll give you a quick call to discuss this and the q's shortly.

Thanks,

Erin

**From:** Milbourn, Cathy  
**Sent:** Friday, March 10, 2017 4:13 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>  
**Subject:** RE: Question from DOT

DOT pulled table from the attached NHTSA fact sheet.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Does this help for now?

Erin – does the second cell below make sense to you?

**Ex. 5 - Deliberative Process**

# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin

**Sent:** Friday, March 10, 2017 1:53 PM

**To:** Milbourn, Cathy <[Milbourn.Cathy@epa.gov](mailto:Milbourn.Cathy@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>;  
Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>

**Subject:** RE: Question from DOT

Hi Cathy,

I think it looks correct but I don't want to get it wrong.

ED\_001220\_00002600-00004

ED\_001220\_00002600

Can provide the reference of the document from where this came from it would go faster. The technical folks are not here are there are multiple versions of this table in a variety of docs.

Thanks,

Erin

**From:** Milbourn, Cathy

**Sent:** Friday, March 10, 2017 1:38 PM

**To:** Millett, John <Millett.John@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>

**Cc:** Milbourn, Cathy <Milbourn.Cathy@epa.gov>

**Subject:** Question from DOT

Hi All:

Here's a question from DOT: could you tell me if this is accurate? **Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

Is it possible to get an answer today?

Thank you!

**EPA Estimated Required Average Fuel Economy Under Augural Standards –  
MY2022-2025**

# Ex. 5 - Deliberative Process

Catherine C. Milbourn

Office of Media Relations

Office of the Administrator

U.S. EPA HQ

202-564-7849 (office)

202-420-8648 (mobile)

[Milbourn.cathy@epa.gov](mailto:Milbourn.cathy@epa.gov)

**To:** Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Lieske, Christopher[lieske.christopher@epa.gov]; Moran, Robin[moran.robin@epa.gov]  
**From:** Alson, Jeff  
**Sent:** Mon 3/13/2017 2:10:46 PM  
**Subject:** RE: Help with some LD GHG benefits numbers.

Erin, also ccing Robin.

The question is very open-ended and it is not clear what it asks for—the cost of CAFE since 1975 when CAFE started, since 2012 when the National Program started, stating today and looking forward to MY 2025, or for the MY 2022-2025 MTE timeframe.

## Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin  
**Sent:** Friday, March 10, 2017 1:29 PM  
**To:** Alson, Jeff <alson.jeff@epa.gov>  
**Cc:** Lieske, Christopher <lieske.christopher@epa.gov>

ED\_001220\_00002609-00001

ED\_001220\_00002609

**Subject:** Help with some LD GHG benefits numbers.  
**Importance:** High

Hi Jeff and Chris,

Can you help me develop a good response for this Q with regard to the benefits of the GHG standards? Thank you!

-Erin

## **Ex. 5 - Deliberative Process**

Erin Birgfeld

Communications Director

Office of Transportation and Air Quality

U.S. EPA

202-564-6741 (work)

202-255-4434 (cell)

Work Schedule:

8-6 M,T,Th

8-2:30 W,F

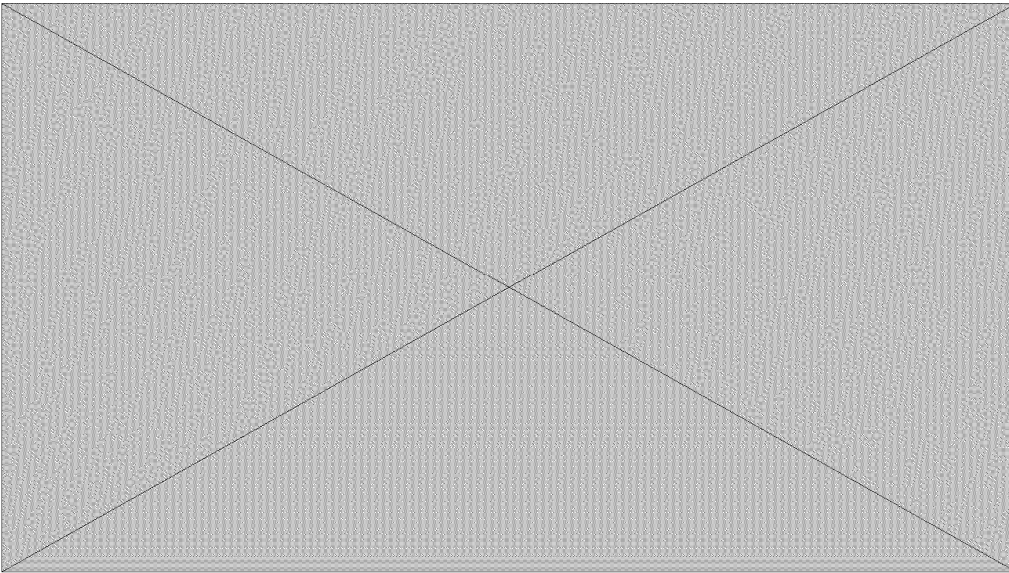
Flexiplace every Wed (call 202-255-4434 to reach me on Wednesday).

ED\_001220\_00002609-00003

ED\_001220\_00002609

**To:** Moran, Robin[moran.robin@epa.gov]  
**From:** Securing America's Future Energy  
**Sent:** Thur 3/9/2017 3:27:04 PM  
**Subject:** Returning to First Principles on Fuel Economy

## Returning to First Principles on Fuel Economy



**Dear Friends,**

**As you may have heard, reports have surfaced that the Trump administration is on the verge of reversing President Obama's last-minute determination for**

ED\_001220\_00002633-00001

ED\_001220\_00002633



**the midterm review of light-duty vehicle greenhouse gas emissions and fuel economy standards. The administration will likely put the review back on its original timetable, meaning a final determination will be made by April of 2018. We believe this represents an opportunity to establish midterm evaluations as an agreed upon practice, and allow the country to reform and set more ambitious standards further out into the future, by incorporating new technologies like connected and self-driving vehicles and new business models like car sharing.**

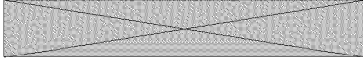
**As Energy Security Leadership Council co-chair General James T. Conway, 34th Commandant of the U.S. Marine Corps, and fellow Council member General David D. McKiernan outlined in a critical op-ed in the [Detroit News](#), fuel economy standards are a crucial policy in reducing our nation's dependence on oil and our reliance on the OPEC oil cartel, and that there is a roadmap to bring the parties together to achieve that goal.**

**We believe California and the federal government must cooperate to defeat oil dependence and OPEC as opposed to fighting one another—a viewpoint reiterated by SAFE in recent articles for [Greenwire](#) and [Platts](#).**

**We are already engaging with each of the parties to discuss our ideas and try to facilitate a collaboration that could put the United States on the path away from oil**

dependence and towards an America first energy plan. We hope you will continue to follow and support us through this critical endeavor to put United States on the path toward true energy security.

Regards,



**Robbie Diamond**  
**President and CEO**  
**Securing America's Future Energy**

 **Like**  **Tweet**  **Forward**

Securing America's Future Energy | 1111 19th Street, NW, Suite 406 | Washington, DC | 202-461-2360 | [info@secureenergy.org](mailto:info@secureenergy.org)  
If you would prefer not to receive further messages from SAFE, please click here to [unsubscribe](#).

**To:** Moran, Robin[moran.rob@epa.gov]  
**From:** Automotive News  
**Sent:** Wed 3/8/2017 8:56:26 PM  
**Subject:** P.M. NEWSCAST: FCA diesels still on hold | Senate Dems: Keep Obama fuel-economy rules | Falling short of CAFE? | No fast action on NAFTA | Toyota C-HR's youth-friendly price | Electric Porsche Macan?

March 8, 2017

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## **TOP STORY: FCA diesels still on hold**

**[A Toyota priced for youth »](#)**  
**[Electric Porsche Macan? »](#)**

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ED\_001220\_00002642

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Helfand, Gloria  
**Sent:** Wed 3/8/2017 8:05:47 PM  
**Subject:** NYT: Jody Freeman op-ed: Don't Roll Back the Vehicle Fuel Standards

<https://www.nytimes.com/2017/03/08/opinion/dont-roll-back-the-vehicle-fuel-standards.html?action=click&pgtype=Homepage&clickSource=story-heading&module=opinion-c-col-left-region&region=opinion-c-col-left-region&WT.nav=opinion-c-col-left-region>

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

ED\_001220\_00002646-00001

ED\_001220\_00002646

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Helfand, Gloria  
**Sent:** Mon 3/6/2017 3:50:08 PM  
**Subject:** FW: Vehicle standards are energy efficiency at its best - and too valuable to roll back

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

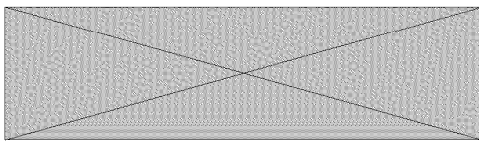
U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

**From:** ACEEE News [mailto:aceeenews@aceee.org]  
**Sent:** Monday, March 06, 2017 10:45 AM  
**To:** Helfand, Gloria <helfand.gloria@epa.gov>  
**Subject:** Vehicle standards are energy efficiency at its best - and too valuable to roll back



BLOG POST

ED\_001220\_00002690-00001

ED\_001220\_00002690

Media Contact: Patrick Kiker

[pkiker@aceee.org](mailto:pkiker@aceee.org), (202) 507-4043

## Vehicle standards are energy efficiency at its best - and too valuable to roll back

by Steven Nadel, Executive Director

The Trump administration is reportedly launching a rollback of vehicle efficiency standards that greatly benefit the US economy. These standards save consumers money, create jobs, help reduce US reliance on foreign oil, and lower carbon emissions. The Corporate Average Fuel Economy (CAFE) and greenhouse gas emissions standards adopted since 2009 will reduce fuel consumption by more than 2 million barrels of oil per day by 2025 (the equivalent of taking 53 million cars off the road) and will eliminate 6 billion tons of greenhouse gas emissions over the lifetimes of vehicles of model years 2012-2025. Consumers will save over \$1 trillion at the gas pump, which is more than three times the added cost of the more efficient vehicles. The energy savings compare favorably to any other efficiency policy out there: an ACEEE analysis of primary energy savings from recent and prospective policies--- including the Clean Power Plan---showed vehicle standards to be the biggest saver from today through 2040.

Benefits of the program extend beyond savings for new car buyers. At the time the standards for model years 2017-2025 were proposed in 2011, ACEEE projected they would create 50,000 jobs in the auto sector by 2030 because of the additional components and labor needed to develop and produce more-efficient cars. Moreover, there would

be a net gain of 570,000 jobs economy-wide by 2030. This gain represents new auto industry jobs as well as jobs created in all sectors because of car buyers' spending of added disposable income from owning more-efficient vehicles. It takes into account jobs lost in oil-related sectors because of reduced demand for fuel...

To continue reading this blog post, visit: <http://aceee.org/blog/2017/03/vehicle-standards-are-energy>

*About ACEEE: The American Council for an Energy-Efficient Economy acts as a catalyst to advance energy efficiency policies, programs, technologies, investments, and behaviors. For information about ACEEE and its programs, publications, and conferences, visit [aceee.org](http://aceee.org)*

###

ACEEE, 529 14th Street., N.W., Suite 600, Washington, DC 20045  
[SafeUnsubscribe™\\_helfand.gloria@epa.gov](mailto:SafeUnsubscribe™_helfand.gloria@epa.gov)

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Sent by [aceeenews@aceee.org](mailto:aceeenews@aceee.org)

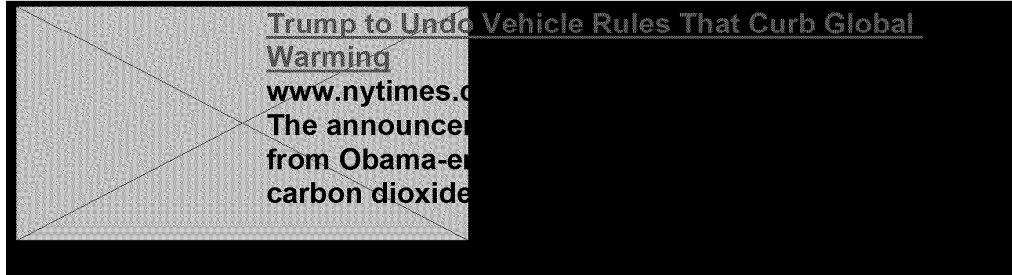
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ED\_001220\_00002690



**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Helfand, Gloria  
**Sent:** Sat 3/4/2017 4:46:49 PM  
**Subject:** NY Times on the MTE

<https://www.nytimes.com/2017/03/03/us/politics/trump-vehicle-emissions-regulation.html>



Gloria Helfand, Ph.D.

Assessment and Standards Division

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ED\_001220\_00002691

## Overview

As part of the 2012 rulemaking establishing the model year (MY) 2017-2025 light-duty vehicle GHG standards, EPA made a regulatory commitment to conduct a Midterm Evaluation (MTE) of the standards for MY 2022-2025. As a part of this process EPA is examining a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

EPA's regulations require several formal steps in the MTE process, including opportunities for public input.

- Step 1: Draft Technical Assessment Report (TAR) issued jointly with the National Highway Traffic Safety Administration and the California Air Resources Board (CARB) with opportunity for public comment. (July 2016)
- Step 2: EPA Administrator made a Proposed Determination with opportunity for public comment. (November 2016)

### Ex. 5 - Deliberative Process

[Top of Page](#)

## The Midterm Evaluation Process

Ex. 5 - Deliberative Process

### Ex. 5 - Deliberative Process

## Previous Steps in the Midterm Evaluation Process

On January 12, 2017, Administrator Gina McCarthy signed her determination to maintain the current GHG emissions standards for model year (MY) 2022-2025 vehicles. Her final determination found that automakers are well positioned to meet the standards at lower costs than previously estimated.

Highlights of Administrator McCarthy's January 2017, Final Determination

- Automakers have a wide range of technology pathways available to meet the MY2022-2025 standards, at slightly lower per-vehicle costs than previously predicted. The standards are achievable with very low penetration of strong hybrids, electric vehicles and plug-in hybrid electric vehicles, consistent with the findings of a comprehensive 2015 National Academy of Sciences study.
- The standards will save consumers money, significantly reduce GHG emissions and fuel consumption, and provide benefits to the health and welfare of Americans.
- Automakers have outperformed the standards for the first four years of the program (MY2012-2015) and manufacturers are adopting fuel efficient technologies at unprecedented rates, all while vehicle sales have increased for 7 consecutive years.

Administrator McCarthy's determination was based on an extensive technical record, created over 8 years of research, review of several hundred published reports, hundreds of stakeholder meetings, and multiple opportunities for the public to provide input. This Final Determination follows the November 2016 release of EPA's Proposed Determination and the July 2016 release of a Draft Technical Assessment Report (TAR), issued jointly by the EPA, the National Highway Traffic Safety Administration (NHTSA), and the California Air Resources Board (CARB). EPA provided opportunities for public comment for both the Draft TAR and the Proposed Determination.

Cover Letter -- [EPA Administrator's signed Cover Letter to the Final Determination](#).

Final Determination Document -- [Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#)(33 pp, 626 K, January 2017, EPA-420-R-17-001).

Response to Comments Document -- [Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation: Response to Comments \(PDF\)](#)(174 pp, 2 MB, January 2017, EPA-420-R-17-002).

## Proposed Determination

On November 30, 2016, Administrator McCarthy proposed to determine that the MY 2022-2025 standards remain appropriate and that a rulemaking to change them is not warranted. This proposed determination is based on the robust technical record including the draft TAR, input from the auto industry and other stakeholders, and updated analyses. The public comment period for this proposed determination will end on December 30, 2016.

### Highlights of the Proposed Determination

- Auto manufacturers can meet the MY 2022-2025 standards at slightly lower per-vehicle costs than predicted in the TAR, and lower costs than predicted in the 2012 rulemaking that established the standards.
- The current standards will save consumers money and provide benefits to the health and welfare of Americans.
- Automakers have a wide range of technology pathways available to meet the standards. Standards are achievable with very low penetration of strong hybrids, electric vehicles and plug-in hybrid electric vehicles. This finding is consistent with the conclusions the National Academy of Sciences found in a comprehensive 2015 study.
- Automakers have outperformed the standards for the first four years of the program (MY2012-2015) and manufacturers are adopting fuel efficient technologies at unprecedented rates, all while vehicle sales have increased for 6 consecutive years. There are over 100 car, SUV, and pickup versions on the market today that already meet 2020 or later standards.

**Cover Letter** -- [EPA Administrator's signed Cover Letter to the Proposed Determination.](#)

**Proposed Determination Document** -- [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#)(268 pp, 6.38 MB, EPA-420-R-16-020, November 2016)

**Technical Support Document to the Proposed Determination** -- [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation: Technical Support Document \(PDF\)](#)(719 pp, 18 MB, EPA-420-R-16-021, November 2016)

**Comment Period** -- The comment period for the Proposed Determination closed on December 30, 2016. Several organizations requested that EPA extend the public comment period for the Proposed Determination; [EPA sent letters explaining our denial of these requests to each of these organizations.](#) The incoming requests for an extension of the comment period are available in the docket noted above. For information regarding the comment period, please see the *Federal Register* Notice:

Notice of Availability of a Proposed Order: [Proposed Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation \(PDF\)](#) (2 pp, 199 K, published December 6, 2016)

For additional documents supporting EPA's analyses for the Proposed Determination, see the [Advanced Light-Duty Powertrain and Hybrid Analysis \(ALPHA\) Tool](#) and the [Optimization Model for reducing Emissions of Greenhouse gases from Automobiles \(OMEGA\) pages.](#)

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## Draft Technical Assessment Report (TAR)

EPA, NHTSA, and CARB jointly issued a Draft TAR for public comment in July 2016. The

Draft TAR was a technical report, not a decision document, and examined a wide range of issues relevant to the 2022-2025 standards.

**Highlights of the Draft Technical Assessment Report:**

- **Automakers are innovating in a time of record sales and fuel economy levels.** The results of the Draft TAR show that manufacturers are adopting fuel economy technologies at unprecedented rates. Car makers and suppliers have developed far more innovative technologies to improve fuel economy and reduce GHG emissions than anticipated just a few years ago.
- **Our new analysis shows that the standards can be met largely with more efficient gasoline powered cars – we continue to project that only modest penetration of hybrids and only low levels of electric vehicles are needed to meet the standards.** The Draft TAR shows that manufacturers can meet the current standards for MY 2022-2025 with conventional gasoline vehicles that use internal combustion engines with well-understood technologies. This is consistent with what the National Academies of Science found in a comprehensive 2015 study. Manufacturers can meet the standards at similar or even lower costs than what was anticipated in the 2012 rulemaking with substantial fuel savings payback to consumers.
- **The National Program preserves consumer choice, even as it protects the environment and reduces fuel consumption.** The National Program is designed to ensure that consumers can continue to buy the differing types of vehicles they need, from compact cars, to SUVs, to larger trucks suitable for towing and carrying heavy loads. Owners of every type of new vehicle will enjoy gasoline savings and improved fuel economy with a reduced environmental footprint.
- **Executive Summary --** [Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 – Executive Summary \(PDF\)](#) (15 pp, 588K, EPA-420-D-16-901, July 2016)
- **Draft Technical Assessment Report:** [Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 \(PDF\)](#)(1217 pp, 36.5MB, EPA-420-D-16-900, July 2016)
- **Appendices --** [Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 \(PDF\)](#)(118 pp, 5.6MB, EPA-420-D-16-900app, July 2016)

For additional documents supporting EPA’s analyses for the Proposed Determination, see the [Advanced Light-Duty Powertrain and Hybrid Analysis \(ALPHA\) Tool](#) and the [Optimization Model for reducing Emissions of Greenhouse gases from Automobiles \(OMEGA\)](#) pages.

The comment period for the Draft Technical Assessment Report closed on September 26, 2016.

For information regarding that earlier comment period, please see the *Federal Register* Notice:

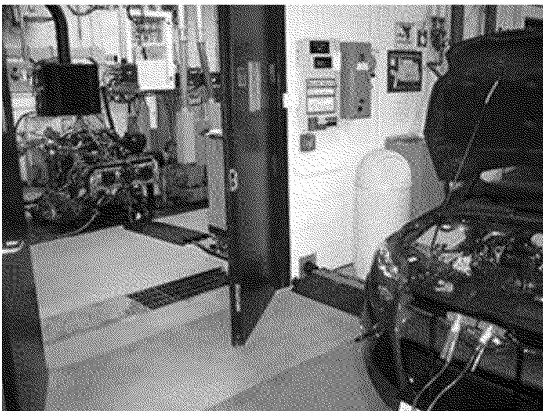
[Notice of Availability of Midterm Evaluation Draft Technical Assessment Report for Model Year 2022–2025 Light Duty Vehicle GHG Emissions and CAFE Standards \(PDF\)](#) (4 pp, 229 K, published July 27, 2016)

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# EPA Technical Projects to Inform the Midterm Evaluation



- EPA's National Vehicle and Fuel Emissions Laboratory (NVFEL), Ann Arbor, MI Through the National Center for Advanced Technology (NCAT) located at EPA's National Vehicle and Fuel Emissions Laboratory (for more information, see: [Vehicles and Fuels Emission Testing](#)) in Ann Arbor, Michigan, we are researching future advanced engine and transmission technologies to support modeling, advanced technology testing, and demonstrations (for more information, see: [Test Data for Light-duty Greenhouse Gas \(GHG\) Technology](#)).
- This new study examines the mass reduction potential for a full-size light-duty pickup truck.
  - [Mass Reduction and Cost Analysis—Light-Duty Pickup Truck Model Years 2020-2025 \(PDF\)](#) (1018 pp, 54.9MB, EPA-420-R-15-006, June 2015)
  - [CAE Baseline and Lightweight Models \(ZIP\)](#) (1 pg, 71 MB, June 2015)



- NVFEL's National Center for Advanced Technology State-of-the-art cost teardown studies, with FEV, for fuel efficient technologies, including mild hybrids and diesel vehicles
- Research on consumer issues, including an assessment of vehicle affordability, a study of willingness-to-pay for various vehicle attributes, and content analysis of auto reviews
  - [Searching for Hidden Costs: A Technology-Based Approach to the Energy Efficiency Gap in Light-Duty Vehicles \(PDF\)](#) (55 pp, 1.0 MB, EPA-420-D-15-010, November 2015)

- [Searching for Hidden Costs: Presentation made at the University of Michigan Energy Institute's Conference on Transportation, Economics, Energy, and the Environment \(TE3\)](#)
- [Searching for Hidden Costs: A Technology-Based Approach to the Energy Efficiency Gap in Light-Duty Vehicles, Presentation made at the Association of Environmental and Resource Economists Annual Conference](#)
- Work on economic issues, including new studies on VMT rebound and manufacturer cost reduction through "learning by doing":
  - [Final Report and Peer Review Report for Cost Reduction through Learning in Manufacturing Industries and in the Manufacture of Mobile Sources](#)
  - [The Rebound Effect from Fuel Efficiency Standards: Measurement and Projection to 2035 \(PDF\)](#) (80 pp, 629KB, EPA-420-R-15-012, June 2015)
  - [Peer Review \(PDF\)](#)(193 pp, 2.9MB, EPA-420-R-15-013, June 2015)
- Development of modeling tools:
  - Vehicle simulation modeling ([ALPHA](#) - Advanced Light-Duty Powertrain and Hybrid Analysis)
  - Technology feasibility and cost model ([OMEGA](#) - Optimization Model for reducing Emissions of Greenhouse gases from Automobiles)
  - Technology packages efficiencies ([Lumped Parameter Model](#))
  - Continued investigation into potential consumer choice modeling:
    - [Consumer Vehicle Choice Model Documentation \(PDF\)](#)(62 pp, 701 K, EPA-420-B-12-052, August 2012)
    - [Testing a Model of Consumer Vehicle Purchases \(PDF\)](#)(42 pp, 883 K, EPA-420-D-15-011, December 2015)
- In addition to working with CARB and NHTSA, EPA is collaborating with [DOE](#) on projects involving vehicle light-weighting and battery cost modeling, and [Environment and Climate Change Canada/Transport Canada](#) [EXIT](#) on projects involving aerodynamics, vehicle light-weighting, [EXIT](#) all-wheel drive vehicles, and other areas.  
In addition to these projects supporting the MTE, EPA issues two annual reports related to light-duty GHG emissions:
  - [Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends Report](#)
  - [GHG Emission Standards for Light-Duty Vehicles: Manufacturer Performance Report](#)

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## EPA Publications Informing the Midterm Evaluation

Throughout the MTE process, EPA's goal is to publish as much of our research as possible in

peer-reviewed journals. EPA staff have published the following peer-reviewed papers so far since 2013. EPA staff are attending numerous technical conferences, and keeping abreast of hundreds of papers in the literature on the wide range of factors we are considering for the MTE. The following papers are not available for download due to copyright restrictions; however, we are providing links to the abstract and ordering information on the journals' websites.

- "The Energy Efficiency Gap in EPA's Benefit-Cost Analysis of Vehicle Greenhouse Gas Regulations: A Case Study," Journal of Benefit-Cost Analysis, 2015, doi:10.1017/bca.2015.13, Gloria Helfand and Reid Dorsey-Palmateer **EXIT**
- "Developing the AC17 Efficiency Test for Mobile Air Conditioners," SAE Technical Paper 2013-01-0569, 2013, doi:10.4271/2013-01-0569, Sciance, F., Nelson, B., Yassine, M., Patti, A., and Rao, L. **EXIT**
- "Maneuver-based Battery-in-the-Loop Testing - Bringing Reality to the Lab," SAE Int. J. Alt. Power, 2(1):2013, doi:10.4271/2013-01-0157, Dagci, O., Pereira, N., and Cherry, J. **EXIT**
- "Development of Advanced Light-Duty Powertrain and Hybrid Analysis Tool," SAE Technical Paper 2013-01-0808, 2013, doi:10.4271/2013-01-0808, Lee, B., Lee, S., Cherry, J., Neam, A., Sanchez, J., and Nam, E. **EXIT**
- "Modeling and Validation of Power-Split and P2 Parallel Hybrid Electric Vehicles," SAE Technical Paper 2013-01-1470, 2013, doi:10.4271/2013-01-1470, Lee, S., Lee, B., McDonald, J., Sanchez, L., and Nam, E. **EXIT**
- "Modeling and Validation of Lithium-Ion Automotive Battery Packs," SAE Technical Paper 2013-01-1539, 2013, doi:10.4271/2013-01-1539, Lee, S., Lee, B., McDonald, J., and Nam, E. **EXIT**
- "Cost-Effectiveness of a Lightweight Design for 2017-2020: An Assessment of a Midsize Crossover Utility Vehicle," SAE Technical Paper 2013-01-0656, 2013, doi: 10.4271/2013-01-0656, Caffrey, C., Bolon, K., Harris, H., Kolwich, G., Johnston, R., and Shaw, T. **EXIT**

The following papers are not subject to copyright protection because they are Government works; however, foreign copyrights may apply.

- "Air Flow Optimization and Calibration in High-Compression-Ratio Naturally Aspirated SI Engines with Cooled-EGR," SAE Technical Paper 2016-01-0565, 2016, doi:10.4271/2016-01-0565, Lee, S., Schenk, C., and McDonald, J.
- "Cost-Effectiveness of a Lightweight Design for 2020-2025: An Assessment of a Light-Duty Pickup Truck," SAE Technical Paper 2015-01-0559, 2015, doi:10.4271/2015-01-0559, Caffrey, C., Bolon, K., Kolwich, G., Johnston, R., and Shaw, T.
- "Analysis of Technology Adoption Rates in New Vehicles," SAE Technical Paper 2014-01-0781, 2014, doi:10.4271/2014-01-0781, Hula, A., Alson, J., Bunker, A., and Bolon, K.
- "Estimating GHG Reduction from Combinations of Current Best-Available and Future Powertrain and Vehicle Technologies for a Midsized Car Using EPA's ALPHA Model," SAE Technical Paper 2016-01-0910, 2016, doi:10.4271/2016-01-0910, Kargul, J., Moskalik, A., Barba, D., Newman, K., and Dekraker, P.
- "Modeling of a Conventional Mid-Size Car with CVT Using ALPHA and Comparable Powertrain Technologies," SAE Technical Paper 2016-01-1141, 2016, doi:10.4271/2016-01-1141, Newman, K., Doorlag, M., and Barba, D.



- ["Modeling the Effects of Transmission Gear Count, Ratio Progression, and Final Drive Ratio on Fuel Economy and Performance Using ALPHA," SAE Technical Paper 2016-01-1143, 2016, doi:10.4271/2016-01-1143, Newman, K. and Dekraker, P.](#)
- ["Development and Testing of an Automatic Transmission Shift Schedule Algorithm for Vehicle Simulation," SAE Int. J. Engines 8\(3\):2015, doi:10.4271/2015-01-1142, Newman, K., Kargul, J., and Barba, D.](#)
- ["Benchmarking and Modeling of a Conventional Mid-Size Car Using ALPHA," SAE Technical Paper 2015-01-1140, 2015, doi:10.4271/2015-01-1140, Newman, K., Kargul, J., and Barba, D.](#)
- ["Fuel Efficiency Mapping of a 2014 6-Cylinder GM EcoTec 4.3L Engine with Cylinder Deactivation," SAE Technical Paper 2016-01-0662, 2016, doi:10.4271/2016-01-0662, Stuhldreher, M.](#)
- ["Benchmarking and Hardware-in-the-Loop Operation of a 2014 MAZDA SkyActiv 2.0L 13:1 Compression Ratio Engine," SAE Technical Paper 2016-01-1007, 2016, doi:10.4271/2016-01-1007, Ellies, B., Schenk, C., and Dekraker, P.](#)
- ["Investigating the Effect of Advanced Automatic Transmissions on Fuel Consumption Using Vehicle Testing and Modeling," SAE Int. J. Engines 9\(3\):2016, doi:10.4271/2016-01-1142, Moskalik, A., Hula, A., Barba, D., and Kargul, J.](#)
- ["Downsized Boosted Engine Benchmarking Method and Results," SAE Technical Paper 2015-01-1266, 2015, doi:10.4271/2015-01-1266, Stuhldreher, M., Schenk, C., Brakora, J., Hawkins, D., Moskalik, A., and Dekraker, P.](#)
- ["Vehicle Component Benchmarking Using a Chassis Dynamometer," SAE Int. J. Mater. Manf. 8\(3\):2015, doi:10.4271/2015-01-0589, Moskalik, A., Dekraker, P., Kargul, J., and Barba, D.](#)
- ["HIL Development and Validation of Lithium Ion Battery Packs," SAE Technical Paper 2014-01-1863, 2014, doi:10.4271/2014-01-1863, Lee, S., Cherry, J., Lee, B., McDonald, J., and Safoutin, M.](#)

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## EPA Presentations Regarding the Midterm Evaluation

EPA also has publicly presented information about our work in numerous forums. Click the links below to view selected presentations:

- [EPA presentations regarding the MTE](#)
- [EPA presentation regarding the ALPHA tool](#)

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[Contact Us](#) to ask a question, provide feedback, or report a problem.

# Regulations for Emissions from Vehicles and Engines Home

- [Regulations for Emissions from Vehicles and Engines Home](#)
  - [Onroad](#)
  - [Nonroad](#)
  - [Greenhouse Gas](#)
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**Ask.**

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LA

**To:** Lieske, Christopher[lieske.christopher@epa.gov]  
**Cc:** Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 6:46:24 PM  
**Subject:** FW: MTR Docket

Chris, can you help me craft a reply to Julia about the docket....my understanding is that the docket IS still open, and would accept public input – Correct?

**From:** Charmley, William  
**Sent:** Thursday, March 23, 2017 2:44 PM  
**To:** Julia Rege <JRege@globalautomakers.org>  
**Cc:** Olechiw, Michael <olechiw.michael@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: MTR Docket

Julia,

At this point we don't know the answer to your question.

I am assuming that of course at some point we will be re-opening the docket, so that the basis for Administrator Pruitt's reconsideration will all be in one place, including new information from stakeholders.

Once we know more, we will let you know.

The Alliance's letter is on the web site because the Administrator's office asked for it to be

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posted. We realize that we have many letters from many stakeholders on the subject of the reconsideration topic, and I don't believe there are plans to post more on the EPA web-site, but as I said, the docket is an open question that once we know the answer we will communicate to all of the stakeholders.

Thanks

Bill

Bill Charmley

Director

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

National Vehicle and Fuel Emissions Laboratory

2000 Traverwood Drive

Ann Arbor, MI 48105

desk ph. 734-214-4466

cell ph. 734-545-0333

e-mail: [charmley.william@epa.gov](mailto:charmley.william@epa.gov)

**From:** Julia Rege [<mailto:JRege@globalautomakers.org>]

**Sent:** Thursday, March 23, 2017 1:12 PM

**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>

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**Cc:** Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>  
**Subject:** MTR Docket

Bill,

I was wondering if you knew if the midterm review docket was going to be reopened for comments.

I also noticed that EPA's midterm review webpage was updated. It now includes the Alliance's letter to Administrator Pruitt but that Global Automakers' was not added. (Neither letter appears to have been added to the docket.) Do you know if this was an oversight? Should you want to link to our letter similarly to the Alliance's, here is the public link to our letter:

<https://www.globalautomakers.org/media/letter/global-automakers-requests-that-epa-reconsider-its-final-determination-concerning-my2022>.

Best, Julia

Julia Rege

Director, Environment & Energy

Association of Global Automakers, Inc. (Global Automakers)

1050 K Street, NW, Suite 650

Washington, DC 20001

202.650.5559 (direct)

202.650.5555 (main)

[jrege@globalautomakers.org](mailto:jrege@globalautomakers.org)

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**To:** Snapp, Lisa[snapp.lisa@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 11:29:26 AM  
**Subject:** RE: Letter for State Environmental Commissioners on Final Determination for GHG Standards

Ha! Just saw in my in box and forwarded to you and Susan. Glad we're all covering all our bases!

**From:** Snapp, Lisa  
**Sent:** Wednesday, March 22, 2017 3:27 PM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards

I assume you've seen?

**From:** Simon, Karl  
**Sent:** Wednesday, March 22, 2017 3:23 PM  
**To:** Dickinson, David <Dickinson.David@epa.gov>; Patulski, Meg <patulski.meg@epa.gov>; Moltzen, Michael <Moltzen.Michael@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards

FYI

**From:** Arthur Marin [mailto:amarin@nescaum.org]  
**Sent:** Wednesday, March 22, 2017 2:58 PM  
**To:** Grundler, Christopher <grundler.christopher@epa.gov>  
**Cc:** Simon, Karl <Simon.Karl@epa.gov>  
**Subject:** Letter for State Environmental Commissioners on Final Determination for GHG Standards

Dear Chris and Karl:

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Attached is a bi-partisan letter to Administrator Pruitt signed by Environmental Commissioners from 10 states and DC asking EPA to maintain the “Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards.” The letter also stresses the importance of the independent authority of California to implement its own standards and the right of other states to opt into those California standards.

Regards,

Arthur

Arthur Marin

Executive Director

NESCAUM

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**To:** French, Roberts[french.roberts@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 11:28:10 AM  
**Subject:** RE: Pruitt Op-Ed in USA Today

Exactly!

**From:** French, Roberts  
**Sent:** Wednesday, March 22, 2017 3:57 PM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: Pruitt Op-Ed in USA Today

Go Jeff!

Transparency? That's pretty funny.

**Roberts W. French, Jr.**

U.S. Environmental Protection Agency

National Vehicle and Fuel Emissions Laboratory

2000 Traverwood Drive

Ann Arbor, Michigan 48105

(734) 214-4380

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 3:20 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** FW: Pruitt Op-Ed in USA Today

Someone just mentioned that this blog hadn't been sent around to the whole team, so wanted to make sure everyone was aware.

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# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 21, 2017 2:22 PM

**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>;  
Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher  
<[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Cook,  
Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** Pruitt Op-Ed

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Just in case you missed it...

## Scott Pruitt: We're protecting jobs and the environment (USA Today)

### ***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — “The future ain't what it used to be.” After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for 3% of our GDP. Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

Department of Transportation Secretary Elaine Chao and I, as administrator of the Environmental Protection Agency, took steps to help. We have announced that we will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

EPA will work with our partners at DOT to take a fresh look. This thorough review will help ensure that this national program is good for consumers and good for the environment.

After the November election the EPA rushed through these standards, as Forbes reported, “requiring automakers to more than double their fleet-wide fuel efficiency by 2025, a move that comes earlier than expected and is seen as a measure to try to lock in part of President Obama's legacy before Donald Trump gets into the White House.”

The auto industry estimates that it would need to spend \$200 billion to comply. That type of expense would lead to higher prices for consumers, lower wages for workers and jobs moving out of the country. The National Center for Policy Analysis says these standards have pushed manufacturing and jobs to Mexico.

Last week, EPA and DOT put a pause on the process to reexamine the rule to hear from all stakeholders.

This is an example of how the Trump administration is going to do things differently. That includes a more transparent EPA. Americans can have both a clean and healthy environment and good paying

manufacturing jobs. America is going to create jobs and grow the economy while at the same time be good stewards to our natural resources.

Improved technology has made the United States the world leader in clean air quality. From 1970 to 2015, aggregate national emissions of the six common pollutants dropped an average of 70% while gross domestic product grew by 246%. We have achieved this reduction during a time when more Americans were driving more cars, more miles. That is remarkable and shows American ingenuity is simply the best.

Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*

**To:** Snapp, Lisa[snapp.lisa@epa.gov]; Burke, Susan[Burke.Susan@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 11:20:59 AM  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards  
[Joint Ltr re EPA GHG Standards.pdf](#)

Fyi as background for the NESCAUM meeting

**From:** Charmley, William  
**Sent:** Wednesday, March 22, 2017 4:22 PM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>; Moran, Robin <moran.robin@epa.gov>  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards

Bill Charmley

Director

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

National Vehicle and Fuel Emissions Laboratory

2000 Traverwood Drive

Ann Arbor, MI 48105

desk ph. 734-214-4466

cell ph. 734-545-0333

e-mail: [charmley.william@epa.gov](mailto:charmley.william@epa.gov)

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**From:** Simon, Karl  
**Sent:** Wednesday, March 22, 2017 3:21 PM  
**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Subject:** FW: Letter for State Environmental Commissioners on Final Determination for GHG Standards

**From:** Arthur Marin [<mailto:amarin@nescaum.org>]  
**Sent:** Wednesday, March 22, 2017 2:58 PM  
**To:** Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>  
**Cc:** Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>  
**Subject:** Letter for State Environmental Commissioners on Final Determination for GHG Standards

Dear Chris and Karl:

Attached is a bi-partisan letter to Administrator Pruitt signed by Environmental Commissioners from 10 states and DC asking EPA to maintain the “Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards.” The letter also stresses the importance of the independent authority of California to implement its own standards and the right of other states to opt into those California standards.

Regards,

Arthur

Arthur Marin

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Executive Director

NESCAUM

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**To:** Moskalik, Andrew[Moskalik.Andrew@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/23/2017 11:14:54 AM  
**Subject:** RE: Pruitt Op-Ed in USA Today

Hmmm, certainly highly credentialed to speak on the issue of auto industry jobs in America, what with all that background in the chemical industry....?

**From:** Moskalik, Andrew  
**Sent:** Thursday, March 23, 2017 6:48 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** RE: Pruitt Op-Ed in USA Today

Just FYI, here's Matthew Ruland's Linked In profile: <https://www.linkedin.com/in/matthew-ruland-22888093/> (can't be more than one Matt Ruland who "conducts research for the National Center for Policy Analysis.")

He's currently employed by Occidental Chemical Corporation, after graduating from Arizona State University with a BS in Finance in 2016.

-AM

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 3:20 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** FW: Pruitt Op-Ed in USA Today

Someone just mentioned that this blog hadn't been sent around to the whole team, so wanted to make sure everyone was aware.

## Ex. 5 - Deliberative Process



# Ex. 5 - Deliberative Process

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 21, 2017 2:22 PM

**To:** Alson, Jeff <[alson.jeff@epa.gov](mailto:alson.jeff@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>;  
Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Grundler, Christopher  
<[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Cook,  
Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** Pruitt Op-Ed

Just in case you missed it...

ED\_001220\_00003029-00002

ED\_001220\_00003029

# Scott Pruitt: We're protecting jobs and the environment (USA Today)

## ***It is time for a fresh look at fuel economy standards that push jobs outside the United States.***

There's a phrase I've used often over the past several weeks — "The future ain't what it used to be." After my first full month serving as administrator to the Environmental Protection Agency, there's no question times are changing, and last week we saw yet another example of how our president continues to lead the way.

Auto manufacturing continues to be one of the driving forces in the American economy, accounting for 3% of our GDP. Forty-five states have 10,000 or more auto jobs. Automakers and their suppliers employ more than 3.5 million Americans. The American people clearly want it to stay that way.

President Trump promised to fight to keep auto manufacturing jobs here in the United States, and he has asked his entire Cabinet to help.

Department of Transportation Secretary Elaine Chao and I, as administrator of the Environmental Protection Agency, took steps to help. We have announced that we will revisit the previous administration's rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

EPA will work with our partners at DOT to take a fresh look. This thorough review will help ensure that this national program is good for consumers and good for the environment.

After the November election the EPA rushed through these standards, as Forbes reported, "requiring automakers to more than double their fleet-wide fuel efficiency by 2025, a move that comes earlier than expected and is seen as a measure to try to lock in part of President Obama's legacy before Donald Trump gets into the White House."

The auto industry estimates that it would need to spend \$200 billion to comply. That type of expense would lead to higher prices for consumers, lower wages for workers and jobs moving out of the country. The National Center for Policy Analysis says these standards have pushed manufacturing and jobs to Mexico.

Last week, EPA and DOT put a pause on the process to reexamine the rule to hear from all stakeholders.

This is an example of how the Trump administration is going to do things differently. That includes a more transparent EPA. Americans can have both a clean and healthy environment and good paying manufacturing jobs. America is going to create jobs and grow the economy while at the same time be good stewards to our natural resources.

Improved technology has made the United States the world leader in clean air quality. From 1970 to 2015, aggregate national emissions of the six common pollutants dropped an average of 70% while gross domestic product grew by 246%. We have achieved this reduction during a time when more Americans

were driving more cars, more miles. That is remarkable and shows American ingenuity is simply the best.

Increased transparency is a difference the Trump administration is going to bring and with it will come jobs and healthy American families. Yogi Berra was right... The future ain't what it used to be.

*Scott Pruitt is administrator of the Environmental Protection Agency.*

**To:** Sutton, Tia[sutton.tia@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/22/2017 3:39:42 PM  
**Subject:** RE: FR Notice of Reconsideration of the Final Determination published today

Hi Tia, I have not, but if you could work w/the web team on that, that would be great!

**From:** Sutton, Tia  
**Sent:** Wednesday, March 22, 2017 10:23 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Charmley, William <charmley.william@epa.gov>  
**Cc:** Hengst, Benjamin <Hengst.Benjamin@epa.gov>  
**Subject:** RE: FR Notice of Reconsideration of the Final Determination published today

Success! ☺

If you guys haven't already done so, I can have the web team delete the pre-pub version and add the FR version later today. Just let me know.

**From:** Moran, Robin  
**Sent:** Wednesday, March 22, 2017 10:13 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>; Charmley, William <charmley.william@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Subject:** FR Notice of Reconsideration of the Final Determination published today

FYI, link below.

EPA phone number was indeed corrected!

**From:** Kataoka, Mark  
**Sent:** Wednesday, March 22, 2017 10:10 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Yanca, Catherine <yanca.catherine@epa.gov>  
**Cc:** Orlin, David <Orlin.David@epa.gov>  
**Subject:** RE: Midterm Review

ED\_001220\_00003035-00001

ED\_001220\_00003035

You may already have this – Intent to reconsider FR notice published today

<https://www.federalregister.gov/d/2017-05316>

**To:** Kataoka, Mark[Kataoka.Mark@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/22/2017 2:10:43 PM  
**Subject:** RE: Midterm Review

Always the last to know these days...thanks Mark!

**From:** Kataoka, Mark  
**Sent:** Wednesday, March 22, 2017 10:10 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Yanca, Catherine <yanca.catherine@epa.gov>  
**Cc:** Orlin, David <Orlin.David@epa.gov>  
**Subject:** RE: Midterm Review

You may already have this – Intent to reconsider FR notice published today

<https://www.federalregister.gov/d/2017-05316>

ED\_001220\_00003041-00001

ED\_001220\_00003041

**To:** Lieske, Christopher[lieske.christopher@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/22/2017 11:29:57 AM  
**Subject:** FW: Final OTAQ draft of 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards  
[2 page on history, status, next steps for LD MTE, March 20, 2017, Final.docx](#)

Fyi only. Very vanilla.

**From:** Charmley, William  
**Sent:** Tuesday, March 21, 2017 3:59 PM  
**To:** Hengst, Benjamin <Hengst.Benjamin@epa.gov>  
**Cc:** Orlin, David <Orlin.David@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Cook, Leila <cook.leila@epa.gov>  
**Subject:** Final OTAQ draft of 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Ben –

Here's the final draft. I believe this is ready to be sent to Sarah.

Bill

ED\_001220\_00003050-00001

ED\_001220\_00003050

**To:** Alson, Jeff[alson.jeff@epa.gov]  
**From:** Moran, Robin  
**Sent:** Tue 3/21/2017 4:12:33 PM  
**Subject:** FW: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards  
[2 page on history, status, next steps for LD MTE, March 20, 2017, draft 2.docx](#)

Hi Jeff, this is where it is, though there's a do-loop on what/whether we say something about PD.

I'm probably listening to the CARB meeting on web from home, so I can get some house stuff done.

**From:** Charmley, William  
**Sent:** Tuesday, March 21, 2017 11:09 AM  
**To:** Simon, Karl <Simon.Karl@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Kataoka, Mark <Kataoka.Mark@epa.gov>  
**Cc:** Orlin, David <Orlin.David@epa.gov>; Cook, Leila <cook.leila@epa.gov>  
**Subject:** RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Dear all –

Thank you for the review/comments.

**Ex. 5 - Deliberative Process**

**Ex. 5 - Deliberative Process**

ED\_001220\_00003053-00001

ED\_001220\_00003053



# Ex. 5 - Deliberative Process

David – please let me know if this is okay with you.

Thanks

Bill

**From:** Simon, Karl  
**Sent:** Tuesday, March 21, 2017 10:41 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Kataoka, Mark <[Kataoka.Mark@epa.gov](mailto:Kataoka.Mark@epa.gov)>  
**Cc:** Orlin, David <[Orlin.David@epa.gov](mailto:Orlin.David@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Some thoughts on top of Robin's edits

**From:** Moran, Robin  
**Sent:** Tuesday, March 21, 2017 8:22 AM

ED\_001220\_00003053-00002

ED\_001220\_00003053

**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>; Kataoka, Mark <[Kataoka.Mark@epa.gov](mailto:Kataoka.Mark@epa.gov)>  
**Cc:** Orlin, David <[Orlin.David@epa.gov](mailto:Orlin.David@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** RE: Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Bill,

Some minor suggestions. Added NHTSA's MY2022 deadline of April 1, 2020 (consistent w/FR), added reg citation, and minor edits like changing past actions to past tense,

I'm in training again today in the lobby, but feel free to get me if anything's urgent.

Robin

**From:** Charmley, William  
**Sent:** Monday, March 20, 2017 4:39 PM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>; Kataoka, Mark <[Kataoka.Mark@epa.gov](mailto:Kataoka.Mark@epa.gov)>  
**Cc:** Orlin, David <[Orlin.David@epa.gov](mailto:Orlin.David@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Draft: 2 page document for EPA Administrator regarding the light-duty GHG MTE and the CAFE standards

Dear all,

We have received a request from the Office of Policy through Acting AA Dunham for a 2-page document for the Administrator. We were specifically asked to provide information on the History, Recent Actions, and Next Steps regarding the light-duty MTE process.

ED\_001220\_00003053-00003

ED\_001220\_00003053

Attached is a first draft. Please provide any comments by noon on Tuesday.

Thanks

Bill

ED\_001220\_00003053-00004

ED\_001220\_00003053

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 5:07:07 PM  
**Subject:** California Gov. Brown letter to Pruitt  
Brown CA 3.15.17 Letter to EPA.PDF

FYI – California's Governor Jerry Brown sent the attached letter to Administrator Pruitt yesterday, citing yesterday's action as "an unconscionable gift to polluters."

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 9:12 AM  
**To:** Charmley, William <charmley.william@epa.gov>; Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>  
**Subject:** Does anyone have the Gov. Brown letter to Pruitt?

## Calif., N.Y. ready to fight Trump mileage move

Anne C. Mulkern, E&E News reporter

Published: Thursday, March 16, 2017

California, New York and seven other states yesterday challenged President Trump's bid to roll back fuel economy standards that were approved by the Obama administration and largely based on a Golden State model.

"President Trump's decision today to weaken emission standards in cars is an unconscionable gift to polluters," California Gov. Jerry Brown (D) said in a letter U.S. EPA Administrator Scott Pruitt. "Once again, you've put the interests of big oil ahead of clean air and politics ahead of science."

Transportation Secretary Elaine Chao and Pruitt yesterday said they would revisit the decision that finalized standards increasing gas mileage to 50.8 mpg for cars and light-duty trucks by model year 2025.

Trump tied the move to autoworker jobs. He condemned the Obama administration's "eleventh-hour decision" to lock in the rules more than a year ahead of schedule.

California late Tuesday filed a motion to intervene in the lawsuit that the Alliance of Automobile Manufacturers filed Monday against EPA in the U.S. Court of Appeals for the District of Columbia Circuit. The automakers group challenged the standards for model years 2022 to 2025.

California in its motion defended the Obama administration's decision locking the 2022-25 rules in place.

"EPA found that the standards are feasible at reasonable cost, will achieve significant carbon-dioxide emissions reductions, and will provide significant benefits to consumers and to the public," said the motion from Brown, Attorney General Xavier Becerra (D) and the California Air Resources Board. "EPA also found that the auto industry is thriving and meeting the standards more quickly than required. Accordingly, EPA left the standards in place, unaltered."

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ED\_001220\_00003064

EPA's greenhouse gas standards for light-duty vehicles were coordinated with California's standards, it said, reflecting "the pioneering role California has long played in the field of air pollution regulation, especially with regard to vehicles."

### 'Part of a broader effort' on GHGs

The mileage rule came after then-President Obama in 2009 announced a settlement with EPA, automakers and California that largely raised the federal rule to California's level.

The Golden State has a Clean Air Act waiver that allows it to set its own tailpipe emissions regulations. Eleven other states follow it: Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington. Pruitt has hinted he will revisit that waiver.

"California seeks to intervene because the greenhouse gas emission reductions that will be achieved through the light-duty vehicle standards are an important part of broader efforts to reduce these harmful, climate-altering emissions," the court motion from California added.

The Air Resources Board said that the development of EPA's final determination "was an exhaustive, comprehensive, years-long process of data-gathering and analysis." It added that it "is in the interest of the public — and industry — to stick to the standards we set."

New York Attorney General Eric Schneiderman (D) said he also will file a motion to intervene in support of the current vehicle emission standards. New York led a coalition that included the attorneys general of Maine, Maryland, Massachusetts, Oregon, Rhode Island, Vermont and Washington, as well as Pennsylvania's Department of Environmental Protection.

"Weakening these commonsense standards would undermine successful efforts to combat the pollution emitted by vehicles — emissions that cause widespread, substantial harm to public health and are one of the largest sources of climate change pollution," Schneiderman said in a statement.

Over the lifetimes of the vehicles sold during the 2017-25 model years, the standards would cut greenhouse gas emissions by 2 billion metric tons, the equivalent of the annual emissions of 422 million cars currently on the road. They would save approximately 4 billion barrels of oil, his office said.

**From:** E&E News [<mailto:eaalerts@eenews.net>]  
**Sent:** Thursday, March 16, 2017 8:54 AM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Subject:** March 16 -- Climatewire is ready

[Read today's Climatewire on the web](#)

AN E&E NEWS PUBLICATION

**CLIMATEWIRE — Thu., March 16, 2017**

 [READ FULL EDITION](#)

ED\_001220\_00003064-00002

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**1.WHITE HOUSE:****Trump budget guts climate change**

President Trump's budget released this morning aims directly at programs addressing climate change by eliminating funds for the Clean Power Plan and "reorienting" U.S. EPA on air pollution.

TOP STORIES

**2.AUTOS:****Calif., N.Y. ready to fight Trump mileage move****3.OCEANS:****Great Barrier Reef's future looks grim**

FISCAL 2018 BUDGET

**4.EPA:****Gas group vows to fight for voluntary methane program****5.NUCLEAR:****Regulators say they're already prepared for budget cuts**

FEDERAL AGENCIES

**6.AUTOS:****Democrats slam Trump move to reopen clean car standards****7.EPA:****Sierra Club wants investigation of Pruitt's CO2 comments****8.TREASURY DEPARTMENT:****Trump nominates Bear Stearns economist to key climate post****9.CANADA:****Enviro minister argues Paris Agreement is good for America****10.PARIS AGREEMENT:****Trump seeks advice from fossil fuel sector on climate accord**

SCIENCE AND TECHNOLOGY

**11.SCIENCE:****Oceans are warming much faster than expected****12.SCIENCE:****Algae bloom caused by melting Himalayan ice****13.WIND:****German invention could revolutionize tankers**

STATES

**14.FINANCE:****D.C. to establish green bank to aid on climate****15.CALIFORNIA:****State lawmakers question choice of cap and trade****16.AUTOS:****LA mayor spearheads multicity EV purchases**

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ED\_001220\_00003064

ED\_001220\_00003064-00004

ED\_001220\_00003064

**To:** Liao, Shan[Liao.Shan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]; Dietrich, Gwen[Dietrich.Gwen@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]; Levin, David[Levin.David@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 4:59:14 PM  
**Subject:** RE: the page is published also. -- RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

I just got back to the office...thanks everyone for getting this done so quickly!

Robin

**From:** Liao, Shan  
**Sent:** Thursday, March 16, 2017 12:04 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** the page is published also. -- RE: the updated pre-publication is re-posted and live. -- RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

The page is published: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 12:00 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>

ED\_001220\_00003066-00001

ED\_001220\_00003066



**Subject:** RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Thank you Shan. This is good to post live.

**From:** Liao, Shan

**Sent:** Thursday, March 16, 2017 11:58 AM

**To:** Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>

**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>

**Subject:** the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear All,

The updated pre-publication is re-posted live:

<https://www.epa.gov/sites/production/files/2017-03/documents/caf-joint-notice-dot-epa-2017-03-13.pdf>

Please advise whether I can also publish the updated page (with the FR correction note), <https://wcms.epa.gov/node/162119/revisions/506889/view> .

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)

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2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Dietrich, Gwen

**Sent:** Thursday, March 16, 2017 11:26 AM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Everyone,

Here is the corrected version.

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 149 KB and 5 pages

Gwen Dietrich

Communications/Graphic Design Specialist

ED\_001220\_00003066-00003

ED\_001220\_00003066

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Sutton, Tia  
**Sent:** Thursday, March 16, 2017 11:13 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

As long as this doesn't violate any web posting rules to have a correction in the disclaimer, I personally agree that it makes sense to have the correction both in the disclaimer (and in red font, as well) and on the webpage itself.

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:54 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Hi Gwen,

I adjusted the location of the correction so it is inside the disclaimer language. Tia can you let me know if this is OK to do? If so Gwen can finalize for the web. We can also highlight on the web page itself.

ED\_001220\_00003066-00004

ED\_001220\_00003066

Thanks,

Erin

**From:** Dietrich, Gwen  
**Sent:** Thursday, March 16, 2017 10:40 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>;  
France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE:  
Web correction for the FR Notice Bill's phone #

Phone number has been corrected, read for posting.

Attached:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 146 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:22 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE:  
Web correction for the FR Notice Bill's phone #

ED\_001220\_00003066-00005

ED\_001220\_00003066

Thanks to you both!

**From:** Liao, Shan

**Sent:** Thursday, March 16, 2017 10:13 AM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>

**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>

**Subject:** Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear Gwen,

I understand that the phone number correct is needed in the pre-publication PDF file (<https://www.epa.gov/sites/production/files/2017-03/documents/cafe-joint-notice-dot-epa-2017-03-13.pdf>) . (please see Robin's email below for details.)

Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

Once I receive the updated PDF, I will re-post it to CMS.

Many thanks in advance!

Shan

**From:** Birgfeld, Erin

**Sent:** Thursday, March 16, 2017 9:59 AM

ED\_001220\_00003066-00006

ED\_001220\_00003066

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Subject:** FW: Web correction for the FR Notice Bill's phone #

Hi Shan,

Can you make the change below. Thank you!

-Erin

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 9:50 AM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Charmley, William <[william.charmley@epa.gov](mailto:william.charmley@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
**Subject:** Web correction for the FR Notice Bill's phone #

Tia, Erin, I think this correction slipped through the cracks yesterday in our flurry. To ward off phone calls to Mark Coryell's phone (what's now listed under Bill's name in the FR), can we add this Correction note below? Or something similar.

Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

- [REDACTED]

- [REDACTED]

- [REDACTED] Alliance of Auto Manufacturers Letter to Administrator Pruitt EXIT

**From:** Sutton, Tia

**Sent:** Wednesday, March 15, 2017 1:13 PM

**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Yep- that's not a problem at all, we've done that before.

**Erin-** can you ask Shan to include that note when she sends you the page to review & approve?

Sent from my iPhone

On Mar 15, 2017, at 1:11 PM, Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)> wrote:

Since this will go on the web with the wrong phone number, could we add Correction note to the web: such as: "Correction: The EPA contact number listed below contains a typo. The correct phone number is (734) 214-4466."

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:04 PM  
**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

Hi Bill,

A phone number update would generally be considered a minor typo fix that can be corrected when FR reviews and sends us back their formatting edits to review & approve before publication.

When I looked at this notice yesterday, it was not in proper FR format, so I'm assuming we'll get it back with edits before it's published. We just need to flag it for whoever was put down as the EPA contact on the FR cover sheet (**Ben**- do you know who that is- someone in the AO maybe?) so they know to also make this edit. On the off chance that FR publishes this without a full review, we can try to flag it for our OP liaisons as well.

-Tia

Sent from my iPhone

ED\_001220\_00003066-00009

ED\_001220\_00003066



On Mar 15, 2017, at 12:24 PM, Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)> wrote:

Got it—we'll see if we can get it fixed in the publication version

**From:** Charmley, William

**Sent:** Wednesday, March 15, 2017 12:13 PM

**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>

**Cc:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

ED\_001220\_00003066-00011

ED\_001220\_00003066

**To:** Coryell, Mark[coryell.mark@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 4:57:18 PM  
**Subject:** FW: Web correction of Bill's phone #

Hi Mark, I left you a v-mail on this, but wanted you to see that we've called out Corrections in 2 spots on the web page itself. Hopefully your phone won't ring (on this issue anyway), but if it does, please send them to Bill's # 4-4466.

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 12:46 PM  
**To:** Charmley, William <charmley.william@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>  
**Subject:** Web correction of Bill's phone #

The web team has noted the correct phone # in both the FR pre-pub disclaimer, as well as beside the FR link itself. While we aren't allowed to make this change the actual pre-pub FR version, Tia is planning to request this change during the Office of Federal Register's review.

- **Federal Register Notice:** [Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles \(PDF\)](#) ( 5 pp, 166 K, pre-publication, [About PDF](#))
- **FR Notice Correction:** The EPA contact number listed in this notice contains a typo. The correct phone number is (734) 214-4466.

The Secretary of the Department of Transportation, Elaine Chao, and the Administrator of the Environmental Protection Agency, Scott Pruitt, signed the following Notice on March 13, 2017 and we are submitting it for publication in the Federal Register. While we have taken steps to ensure the accuracy of this Internet version of the notice, it is not the official version of the notice. Please refer to the official version in a forthcoming Federal Register publication, which will appear on the Government Printing Office's FDSys website ([www.gpo.gov/fdsys/search/home.action](http://www.gpo.gov/fdsys/search/home.action)). Once the official version of this document is published in the Federal Register, this version will be removed from the Internet and replaced with a link to the official version.  
Correction: The EPA contact number listed in this notice contains a typo. The correct phone number is (734) 214-4466.

6560-50-P

**DEPARTMENT OF TRANSPORTATION**

**National Highway Traffic Safety Administration**

**49 CFR Parts 523, 531, 533, 536 and 537**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 86 (§ 86.1818-12(c))**

**[FRL-XXXX-XX-XXX]**

ED\_001220\_00003067-00002

ED\_001220\_00003067

**To:** Lieske, Christopher[lieske.christopher@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 4:47:40 PM  
**Subject:** FW: the page is published also. -- RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

fyi

**From:** Liao, Shan  
**Sent:** Thursday, March 16, 2017 12:04 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** the page is published also. -- RE: the updated pre-publication is re-posted and live. -- RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

The page is published: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

Shan

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 12:00 PM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Subject:** RE: the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Thank you Shan. This is good to post live.

ED\_001220\_00003068-00001

ED\_001220\_00003068

**From:** Liao, Shan

**Sent:** Thursday, March 16, 2017 11:58 AM

**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Subject:** the updated pre-publication is re-posted and live. --RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Dear All,

The updated pre-publication is re-posted live:

<https://www.epa.gov/sites/production/files/2017-03/documents/caf-joint-notice-dot-epa-2017-03-13.pdf>

Please advise whether I can also publish the updated page (with the FR correction note), <https://wcms.epa.gov/node/162119/revisions/506889/view> .

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

ED\_001220\_00003068-00002

ED\_001220\_00003068

***Tell us how we're doing - rate our customer service!***

**<http://www.surveymonkey.com/s/epalibsurvey>**

**From:** Dietrich, Gwen

**Sent:** Thursday, March 16, 2017 11:26 AM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>

**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Everyone,

Here is the corrected version.

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 149 KB and 5 pages

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

ED\_001220\_00003068-00003

ED\_001220\_00003068

**From:** Sutton, Tia  
**Sent:** Thursday, March 16, 2017 11:13 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

As long as this doesn't violate any web posting rules to have a correction in the disclaimer, I personally agree that it makes sense to have the correction both in the disclaimer (and in red font, as well) and on the webpage itself.

**From:** Birgfeld, Erin  
**Sent:** Thursday, March 16, 2017 10:54 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

Hi Gwen,

I adjusted the location of the correction so it is inside the disclaimer language. Tia can you let me know if this is OK to do? If so Gwen can finalize for the web. We can also highlight on the web page itself.

Thanks,

Erin

**From:** Dietrich, Gwen

ED\_001220\_00003068-00004

ED\_001220\_00003068



**Sent:** Thursday, March 16, 2017 10:40 AM

**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>

**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>; Moran, Robin <moran.robin@epa.gov>;

France, Jennifer <france.jennifer@epa.gov>; Levin, David <Levin.David@epa.gov>

**Subject:** RE: Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE:  
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Phone number has been corrected, read for posting.

Attached:

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Gwen Dietrich

Communications/Graphic Design Specialist

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Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

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ED\_001220\_00003068

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**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>

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**Subject:** Can you please update the Pre-publication PDF, then I will re-post to CMS? --RE: Web correction for the FR Notice Bill's phone #

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Could you please correct the PDF and send back to me? (If I shall fix the typo on PDF by myself, please feel free to let me know. I will do it then.)

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**Subject:** FW: Web correction for the FR Notice Bill's phone #

Hi Shan,

ED\_001220\_00003068-00006

ED\_001220\_00003068

Can you make the change below. Thank you!

-Erin

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 9:50 AM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Sargeant, Kathryn <[kathryn.sargeant@epa.gov](mailto:kathryn.sargeant@epa.gov)>  
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Erin – if you're good with this, please pass on to web team. Thanks! (Note, I'm popping out of the office for a bit till ~12 noon).

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

- 

- 

- Alliance of Auto Manufacturers Letter to Administrator Pruitt EXIT

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**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

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ED\_001220\_00003068-00008

ED\_001220\_00003068

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**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>  
**Subject:** Re: They have the wrong phone number for William Charmley in the pre-print publication

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Sent from my iPhone

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**From:** Charmley, William

**Sent:** Wednesday, March 15, 2017 12:13 PM

**To:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>

**Cc:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Cook, Leila <[cook.leila@epa.gov](mailto:cook.leila@epa.gov)>

**Subject:** They have the wrong phone number for William Charmley in the pre-print publication

Ben and Tia,

The pre-print version has the following for my phone number under the contacts:

734-214-4446

This is not my desk number. This is the desk number for Mark Coryell, who is the local EPA Union representative here in Ann Arbor.

My desk number is

734-214-4466

ED\_001220\_00003068-00010

ED\_001220\_00003068

If there is any possibility to get this fixed that would be nice. Mark has nothing to do with this subject.

Thanks

Bill

ED\_001220\_00003068-00011

ED\_001220\_00003068

**To:** Helfand, Gloria[helfand.gloria@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]; Hoyer, Marion[hoyer.marion@epa.gov]  
**Cc:** Sargeant, Kathryn[sargeant.kathryn@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/16/2017 12:13:01 PM  
**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

Hi Gloria, another thought, as I've now read to the bottom and see they're asking for examples of "how application of social science research and results has improved decision-making". To help people understand how this assessment of hidden costs fits into our decision framework for the MTE, you should add the context of the EPA regulation factors the Administrator must consider in making the Final Determination, specifically "the cost on the producers or purchasers of new motor vehicles..."

**From:** Moran, Robin  
**Sent:** Thursday, March 16, 2017 7:59 AM  
**To:** Helfand, Gloria <helfand.gloria@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>  
**Cc:** Sargeant, Kathryn <sargeant.kathryn@epa.gov>  
**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

Hi Gloria, thanks for putting this idea forward. These days, I do not make a distinction between internal and external, as we don't know how it could be used. So suggest you take another look at it as if it were for public consumption, and be more specific/scientific in places especially discussing results. Also add that the auto industry as well as other stakeholders has stressed the importance of EPA assessing the consumer impacts of the standards. In the results, make sure to stress that the vast majority of reviews were positive.

Thanks

**From:** Helfand, Gloria  
**Sent:** Thursday, March 16, 2017 7:51 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Hoyer, Marion <hoyer.marion@epa.gov>  
**Cc:** Sargeant, Kathryn <sargeant.kathryn@epa.gov>  
**Subject:** Fw: Request for Social Science Success Stories and Updates to the Social Science Toolbox

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As you know, Bryan Hubbell has been working with ORD on incorporating more social science into ORD's work. He asked for success stories; I volunteered the content analysis and its use in the MTE. They seem interested.

It's not entirely clear to me how this is going to be used. As you'll see, I've asked them whether this is for internal or external purposes. If it's internal, I don't see problems; it's pretty factual. If it's external, others may want to review it.

Off to the SBCA. If you need me, my cell phone is the best bet.

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

---

**From:** Helfand, Gloria  
**Sent:** Thursday, March 16, 2017 7:47 AM  
**To:** Eisenhauer, Emily  
**Cc:** Hubbell, Bryan; Maxwell, Keely; Corona, Elizabeth  
**Subject:** Re: Request for Social Science Success Stories and Updates to the Social Science Toolbox

I've tried to edit this in Outlook Web version, which is pretty clumsy; I hope it worked.

Where is this going -- internally? Externally? I might want to run this by some people in

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our office beforehand if it's going external.

---

**From:** Eisenhower, Emily  
**Sent:** Wednesday, March 15, 2017 2:21 PM  
**To:** Helfand, Gloria  
**Cc:** Hubbell, Bryan; Maxwell, Keely; Corona, Elizabeth  
**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

Hi Gloria,

This is great, thanks for sending it in! I edited it a bit and added some questions in the comments. Would you mind taking a look and seeing if it's accurate?

A couple questions for everyone on style:

How much detail, references, etc. do we want to include? Should we link to documents like determinations, guidance, etc.?

Should these be in first person (we) or third person (OTAQ)?

Emily Eisenhower, Ph.D.

AAAS Fellowship Participant Hosted by the EPA Office of Research and Development,

Sustainable and Healthy Communities Program

[Eisenhower.Emily@epa.gov](mailto:Eisenhower.Emily@epa.gov)

202-564-2405

ED\_001220\_00003071-00003

ED\_001220\_00003071

**From:** Hubbell, Bryan  
**Sent:** Monday, March 13, 2017 3:02 PM  
**To:** Eisenhauer, Emily <[Eisenhauer.Emily@epa.gov](mailto:Eisenhauer.Emily@epa.gov)>; Maxwell, Keely <[Maxwell.Keely@epa.gov](mailto:Maxwell.Keely@epa.gov)>; Corona, Elizabeth <[Corona.Elizabeth@epa.gov](mailto:Corona.Elizabeth@epa.gov)>  
**Subject:** FW: Request for Social Science Success Stories and Updates to the Social Science Toolbox

Here's a good example from OTAQ! Read the full chain to see that they used content analysis.....

**From:** Helfand, Gloria  
**Sent:** Monday, March 13, 2017 2:54 PM  
**To:** Hubbell, Bryan <[Hubbell.Bryan@epa.gov](mailto:Hubbell.Bryan@epa.gov)>  
**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

To be picky, it wasn't a rule. We set standards for light-duty vehicles through MY 2025 back in 2012, but we agreed to conduct a midterm review, to see if the standards should be changed. The documents are at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg> , along with some overview. One of the factors to be considered was consumer acceptance. The Proposed Determination (<https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P100Q3DO.pdf> ), p. 26, discusses the results from the study:

Some comments have raised concern that the standards will have adverse effects on other vehicle characteristics, such as performance or handling. As discussed in Appendix Sections B.1.4, and B.1.5 and TSD Chapters 4.1 and 4.2, EPA has not found evidence to date of these effects. An analysis of evaluations of fuel-saving technologies in professional auto reviews found more positive assessments of each technology than negative assessments in MY2014 and MY2015 vehicles. Though some automakers may receive negative evaluations for a specific technology, other automakers receive positive evaluations for that technology. This finding suggests that the quality of implementation of the technologies may vary, but some manufacturers are already able to deliver improved customer experience using these technologies today, and quality of implementation will likely improve over

time for all manufacturers. Moreover, some of these technologies appear to have ancillary benefits to consumers in terms of performance and handling. For instance, mass reduction both reduces fuel consumption and increases handling and performance.

p. 27: Overall, therefore, EPA's assessments indicate that consumers have clearly benefited from reduced fuel costs from the standards and, to date, there is little, if any, evidence that consumers have experienced adverse effects from any other implications of the standards.

(The Final Determination is a higher-level summary. We also hear rumors it's going to be re-evaluated by the new administrator.)

Hope that helps.

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

**From:** Hubbell, Bryan

**Sent:** Monday, March 13, 2017 2:16 PM

**To:** Helfand, Gloria <[helfand.gloria@epa.gov](mailto:helfand.gloria@epa.gov)>

**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

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ED\_001220\_00003071

Thanks Gloria! Do you feel that having the results of the study helped improve the rule, or made the rule more acceptable? Can you point me to where you talked about the study in the rulemaking (if you did)?

Bryan

**From:** Helfand, Gloria  
**Sent:** Monday, March 13, 2017 1:14 PM  
**To:** Hubbell, Bryan <[Hubbell.Bryan@epa.gov](mailto:Hubbell.Bryan@epa.gov)>  
**Subject:** RE: Request for Social Science Success Stories and Updates to the Social Science Toolbox

Bryan,

I don't know if this falls within the scope, but I'm fond of it. . .

As part of the midterm evaluation of our light-duty vehicle GHG standards, we were looking for ways to assess whether the standards were having any unintended adverse impacts. We used a common social-science research tool, content analysis, to review how the GHG-reducing technologies were evaluated in auto reviews. In essence, we had coders identify references to technologies in the reviews, and evaluate whether reviewers spoke well or badly of them. We also correlated them with operational characteristics – handling, acceleration, etc. In essence, all the technologies were reviewed positively more often than they were reviewed negatively. When we looked for correlations with operational characteristics, often the correlations suggested improvements than problems. Even when there appeared to be problems, it seemed to be associated more with bad reviews of the technologies rather than the existence of the technologies – thus, perhaps poor implementations of the technologies were more of a problem than the existence of the technologies themselves.

This analysis formed part of our discussion of consumer acceptance of vehicles subject to the standards.

Let me know if you have any questions about it. And, if it doesn't fit your scope, no worries.

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ED\_001220\_00003071

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

**From:** Hubbell, Bryan

**Sent:** Monday, March 13, 2017 12:35 PM

**To:** EPA Social Environmental Science Exchange <[SESE@usepa.onmicrosoft.com](mailto:SESE@usepa.onmicrosoft.com)>

**Subject:** Request for Social Science Success Stories and Updates to the Social Science Toolbox

Hello SESE members-

Just a reminder that we are looking for examples of how social sciences are used in your programs and specifically stories of how application of social science research and results has improved decision-making or led to improved environmental quality or public health. These don't have to be long, and in fact a paragraph or two is preferable.

In addition, I want to alert you to some new resources available on the [Social Science Toolbox](#) site. These include:

- Links to new [training materials on Agent-based Modeling](#) available from the Socio-Environmental Synthesis Center
- A new [report](#) on interdisciplinary work from the Human Dimensions Branch at the US Fish and Wildlife Service
- An [overview](#) from the Office of Evaluation Studies at the GSA (the new version of the White House Social and Behavioral Science Team)

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- Several reports and summaries related to social sciences and climate change located in the [SESE Resources Folder](#) and key reference [documents](#) tool area.

We look forward to “seeing” all of you during our SESE Webinar next Wednesday!

Thanks,

Bryan

---

Bryan J. Hubbell, Ph.D.

U.S. Environmental Protection Agency | Senior Advisor on Social Science

Immediate Office of the Assistant Administrator | Office of Research and Development

-109 T.W. Alexander Drive, MC: D143-01 | Research Triangle Park, NC 27709

919.541.0621 | cell: 919.491.1079|D131B| [hubbell.bryan@epa.gov](mailto:hubbell.bryan@epa.gov)

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 6:05:28 PM  
**Subject:** MTE Web site updated with new FR Notice

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

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ED\_001220\_00003074



**To:** Sutton, Tia[sutton.tia@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 5:13:11 PM  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

The version I have uses two different dates in the pre-pub disclaimer: page 1 says 3/13, pages 2-5 says 3/15. I don't know the date of when this was actually signed, so defer to others to make the correction consistently in doc.

**From:** Sutton, Tia  
**Sent:** Wednesday, March 15, 2017 1:10 PM  
**To:** Moran, Robin <moran.robin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Subject:** Re: please preview. -- RE: Web Markup - MTE Notice

Just to the 2 of you- shouldn't the below refer to a signature date of 3/13 if that's what's in the pre-pub file disclaimer? If that's wrong, of course you can just ignore- only sent to you 2 so I don't confuse everyone else if we do in fact want to leave 3/15.

Sent from my iPhone

On Mar 15, 2017, at 10:50 AM, Moran, Robin <moran.robin@epa.gov> wrote:

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

## Ex. 5 - Deliberative Process

- Federal Register Notice: [Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions](#)

Standards for Model Year 2022-2025 Light Duty Vehicles (PDF) ( 5 pp, 166 K, pre-publication, [About PDF](#))

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 10:38 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
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734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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<http://www.surveymonkey.com/s/epalibsurvey>

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:28 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia

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<suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Charmley, William <charmley.william@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Lieske, Christopher <lieske.christopher@epa.gov>  
**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:08 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Sutton, Tia <sutton.tia@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

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ED\_001220\_00003079

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** NNT0: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

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**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 9:07 AM  
**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

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Shan Liao  
Task Order Manager & Web Librarian  
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[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

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ED\_001220\_00003079

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 14, 2017 11:31 PM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The date of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

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ED\_001220\_00003079



-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin**- if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00003079-00009

ED\_001220\_00003079

**To:** Simon, Joseph[Simon.Joseph@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 3:28:28 PM  
**Subject:** RE: MTE ReOpen: Final FR Notice and Press Release

Ok, to that "Post MTE" folder? Maybe we should rename it "MTE Reopen"

**From:** Simon, Joseph  
**Sent:** Wednesday, March 15, 2017 11:27 AM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: MTE ReOpen: Final FR Notice and Press Release

These have been posted to the LD SharePoint site.

---joe

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:10 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Cc:** Snapp, Lisa <snapp.lisa@epa.gov>; Orlin, David <Orlin.David@epa.gov>  
**Subject:** MTE ReOpen: Final FR Notice and Press Release

Team,

We have just received the final signed FR notice (attached) in which Administrator Pruitt and DOT Secretary Chao announce that EPA will reconsider the Final Determination, in coordination w/NHTSA.

Also attached is the joint EPA/DOT press release, which we saw for the first time after it had been finalized.

We're in the process of making minor updates to the MTE web page to add the pre-publication FR Notice and a very brief description.

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ED\_001220\_00003086

Below is that latest news article, which includes quotes from CARB's Mary Nichols at end.

I'll continue to share any details that I hear....

<https://www.bloomberg.com/news/articles/2017-03-15/trump-gives-carmakers-a-year-to-push-for-reset-of-mileage-rules>

## **Trump Gives Carmakers a Year to Push for Reset of Mileage Rules** **2017-03-15 09:00:00.14 GMT**

By Ryan Beene and John Lippert

(Bloomberg) -- Carmakers will get another year to dispute fuel economy standards the Trump administration will scrutinize, overruling an Obama-era ruling that the industry is capable of meeting tougher mileage and emissions rules.

Automakers were right to cry foul over the Environmental Protection Agency failing to collaborate with them and expediting a review of requirements for the companies to boost the fuel economy of their fleets to an average of more than 50 miles per gallon by 2025, a senior White House official said.

President Donald Trump will tell auto workers and executives near Detroit on Wednesday that his administration will examine the standards into 2018.

Trump's overruling of an attempt by Barack Obama's government, a week before his departure from the White House, to solidify the regulations marks a victory for carmakers.

Companies including General Motors Co., Toyota Motor Corp. and Volkswagen Group AG have argued the standards are out of step with market realities. Low gasoline prices have spurred record demand for sport utility vehicles and pickups and dragged on demand for electric vehicles and fuel-sipping passenger cars.

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ED\_001220\_00003086

The automakers now get to make their case to new EPA Administrator Scott Pruitt, who downplayed how much human activity is contributing to climate change. The agency will restore the original timeline set in agreement with carmakers, which was to determine by April 2018 whether the standards for 2022 through 2025 are still feasible, the White House official said, speaking on the condition of anonymity ahead of Trump's announcement.

Automakers agreed in 2011 to the so-called "one national program" that coordinated fuel economy standards set by the U.S. Transportation Department, and greenhouse gas emissions standards set by the EPA and California's Air Resources Board.

Eighteen auto industry executives including Mary Barra of GM, Ford Motor Co.'s Mark Fields and Fiat Chrysler Automobiles NV boss Sergio Marchionne sent a letter to Trump in February, asking him to reinstate the review of fuel economy regulations.

The EPA's decision to end the review prematurely ended a promised debate, they said.

Cars and light trucks from the 2016 model year will be the first to fall short of fleet-wide average fuel economy targets in more than a decade, according to automaker projections released by the National Highway Traffic Safety Administration.

The White House official said the administration is not currently contemplating a challenge to California's authority to set its own vehicle emissions standards or electric-car sales mandates. The official said reopening the review does not guarantee that the standards will be weakened.

While the official told reporters the president's move was narrowly focused on reviving the review, the former head of Trump's EPA transition team said Trump's administration is contemplating a full-blown attack on Obama's fuel economy standards.

"This is not coming from the auto industry, it's coming from consumers and the auto dealers association," Myron Ebell, who left the Trump transition team in January, said of the onus for the potential rollback. "I don't think the auto companies are united in what they want."

Automakers aren't looking to slash the efficiency goals they agreed to under Obama, according to Representative Debbie Dingell, a Michigan Democrat and former GM executive. The review will offer a forum for parties involved to reach fresh consensus on the standards, she said in an interview.

"My goal is to bring permanent peace between California, Michigan and the rest of the country and have everybody working together toward strong fuel economy standards," Dingell said. "That was the beauty of the process that President Obama established and the agreement that was reached."

California's top air-quality regulator meanwhile said she's ready to consider changes to the fuel economy standards -- to a point. The current regulations could be improved from both an environmental and administrative standpoint, said Mary Nichols, chairman of California's Air Resources Board. "We're not going to refuse to participate in the newly-reopened review process," Nichols said in a phone interview. "We'll be there and we'll be active."

That said, the Trump administration and automakers shouldn't expect California to abandon its core principles. "We have the technical and legal ability to run a program that recognizes where electrification of vehicles is headed," she said. "We're trying to put together a mix of incentives and regulations to move the entire industry in this direction. This is what we're going to do."

**To:** Liao, Shan[Liao.Shan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 3:27:49 PM  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Oops, just noticed a typo on McCarthy:

## Previous Steps in the Midterm Evaluation Process

On January 12, 2017, Administrator Gina McCarthy signed her determination to maintain the current GHG emissions standards for model year (MY) 2022-2025 vehicles. Her final determination found that automakers are well positioned to meet the standards at lower costs than previously estimated.

Highlights of Administrator McCarthy's January 2017 Final Determination

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:25 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Two requests related to “standards for model years 2022-2025” are updated.

<https://wcms.epa.gov/node/162119/revisions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:22 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Another similar catch to clarify 2022-2025

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:18 AM  
**To:** Moran, Robin <[Moran.Robin@epa.gov](mailto:Moran.Robin@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

2015 is updated to 2017.

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:16 AM

ED\_001220\_00003087-00002

ED\_001220\_00003087

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Hi Shan, we just caught that the first sentence has a typo in the date....should be 2017

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:11 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[Robin.Moran@epa.gov](mailto:Robin.Moran@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

The jump links are updated:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 11:06 AM



**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Thank you Shan. I think we just need to edit the jump links so they reflect the new organization as follows:

- [Overview](#)
- [Final Determination](#) [NEW] Midterm Evaluation Process
- [Previous Steps](#)
- [Proposed Determination](#)
- [Draft Technical Assessment Report](#)
- [EPA Technical Projects to Inform the Midterm Evaluation](#)
- [EPA Publications Informing the Midterm Evaluation](#)
- [EPA Presentations Regarding the Midterm Evaluation](#)

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:01 AM  
**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** updated -- RE: please preview. -- RE: Web Markup - MTE Notice

These changes are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:59 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Hi Robin,

I'm taking the rest of the team off this email chain to reduce inbox clogging.

These edits look good to me. Shan can you go ahead and make them?

-Erin

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:51 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

**Ex. 5 - Deliberative Process**

# Ex. 5 - Deliberative Process

- **Federal Register Notice:** [Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles \(PDF\)](#) ( 5 pp, 166 K, pre-publication, [About PDF](#))

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 10:38 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran\\_robin@epa.gov](mailto:moran_robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
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[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:30 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

ED\_001220\_00003087-00007

ED\_001220\_00003087

Shan let us know when you have a draft for review.

Best,

Erin

**From:** Moran, Robin

**Sent:** Wednesday, March 15, 2017 10:28 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael

<[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 10:08 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>

**Subject:** RE: NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

ED\_001220\_00003087-00009

ED\_001220\_00003087

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:07 AM

**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

ED\_001220\_00003087-00010

ED\_001220\_00003087

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
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[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

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**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher

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ED\_001220\_00003087



<[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David  
<[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE republishment notice with web disclaimer - UPDATED

Everyone,

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin  
**Sent:** Tuesday, March 14, 2017 11:31 PM  
**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE republishment notice with web disclaimer - UPDATED  
**Importance:** High

Hi Jennifer, Gwen and David,

ED\_001220\_00003087-00012

ED\_001220\_00003087

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <Birgfeld.Erin@epa.gov>; Suarez, Patricia <suarez.patricia@epa.gov>; France, Jennifer <france.jennifer@epa.gov>; Mylan, Christopher <Mylan.Christopher@epa.gov>; Dietrich, Gwen <Dietrich.Gwen@epa.gov>; Levin, David <Levin.David@epa.gov>  
**Cc:** Sun, Lisa <Sun.Lisa@epa.gov>; Liao, Shan <Liao.Shan@epa.gov>; Richards, David <Richards.David@epa.gov>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin-** if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

ED\_001220\_00003087-00013

ED\_001220\_00003087

-Tia

ED\_001220\_00003087-00014

ED\_001220\_00003087

**To:** Liao, Shan[Liao.Shan@epa.gov]; Birgfeld, Erin[Birgfeld.Erin@epa.gov]  
**Cc:** Suarez, Patricia[suarez.patricia@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 3:26:49 PM  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Thanks Shan. This is approved from my perspective. I'll defer to Erin on the "go" time.

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:25 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Two requests related to "standards for model years 2022-2025" are updated.

<https://wcms.epa.gov/node/162119/revisions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:22 AM  
**To:** Liao, Shan <Liao.Shan@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Cc:** Suarez, Patricia <suarez.patricia@epa.gov>  
**Subject:** RE: this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

ED\_001220\_00003088-00001

ED\_001220\_00003088

Another similar catch to clarify 2022-2025

## Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:18 AM  
**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** this typo is updated. --RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

2015 is updated to 2017.

<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 11:16 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>  
**Cc:** Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>  
**Subject:** RE: jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Hi Shan, we just caught that the first sentence has a typo in the date....should be 2017

ED\_001220\_00003088-00002

ED\_001220\_00003088

## The Midterm Evaluation Process

# Ex. 5 - Deliberative Process

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:11 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** jump links are updated. -- RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

The jump links are updated:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 11:06 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Moran, Robin <[moran.robins@epa.gov](mailto:moran.robins@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: updated -- RE: please preview. -- RE: Web Markup - MTE Notice

Thank you Shan. I think we just need to edit the jump links so they reflect the new organization as follows:

- [Overview](#)
- [Final Determination](#) [NEW] Midterm Evaluation Process
- [Previous Steps](#)
- [Proposed Determination](#)
- [Draft Technical Assessment Report](#)
- [EPA Technical Projects to Inform the Midterm Evaluation](#)
- [EPA Publications Informing the Midterm Evaluation](#)
- [EPA Presentations Regarding the Midterm Evaluation](#)

**From:** Liao, Shan  
**Sent:** Wednesday, March 15, 2017 11:01 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** updated -- RE: please preview. -- RE: Web Markup - MTE Notice

These changes are made in the draft version:  
<https://wcms.epa.gov/node/162119/visions/506181/view>

Shan

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:59 AM  
**To:** Moran, Robin <[moran.rob@epa.gov](mailto:moran.rob@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>  
**Cc:** Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>  
**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Hi Robin,

I'm taking the rest of the team off this email chain to reduce inbox clogging.

These edits look good to me. Shan can you go ahead and make them?

-Erin

**From:** Moran, Robin

**Sent:** Wednesday, March 15, 2017 10:51 AM

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Dietrich, Gwen <[Gwen.Dietrich@epa.gov](mailto:Gwen.Dietrich@epa.gov)>; Sutton, Tia <[Tia.Sutton@epa.gov](mailto:Tia.Sutton@epa.gov)>; Suarez, Patricia <[Patricia.Suarez@epa.gov](mailto:Patricia.Suarez@epa.gov)>; France, Jennifer <[Jennifer.France@epa.gov](mailto:Jennifer.France@epa.gov)>; Mylan, Christopher <[Christopher.Mylan@epa.gov](mailto:Christopher.Mylan@epa.gov)>; Levin, David <[David.Levin@epa.gov](mailto:David.Levin@epa.gov)>

**Cc:** Charmley, William <[William.Charmley@epa.gov](mailto:William.Charmley@epa.gov)>; Olechiw, Michael <[Michael.Olechiw@epa.gov](mailto:Michael.Olechiw@epa.gov)>; Lieske, Christopher <[Christopher.Lieske@epa.gov](mailto:Christopher.Lieske@epa.gov)>

**Subject:** RE: please preview. -- RE: Web Markup - MTE Notice

Erin, I'm think we need to tweak that first sentence as well, to track more closely to the FR (vs. PR) – here's my suggestion:

## Ex. 5 - Deliberative Process



- **Federal Register Notice:** [Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles \(PDF\)](#) ( 5 pp, 166 K, [pre-publication](#), [About PDF](#))

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 10:38 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** please preview. -- RE: Web Markup - MTE Notice

These changes (including Erin and Robin's) are made in the draft version:

<https://wcms.epa.gov/node/162119/visions/506181/view>

NOTE: the linked pre-publication document is a place holder. Once this draft page and the pre-publication document are approved for posting, I will replace the document holder with the true pre-publication document.

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

ED\_001220\_00003088-00006

ED\_001220\_00003088

**Tell us how we're doing - rate our customer service!**

**<http://www.surveymonkey.com/s/epalibsurvey>**

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 10:30 AM

**To:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>

**Subject:** RE: Web Markup - MTE Notice

That sounds good to me Robin. Thanks.

Shan let us know when you have a draft for review.

Best,

Erin

ED\_001220\_00003088-00007

ED\_001220\_00003088

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 10:28 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>  
**Subject:** Web Markup - MTE Notice

## Ex. 5 - Deliberative Process

If there are any more changes recommended from others, could everyone please make sure I'm looped in?

Thanks!

Robin

**From:** Birgfeld, Erin  
**Sent:** Wednesday, March 15, 2017 10:08 AM  
**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>  
**Subject:** RE: NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS

ED\_001220\_00003088-00008

ED\_001220\_00003088

immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

Here are the requested edits to the MTE webpage. Let me know if you have questions.

I'm adding Robin Moran for awareness and so she can review the updated page as well.

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:15 AM

**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** NNTO: sure. When ever Shan receives the markup, Shan will draft it in CMS immediately.-- RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

**From:** Birgfeld, Erin

**Sent:** Wednesday, March 15, 2017 9:13 AM

ED\_001220\_00003088-00009

ED\_001220\_00003088

**To:** Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Hi Shan,

I am having OAR comms review the markup now and expect a few changes from him. I can give you the file by 10:30. Will that work?

Thanks,

Erin

**From:** Liao, Shan

**Sent:** Wednesday, March 15, 2017 9:07 AM

**To:** Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** web markup file is needed -- RE: MTE prepublication notice with web disclaimer - UPDATED

Dear All,

Is it possible to provide me the Web markup file (which page this pre-publication is to be linked on, and the web text for this prepublication) so that I can prepare for this on the proper web page?

Many thanks in advance!

Shan Liao  
Task Order Manager & Web Librarian  
NVFEL Library, operated by:  
Arctic Slope Mission Services, LLC (ASMS)  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
734-214-4435 - Phone  
734-214-4525 - Fax  
[liao.shan@epa.gov](mailto:liao.shan@epa.gov)

***Tell us how we're doing - rate our customer service!***

***<http://www.surveymonkey.com/s/epalibsurvey>***

**From:** Dietrich, Gwen  
**Sent:** Wednesday, March 15, 2017 9:02 AM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

Everyone,

ED\_001220\_00003088-00011

ED\_001220\_00003088

Attached and prepared for posting on the Web:

**cafe-joint-notice-dot-epa-2017-03-13.pdf**

File is 167 KB and 5 pages.

Gwen Dietrich

Communications/Graphic Design Specialist

Senior Service America, Inc. (Grantee)

Supporting the Office of Transportation and Air Quality

U.S. Environmental Protection Agency

734-214-4639

**From:** Birgfeld, Erin

**Sent:** Tuesday, March 14, 2017 11:31 PM

**To:** Sutton, Tia <[sutton.tia@epa.gov](mailto:sutton.tia@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>

**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>

**Subject:** RE: MTE prepublication notice with web disclaimer - UPDATED

**Importance:** High

Hi Jennifer, Gwen and David,

Please use this version of the notice. The data of signature is updated to be March 13, not March 15.

For what it is worth we anticipate going live with this around 2 pm, but stay tuned... we are likely to be getting last minute instructions.

ED\_001220\_00003088-00012

ED\_001220\_00003088

Thank you!

-Erin

**From:** Sutton, Tia  
**Sent:** Tuesday, March 14, 2017 6:08 PM  
**To:** Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>; Suarez, Patricia <[suarez.patricia@epa.gov](mailto:suarez.patricia@epa.gov)>; France, Jennifer <[france.jennifer@epa.gov](mailto:france.jennifer@epa.gov)>; Mylan, Christopher <[Mylan.Christopher@epa.gov](mailto:Mylan.Christopher@epa.gov)>; Dietrich, Gwen <[Dietrich.Gwen@epa.gov](mailto:Dietrich.Gwen@epa.gov)>; Levin, David <[Levin.David@epa.gov](mailto:Levin.David@epa.gov)>  
**Cc:** Sun, Lisa <[Sun.Lisa@epa.gov](mailto:Sun.Lisa@epa.gov)>; Liao, Shan <[Liao.Shan@epa.gov](mailto:Liao.Shan@epa.gov)>; Richards, David <[Richards.David@epa.gov](mailto:Richards.David@epa.gov)>  
**Subject:** MTE prepublication notice with web disclaimer

Hi all,

Attached is the prepub notice for the MTE announcement that Erin emailed about earlier.

**Chris and Erin-** if you need to make edits to this document for any reason, I saved it on the X drive at: X:\\_X-drive (DC IO shared)\Rules & Notices\LD MTE\March 2017 FR Notice

Thanks!

-Tia

ED\_001220\_00003088-00013

ED\_001220\_00003088



**To:** Midterm Review[Midterm\_Review@epa.gov]  
**Cc:** Snapp, Lisa[snapp.lisa@epa.gov]; Orlin, David[Orlin.David@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 3/15/2017 3:09:58 PM  
**Subject:** MTE ReOpen: Final FR Notice and Press Release  
[FR MTE Reopen 3-15-17.pdf](#)  
[Press release MTE Reopen 3-15-17.docx](#)

Team,

We have just received the final signed FR notice (attached) in which Administrator Pruitt and DOT Secretary Chao announce that EPA will reconsider the Final Determination, in coordination w/NHTSA.

Also attached is the joint EPA/DOT press release, which we saw for the first time after it had been finalized.

We're in the process of making minor updates to the MTE web page to add the pre-publication FR Notice and a very brief description.

Below is that latest news article, which includes quotes from CARB's Mary Nichols at end.

I'll continue to share any details that I hear....

<https://www.bloomberg.com/news/articles/2017-03-15/trump-gives-carmakers-a-year-to-push-for-reset-of-mileage-rules>

**Trump Gives Carmakers a Year to Push for Reset of Mileage Rules**  
**2017-03-15 09:00:00.14 GMT**

ED\_001220\_00003096-00001

ED\_001220\_00003096

By Ryan Beene and John Lippert

(Bloomberg) -- Carmakers will get another year to dispute fuel economy standards the Trump administration will scrutinize, overruling an Obama-era ruling that the industry is capable of meeting tougher mileage and emissions rules.

Automakers were right to cry foul over the Environmental Protection Agency failing to collaborate with them and expediting a review of requirements for the companies to boost the fuel economy of their fleets to an average of more than 50 miles per gallon by 2025, a senior White House official said.

President Donald Trump will tell auto workers and executives near Detroit on Wednesday that his administration will examine the standards into 2018.

Trump's overruling of an attempt by Barack Obama's government, a week before his departure from the White House, to solidify the regulations marks a victory for carmakers.

Companies including General Motors Co., Toyota Motor Corp. and Volkswagen Group AG have argued the standards are out of step with market realities. Low gasoline prices have spurred record demand for sport utility vehicles and pickups and dragged on demand for electric vehicles and fuel-sipping passenger cars.

The automakers now get to make their case to new EPA Administrator Scott Pruitt, who downplayed how much human activity is contributing to climate change. The agency will restore the original timeline set in agreement with carmakers, which was to determine by April 2018 whether the standards for 2022 through 2025 are still feasible, the White House official said, speaking on the condition of anonymity ahead of Trump's announcement.

Automakers agreed in 2011 to the so-called "one national program" that coordinated fuel economy standards set by the U.S. Transportation Department, and greenhouse gas emissions standards set by the EPA and California's Air Resources Board.

Eighteen auto industry executives including Mary Barra of GM, Ford Motor Co.'s Mark Fields and Fiat Chrysler Automobiles NV boss Sergio Marchionne sent a letter to Trump in February, asking him to reinstate the review of fuel economy regulations.

The EPA's decision to end the review prematurely ended a promised debate, they said.

Cars and light trucks from the 2016 model year will be the first to fall short of fleet-wide average fuel economy targets in more than a decade, according to automaker projections released by the National Highway Traffic Safety Administration.

The White House official said the administration is not currently contemplating a challenge to California's authority to set its own vehicle emissions standards or electric-car sales mandates. The official said reopening the review does not guarantee that the standards will be weakened.

While the official told reporters the president's move was narrowly focused on reviving the review, the former head of Trump's EPA transition team said Trump's administration is contemplating a full-blown attack on Obama's fuel economy standards.

"This is not coming from the auto industry, it's coming from consumers and the auto dealers association," Myron Ebell, who left the Trump transition team in January, said of the onus for the potential rollback. "I don't think the auto companies are united in what they want."

Automakers aren't looking to slash the efficiency goals they agreed to under Obama, according to Representative Debbie Dingell, a Michigan Democrat and former GM executive. The review will offer a forum for parties involved to reach fresh consensus on the standards, she said in an interview.

"My goal is to bring permanent peace between California, Michigan and the rest of the country and have everybody working together toward strong fuel economy standards," Dingell said. "That was the beauty of the process that President Obama established and the agreement that was reached."

California's top air-quality regulator meanwhile said she's ready to consider changes to the fuel economy standards -- to a point. The current regulations could be improved from both an environmental and administrative standpoint, said Mary Nichols, chairman of California's Air Resources Board. "We're not going to refuse to participate in the newly-reopened review process," Nichols said in a phone interview. "We'll be there and we'll be active."

That said, the Trump administration and automakers shouldn't expect California to abandon its core principles. "We have the technical and legal ability to run a program that recognizes where electrification of vehicles is headed," she said. "We're trying to put together a mix of incentives and regulations to move the entire industry in this direction. This is what we're going to do."

**To:** Snapp, Lisa[snapp.lisa@epa.gov]  
**From:** Moran, Robin  
**Sent:** Mon 3/13/2017 4:03:09 PM  
**Subject:** FW: Trump is expected to announce a rollback of auto emission and fuel-economy regulations

**From:** Moran, Robin  
**Sent:** Monday, March 13, 2017 10:24 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** FW: Trump is expected to announce a rollback of auto emission and fuel-economy regulations

Fyi, here's the latest news report. We have no official information on any of this.

**From:** Helfand, Gloria  
**Sent:** Monday, March 13, 2017 10:16 AM  
**To:** Moran, Robin <moran.robin@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Yanca, Catherine <yanca.catherine@epa.gov>; Alson, Jeff <alson.jeff@epa.gov>  
**Subject:** Trump is expected to announce a rollback of auto emission and fuel-economy regulations

<http://www.businessinsider.com/r-update-1-trump-expected-to-announce-vehicle-emissions-rules-review-2017-3>

On Wednesday, "Trump is expected to visit Ypsilanti, Michigan, a Detroit suburb, to tout his administration's decision to revive a review of the feasibility of the 2022 through 2025 vehicle emissions rules, after the Obama administration moved in its final days to lock in the rules."

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

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ED\_001220\_00003115

U.S. Environmental Protection Agency

2000 Traverwood Drive

Ann Arbor, MI 48105

(734) 214-4688

ED\_001220\_00003115-00002

ED\_001220\_00003115

**To:** Midterm Review[Midterm\_Review@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]  
**From:** Moran, Robin  
**Sent:** Thur 3/9/2017 4:02:56 PM  
**Subject:** Detroit News Column: Make energy security top goal [in fuel economy standards]

<http://www.detroitnews.com/story/opinion/2017/03/07/energy-security/98821584/>

## Column: Make energy security top goal

James T. Conway and David D. McKiernan Published 12:07 a.m. ET March 7, 2017 | Updated 12:20 a.m. ET March 7, 2017

President Trump's America first energy plan gets it right by identifying oil as a strategic commodity, and placing our energy security front and center. This administration understands the acute and continued national security threat posed by our oil dependence and the OPEC cartel that distorts global oil prices; we urge them to leverage this awareness to modernize and improve fuel economy standards.

We support Trump's stance to increase domestic oil production, which has already halved our imports of foreign oil over the past decade. But regardless of how much we drill at home, the price for oil is set globally, meaning that reducing oil imports won't counter our primary energy security vulnerability: The fact that oil accounts for 92 percent of U.S. transportation energy, is highly volatile in price and is predominately supplied from nations that don't share U.S. values or strategic interests.

Fuel economy standards — federal rules requiring more efficient vehicles which were originally developed in 1970s following the OPEC oil embargo — have served the country well. Following reforms over the past decade, current rules set a goal of overall efficiency improvements of 4 percent per year through 2025. These rules are well-intentioned, but rely on outdated structures that regulate individual vehicles rather than addressing technological opportunities to improve the transportation system as a whole.

Our experience in this debate suggests that the various sides of the fuel economy issue are far closer than many believe. However, the primary stakeholders must work together. The Environmental Protection Agency and National Highway Traffic Safety Administration should harmonize their rulemaking and the administration should resist calls to scrap the standards. California should re-commit to one national program to avoid the real risk of a backlash that leads to reconsideration of the state's special rule-making authority.

To reach a workable consensus, we suggest the following principles. First, we should continue the commitment to one national program on fuel economy and avoid competing regulations at the state and federal level.

Second, if necessary, the government should offer the industry some relief between 2022 and 2025 to account for the impact low gasoline prices have on vehicle purchasing decisions.

Third, the standards should account for autonomous vehicles and new ridesharing business models. Driverless and driver-assist features can also have a measurable impact on a car's efficiency, but current rules don't account for technologies that are already on the road.

Fourth, given the rapid pace of change, the new framework should incorporate five-year reviews to assess progress and ensure that regulations still reflect economic and behavioral realities.

These steps will provide additional certainty to the benefit of all stakeholders — offering automakers greater flexibility to achieve the standards, while reducing oil demand at a faster pace due to new technology and providing greater consumer choice.

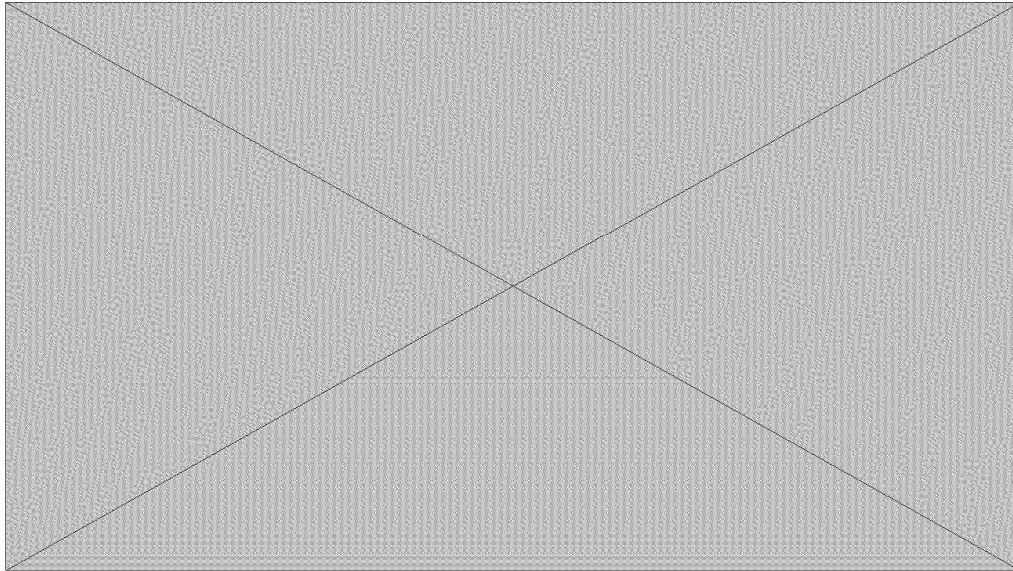
We have the opportunity to counter OPEC's manipulation by implementing a strategy that protects the nation, creates jobs, protects human health, and keeps America on the forefront of new technology.

Retired General James T. Conway served as the 34<sup>th</sup> commandant of the U.S. Marine Corps and the co-chair of the SAFE Energy Security Leadership Council. Retired General David D. McKiernan was the commander, U.S. Forces Afghanistan and the International Security Assistance Force in Afghanistan.

**From:** Securing America's Future Energy [mailto:info@secureenergy.org]  
**Sent:** Thursday, March 09, 2017 10:27 AM  
**To:** Moran, Robin <moran.rob@epa.gov>  
**Subject:** Returning to First Principles on Fuel Economy

## Returning to First Principles on Fuel Economy

Securing America's Future Energy | 1111 19th Street, NW, Suite 406 | Washington, DC | 202-461-2360 | [info@secureenergy.org](mailto:info@secureenergy.org)



Dear Friends,

As you may have heard, reports have surfaced that the Trump administration is on the verge of reversing President Obama's last-minute determination for the midterm review of light-duty vehicle greenhouse gas emissions and fuel economy standards. The administration will likely put the review back on its original timetable, meaning a final determination will be made by April of 2018. We believe this represents an opportunity to establish midterm evaluations as an agreed upon practice, and allow the country to reform and set more ambitious standards further out into the future, by incorporating new technologies like connected and self-driving vehicles and new business models like car sharing.

As Energy Security Leadership Council co-chair General James T. Conway, 34th Commandant of the U.S. Marine Corps, and fellow Council member General David D. McKiernan outlined in a critical op-ed in the [Detroit News](#), fuel economy standards are a crucial policy in reducing our nation's dependence on oil and our reliance on the OPEC oil cartel, and that there is a roadmap to bring the parties together to achieve that goal.

We believe California and the federal government must cooperate to defeat oil dependence and OPEC as opposed to fighting one another—a viewpoint reiterated by SAFE in recent articles for [Greenwire](#) and [Platts](#).

We are already engaging with each of the parties to discuss our ideas and try to facilitate a collaboration that could put the United States on the path away from oil dependence and towards an America first energy plan. We hope you will continue to follow and support us through this critical endeavor to put United States on the path toward true energy security.

Regards,





Robbie Diamond  
President and CEO  
Securing America's Future Energy

Securing America's Future Energy | 1111 19th Street, NW, Suite 406 | Washington, DC | 202-461-2360 | [info@secureenergy.org](mailto:info@secureenergy.org)  
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ED\_001220\_00003127-00004

ED\_001220\_00003127

**To:** Hengst, Benjamin[Hengst.Benjamin@epa.gov]; Sutton, Tia[sutton.tia@epa.gov]  
**From:** Moran, Robin  
**Sent:** Tue 3/7/2017 7:16:24 PM  
**Subject:** FW: Greenwire article & Congressional Letter supporting Final Determination

FYI on the Congressional letter

**From:** Moran, Robin  
**Sent:** Tuesday, March 07, 2017 2:14 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Cc:** Charmley, William <charmley.william@epa.gov>  
**Subject:** Greenwire article & Congressional Letter supporting Final Determination

FYI, in this latest Greenwire article there's a link to a letter signed by 12 Congressional reps supporting the FD.


[http://www.eenews.net/assets/2017/03/07/document\\_gw\\_07.pdf](http://www.eenews.net/assets/2017/03/07/document_gw_07.pdf)

**From:** E&E News [mailto:eaalerts@eenews.net]  
**Sent:** Tuesday, March 07, 2017 1:45 PM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** March 7 -- Greenwire is ready

[Read today's Greenwire on the web](#)

AN E&E NEWS PUBLICATION

**GREENWIRE — Tue., March 7, 2017**

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President Trump's plan for channeling the late Justice Antonin Scalia's views into an effort to overhaul the Obama administration's contentious Waters of the U.S. rule might lead to another legal quagmire.

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**3. EPA:**

ED\_001220\_00003151-00001

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**Ruckelshaus to Trump: Learn from Reagan's mistakes**

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**2 more lawmakers join 'Noah's Ark' caucus**

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**12.NATIONAL MONUMENTS:**

**Northeastern fishermen sue over Atlantic protections**

**13.NATIONAL MONUMENTS:**

**Patagonia launches Bears Ears ad campaign**

**14.FISHERIES:**

**NOAA finds several Hawaiian reef species overfished**

**15.DROUGHT:**

**Satellite images show drastic before-and-after storm impacts**

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**Europe launches latest observation satellite**

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**1 of last 'big tusker' elephants killed by poachers**

**18.INVASIVE SPECIES:**

**Brits plan to kill American squirrels**

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**19.DAKOTA ACCESS:**

**Court rejects tribe's religious bid to halt pipeline**

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**La. governor touts resilience plans, bids to diversify economy**

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**Alaskan gas leak should be shut down — feds**

**24.TECHNOLOGY:**

**This seat cushion sops up oil spills**

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**25.TECHNOLOGY:**

**Advanced energy surges to match drug industry, surpass beer**

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26. COAL:

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**Levels of toxic metals near oil sands normal — studies**

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28. UTAH:

**House OKs another Bears Ears resolution**

29. PENNSYLVANIA:

**Group pushes back on environmental budget cuts**

30. IDAHO:

**State Senate OKs plan to make Craters of the Moon national park**

31. TEXAS:

**Pork processor squelches 'hog apocalypse' for now**

32. UTAH:

**Air regulators take rare step to ask for governor's veto**

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33. CHINA:

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**To:** Alson, Jeff[alson.jeff@epa.gov]  
**From:** Moran, Robin  
**Sent:** Tue 3/7/2017 2:38:33 PM  
**Subject:** FW: Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

Well, the good news is that this article at least mentions real-world 36 mpg

**From:** Charmley, William  
**Sent:** Monday, March 06, 2017 8:10 AM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>; Helfand, Gloria <helfand.gloria@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>; Shelby, Michael <Shelby.Michael@epa.gov>  
**Cc:** Simon, Karl <Simon.Karl@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Lie, Sharyn <Lie.Sharyn@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>  
**Subject:** Blog article from the National Center for Policy Analysis titled "CAFE Standards Distort Auto Productions and Push Jobs South"

Dear all,

Late last week in the context of draft announcement from EPA/DOT regarding the reconsideration of the EPA Final Determination, we saw a reference from the new Administration (I don't necessarily mean EPA, it could be from the White House, DOT, or perhaps EPA) to the following article.

**Ex. 5 - Deliberative Process**

## **Ex. 5 - Deliberative Process**

Note – this is a draft message – I don't know where it will end up.

This bullet point had a reference to the following blog/web article, from the National Center for Policy Analysis:

ED\_001220\_00003159-00001

ED\_001220\_00003159

<http://retirementblog.ncpa.org/caffe-standards-distort-auto-production-and-push-jobs-south/#sthash.4PmummPG.dpbs>

## **Ex. 5 - Deliberative Process**

Thanks

Bill

**To:** Fernandez, Antonio[fernandez.antonio@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 2/22/2017 1:27:58 PM  
**Subject:** RE: Global Automakers Request to Withdraw Final Determination

Thanks Tony, yeah, I saw that one last week. I'm sure this issue will continue to get a lot of press attention, which is good.

**From:** Fernandez, Antonio  
**Sent:** Wednesday, February 22, 2017 8:25 AM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** RE: Global Automakers Request to Withdraw Final Determination

Hi Robin,

I don't if you or anyone is collecting articles.

Tony

<http://www.craigslist.com/article/20170216/NEWS01/170219854/carmakers-plea-for-fuel-economy-review-sets-stage-for-showdown>

**From:** Moran, Robin  
**Sent:** Wednesday, February 22, 2017 8:22 AM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** FYI: Global Automakers Request to Withdraw Final Determination  
**Importance:** High

Very similar to the Alliance letter.

ED\_001220\_00003191-00001

ED\_001220\_00003191

**From:** Julia Rege [<mailto:JRege@globalautomakers.org>]  
**Sent:** Tuesday, February 21, 2017 3:19 PM  
**To:** Pruitt, Scott <[Pruitt.Scott@epa.gov](mailto:Pruitt.Scott@epa.gov)>; [pruitt.gscott@epa.gov](mailto:pruitt.gscott@epa.gov)  
**Cc:** John Bozzella <[jbozzella@globalautomakers.org](mailto:jbozzella@globalautomakers.org)>; [secretaryscheduler@dot.gov](mailto:secretaryscheduler@dot.gov); Grundler, Christopher <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>; Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Rebecca S. Yoon <[rebecca.yoon@dot.gov](mailto:rebecca.yoon@dot.gov)>; James Tamm <[james.tamm@dot.gov](mailto:james.tamm@dot.gov)>; [Kevin.Green@dot.gov](mailto:Kevin.Green@dot.gov); [Alberto.Ayala@arb.ca.gov](mailto:Alberto.Ayala@arb.ca.gov); Ellen Gleberman <[egleberman@globalautomakers.org](mailto:egleberman@globalautomakers.org)>; Charles Haake <[chaake@globalautomakers.org](mailto:chaake@globalautomakers.org)>; Annemarie Pender <[apender@globalautomakers.org](mailto:apender@globalautomakers.org)>  
**Subject:** Request to Withdraw Final Determination Re. MY 2022-2025 GHG Standards  
**Importance:** High

Dear Administrator Pruitt:

On behalf of John Bozzella, President and CEO of Global Automakers, I am sending you the attached correspondence related to the EPA's Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation, which was announced by the Agency on January 13, 2017. A hard copy of this letter has been sent to your office via FedEx as well.

We welcome the opportunity to further discuss this matter with you at your earliest convenience.

Sincerely, Julia

Julia M. Rege

Director, Environment & Energy

Association of Global Automakers, Inc. (Global Automakers)

1050 K Street, NW, Suite 650

ED\_001220\_00003191-00002

ED\_001220\_00003191



Washington, DC 20001

202.650.5559 (direct)

202.650.5555 (main)

[jrege@globalautomakers.org](mailto:jrege@globalautomakers.org)

GlobalAutomakers   

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ED\_001220\_00003191-00003

ED\_001220\_00003191

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Tue 2/21/2017 6:29:30 PM  
**Subject:** FYI: Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt  
 Letter to EPA Admin. Pruitt Feb. 21, 2016 Signed.pdf  
[ATT00001.htm](#)

And so it begins....

Begin forwarded message:

**From:** Susan Conti <[sconti@autoalliance.org](mailto:sconti@autoalliance.org)>  
**Date:** February 21, 2017 at 1:02:29 PM EST  
**To:** "[pruitt.scott@epa.gov](mailto:pruitt.scott@epa.gov)" <[pruitt.scott@epa.gov](mailto:pruitt.scott@epa.gov)>, "[pruitt.gscott@epa.gov](mailto:pruitt.gscott@epa.gov)" <[pruitt.gscott@epa.gov](mailto:pruitt.gscott@epa.gov)>  
**Cc:** "[marianne.mcinerney@dot.gov](mailto:marianne.mcinerney@dot.gov)" <[marianne.mcinerney@dot.gov](mailto:marianne.mcinerney@dot.gov)>, "[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)" <[grundler.christopher@epa.gov](mailto:grundler.christopher@epa.gov)>, Bill Charmley <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>, "[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)" <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>, "[Kevin.Green@dot.gov](mailto:Kevin.Green@dot.gov)" <[Kevin.Green@dot.gov](mailto:Kevin.Green@dot.gov)>, "[james.tamm@dot.gov](mailto:james.tamm@dot.gov)" <[james.tamm@dot.gov](mailto:james.tamm@dot.gov)>, "[rebecca.yoon@dot.gov](mailto:rebecca.yoon@dot.gov)" <[rebecca.yoon@dot.gov](mailto:rebecca.yoon@dot.gov)>, "[annette.hebert@arb.ca.gov](mailto:annette.hebert@arb.ca.gov)" <[annette.hebert@arb.ca.gov](mailto:annette.hebert@arb.ca.gov)>, "[michael.mccarthy@arb.ca.gov](mailto:michael.mccarthy@arb.ca.gov)" <[michael.mccarthy@arb.ca.gov](mailto:michael.mccarthy@arb.ca.gov)>, Chris Nevers <[CNevers@autoalliance.org](mailto:CNevers@autoalliance.org)>, "David Schwiertert" <[DSchwiertert@autoalliance.org](mailto:DSchwiertert@autoalliance.org)>, Gloria Bergquist <[GBERGQUIST@autoalliance.org](mailto:GBERGQUIST@autoalliance.org)>, John Whatley <[JWhatley@autoalliance.org](mailto:JWhatley@autoalliance.org)>  
**Subject: URGENT Letter from Alliance of Automobile Manufacturers to EPA Administrator G. Scott Pruitt**

Dear Administrator Pruitt:

The attached letter, on behalf of the Alliance of Automobile Manufacturers, requests that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue. Please contact me at your earliest convenience to discuss this matter further. Thank you.

ED\_001220\_00003208-00001

ED\_001220\_00003208

Mitch Bainwol  
President and CEO

ED\_001220\_00003208-00002

ED\_001220\_00003208

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**From:** Moran, Robin  
**Sent:** Mon 2/13/2017 3:49:10 PM  
**Subject:** FW: Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump  
[WHAutoIndustryLtr\\_021017.pdf](#)

FYI. Of course we don't know yet what this means.

ED\_001220\_00003226-00001

ED\_001220\_00003226

**To:** Lieske, Christopher[lieske.christopher@epa.gov]  
**From:** Moran, Robin  
**Sent:** Mon 2/13/2017 2:42:51 PM  
**Subject:** FW: Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump  
[WHAutoIndustryLtr\\_021017.pdf](#)

Fyi only for now

**From:** Charmley, William  
**Sent:** Monday, February 13, 2017 9:14 AM  
**To:** Kataoka, Mark <Kataoka.Mark@epa.gov>; Moran, Robin <moran.robin@epa.gov>; Orlin, David <Orlin.David@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>; Yanca, Catherine <yanca.catherine@epa.gov>; Bolon, Kevin <Bolon.Kevin@epa.gov>  
**Cc:** Simon, Karl <Simon.Karl@epa.gov>; Snapp, Lisa <snapp.lisa@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>  
**Subject:** Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump

Dear all –

We received a copy of this letter in the past few days.

Over the weekend Chris asked me if we could verbally discuss with David Orlin and Mark Kataoka a few questions that are on Chris's mind:

## Ex. 5 - Deliberative Process

# Ex. 5 - Deliberative Process

Once we have had an opportunity to discuss, then we could schedule a meeting with Chris.

Karl, Lisa and Ben – please let me know if you would like to participate in this discussion (both the ASD/OGC discussion, and then the meeting with Chris G.)

Thanks

Bill

**To:** Helfand, Gloria[helfand.gloria@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]; Safoutin, Mike[safoutin.mike@epa.gov]; Burke, Susan[Burke.Susan@epa.gov]; Snapp, Lisa[snapp.lisa@epa.gov]; Hula, Aaron[Hula.Aaron@epa.gov]  
**From:** Moran, Robin  
**Sent:** Wed 2/8/2017 3:34:26 PM  
**Subject:** FYI: Consumers Ready to Buy EVs If Product Right

<http://wardsauto.com/engines/study-consumers-ready-buy-evs-if-product-right>

## Study: Consumers Ready to Buy EVs If Product Right

Feb 8, 2017 [David E. Zoia](#) | *WardsAuto*

**A high percentage of U.S. vehicle buyers seriously consider battery-electrics and plug-in hybrids, but don't pull the trigger because they can't find a product that precisely fits their needs, McKinsey & Co. says.**



**Give consumers more EV options that fit their lifestyle, such as CUVs and minivans, and they will buy, McKinsey says.**

Range-anxiety no longer may be the deal-breaker most believe it is when it comes to selling electric vehicles to the masses.

Give consumers more options and they will come, concludes McKinsey & Co.

A just-released study by the consulting firm, based largely on market research in the U.S., Germany and Norway, suggests a large cross-section of consumers routinely gives purchasing an EV serious consideration until late in the buying process, ultimately opting for a conventionally powered vehicle because they can't find an EV that precisely meets their needs.

For some, limited driving range between charges continues to be a factor, but for many the decision to avoid EVs is more about the limited variety of model types available, higher purchase costs and somewhat erroneous maintenance concerns.

"Traditionally we've thought the big force (driving electrified-vehicle sales) is regulation," Russell Hensley, a partner at McKinsey and one of the primary authors of the study, tells *WardsAuto*. "(But) what we find here is between a third and a half of consumers are actually considering electrics when they go into the purchase funnel, which is a lot higher than we ever expected."

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Specifically, McKinsey reports nearly 30% of U.S. buyers and 45% of German consumers strongly consider buying an EV or plug-in hybrid-electric vehicle when shopping for a new vehicle today, though less than 5% do. Near term, there's an opportunity to convert more of those shoppers to EVs, the consultant says, if the industry does a better job of supplying the types of vehicles that better meet buyers' needs.

Automakers are on their way to doing this, Hensley says, pointing to new-model product plans that call for 18 all-new BEVs and PHEVs to roll out around the world over the next two years, including several entries in the hottest market segment, CUVs. *WardsAuto/AFS* data shows the total number of BEVs and PHEVs available globally will double from 32 today to 64 in 2021.

"There just isn't the diversity of selection in terms of vehicle choice (at the moment)," the McKinsey executive says. "If you want a certain amount of utility in your vehicle or you have a family of four, there isn't necessarily the range of products you want to choose from. That's (now) being addressed."

To get even more buyers into EVs, the industry will have to better solve the cost and range equations, as well, Hensley admits. But that, too, appears to be in hand, he says.

"Cost has made things rather prohibitive historically. But we've seen dramatic declines over the last five or six years and we expect to see more, even though it's not at the same break-neck pace."

McKinsey says battery pack prices fell roughly 80% between 2010 and 2016, from \$1,000/kWh to \$227/kWh. Current projections put pack prices below \$190/kWh by 2020 and under \$100/kWh by 2030.

Some automakers have predicted the cost of an EV powertrain will pull even with an internal-combustion engine within the next five years. McKinsey is a little less bullish, predicting only that parity will be reached sometime "in the next decade."

"When you get batteries that are in the \$150-\$200/kWh at the pack level, things become very, very interesting," Hensley says.

Until then, range will remain an impediment to purchase, but McKinsey says the hurdle is more psychological than practical, and most buyers who take the leap report they no longer have anxiety about their vehicle's limitations.

"Once they've used the vehicles, range anxiety comes down significantly," Hensley says.

And with cars such as the Chevrolet Bolt now topping 200 miles (322 km) between charges, the industry appears on the way to eliminating concerns for an even larger number of consumers, he points out.

"If you can deliver a 200-mile range (in a vehicle) that is priced to the consumer around \$30,000 (post tax incentives)...it begins to get very interesting for the consumer, and you would expect (a vehicle like that) to do quite well."

However, there will need to be wider availability of public charging stations if more buyers are to be won over, Hensley says. "The infrastructure has got to come along, whether at home, work or elsewhere."

Globally, public charging stations could grow from about 2 million today to 12 million in 2020, the study says, as billions of dollars will be invested by automakers in the U.S. alone over the next 10 years. That outlay includes a plan by Volkswagen Group to put \$2 billion into the charging infrastructure as part of its settlement with the U.S. over its Dieselgate emissions scandal.

The industry also has to take measures to better educate the buying public, the McKinsey study



concludes. About half of all car buyers don't understand how electrified vehicles work and believe repair and maintenance costs will be higher, even though data indicates those costs run 20%-40% below that of conventional vehicles.

"Consumers are very concerned that they've got a \$15,000 fuel tank in the battery that might go wrong," Hensley says. "(But) the manufacturers have addressed (this) in terms of extended warranties, so once people are in (EVs) and using them they are less concerned."

Of course, a wild card in the U.S. could be the direction of the Trump Admin. on CAFE and carbon-dioxide emissions standards. Detroit automakers recently lobbied for single, nationwide regulations that would eliminate separate standards in California and 11 other states that require sales of zero-emission vehicles. That potentially would chill the market for battery-powered cars, if ZEV boogies were not part of a new 50-state standard.

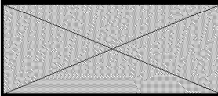
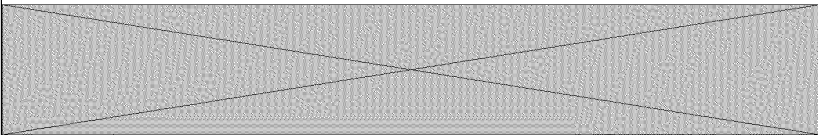


"Regulation obviously plays a huge role (in driving the market)," Hensley admits, and he sees government subsidies likely being necessary to draw consumers to electrified vehicles at least through 2025 or so. "(But) I would say there's an increasing demand. There's a market to be addressed (that) is growing significantly.

"Yes, there are a few things to be addressed. (But) the industry is kind of getting it."

[dzoia@wardsauto.com](mailto:dzoia@wardsauto.com) @DavidZoia

**From:** NADA Headlines [mailto:nadaheadlines@nada.org]  
**Sent:** Wednesday, February 08, 2017 9:56 AM  
**To:** Moran, Robin <moran.robin@epa.gov>  
**Subject:** GM Aims SUVs at Shrinking Margin After Record Annual Profit

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**Top Stories**  
**GM Aims SUVs at Shrinking Margin After Record Annual Profit**

Swelling inventories, rising incentives and a flat U.S. auto market are stoking skepticism General Motors Co. can match or exceed last year's record results. GM is counting on new versions of the GMC Terrain and Chevrolet Equinox and Traverse sport utility vehicles to help maintain or exceed the \$12.5 billion in adjusted earnings before interest and taxes reported Tuesday. Those introductions may be needed to shore up its shrinking North American profit margin, as cars like the Chevrolet Cruze crowd dealer lots. Chief Executive Officer Mary Barra has laid off or dismissed workers making slow-sellers including the Cruze and Camaro sports car to begin the year.

*Source: Bloomberg*

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**Ford Reveals New Aluminum-Sided Expedition SUV**

Ford Motor Co.'s biggest SUV is dropping some weight. Ford says the 2018 Expedition is 300 pounds lighter than the previous model thanks to a new aluminum body and a high-strength steel frame. It's the second Ford vehicle to get the aluminum treatment, after the F-Series pickup.

*Source: The Associated Press*

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**Fiat Chrysler Readies Another Hot-Rod SUV as Boom Seen Lasting**

For consumers torn between a sport utility vehicle and a muscle car, Fiat Chrysler Automobiles NV has a new 475-horsepower solution. At this week's Chicago Auto Show, the automaker will bill the Dodge Durango SRT as the world's most powerful three-row SUV, with a zero-to-60 miles per hour time of 4.4 seconds. The Durango SRT will join a hot-rod version of the Jeep Grand Cherokee SUV already

sold under the Street & Racing Technology line.

Source: Bloomberg

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### **Video: GM CFO: 'Couldn't Be More Pleased' with Record-Breaking Earnings Results**

General Motors Chief Financial Officer Chuck Stevens told CNBC on Tuesday that the company "couldn't be more pleased" with its record-breaking earnings report. "[A] solid fourth quarter really capped a great year," Stevens said on "Squawk Box," adding that GM hit "records across the board from a financial performance standpoint."

Source: CNBC

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### **Volvo Throws Down the Gauntlet to Luxury Rivals**

***Swedish auto maker's CEO says demand is so high that tight supply could limit sales***

Volvo Car Corp., wheezing just a few years ago, is roaring back under its new Chinese management, forecasting record sales and scrambling to meet surging U.S. demand as it challenges German domination of the global premium car market.

Source: *The Wall Street Journal* (Subscription required.)

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### **VW Launches U.S. Electric Vehicle Infrastructure Unit**

Volkswagen Group of America on Tuesday announced a U.S. subsidiary that will manage \$2 billion in investments in zero emission vehicle infrastructure and awareness programs over a decade as part of a court settlement over its excess diesel emissions. The world's largest automaker by sales said the unit plans to install more than 500 charging stations nationwide, including more than 300 stations in 15 metro areas, and to develop a high-speed, cross-country network consisting of more than 200 stations.

Source: Reuters

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### **Study: Consumers Ready to Buy EVs If Product Right**

Range-anxiety no longer may be the deal-breaker most believe it is when it comes to selling electric vehicles to the masses. Give consumers more options and they will come, concludes McKinsey & Co. A just-released study by the consulting firm, based largely on market research in the U.S., Germany and Norway, suggests a large cross-section of consumers routinely gives purchasing an EV serious consideration until late in the buying process, ultimately opting for a conventionally powered vehicle because they can't find an EV that precisely meets their needs.

Source: WardsAuto

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## **Chicago Auto Show: What's on Tap**

The Chicago Auto Show -- one of the largest in terms of attendance has in recent years become a showcase for freshened and special-edition vehicles. Such entries are expected to dominate the headlines again this year. Most of the focus will be on special trim packages and limited-run production models. After a press preview on Thursday, Feb. 9, and Friday, Feb. 10, the show opens to the public on Saturday, Feb. 11.

*Source: Automotive News*

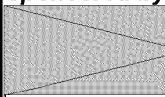

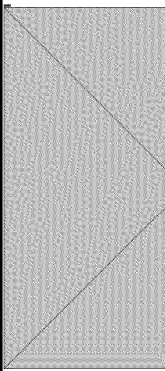

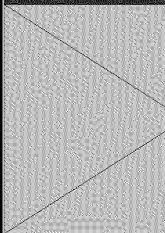
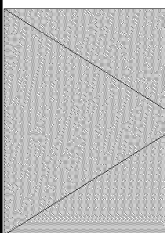
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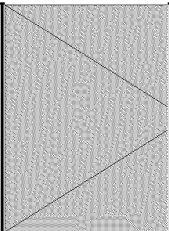
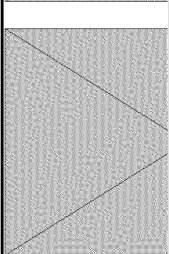
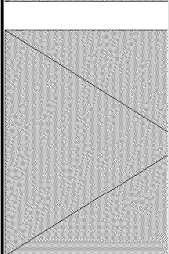
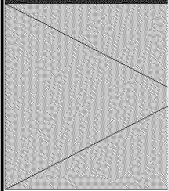
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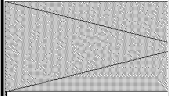
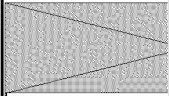

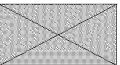
- Feb. 7 - [GM Posts \\$9.43 Billion in Net Profits for '16](#)
- Feb. 6 - [FCA's Plan to Add Stores Riles Dealers](#)
- Feb. 3 - [GM's Barra Meeting with Trump Amid Travel Ban Angst](#)
- Feb. 2 - [Registration Now Open for the 2017 Automotive Forum in NYC on April 11](#)
- Feb. 1 - [January Auto Sales: Volume Flat; Prices Up; Discounts Up, Too](#)

**"[W]hat we find here is between a third and a half of consumers are actually considering electrics when they go into the purchase funnel, which is a lot higher than we ever expected."**

-- Russell Hensley, a partner at McKinsey & Co., commenting on its new study of EV

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|  |  | <p>shoppers,<br/><i>WardsAuto</i>,<br/>Feb. 8</p> <p><b>Sponsored by</b></p> <br> <p><b>Automotive<br/>Forum --<br/>April 11</b></p> <br> <p><b>MyDealership<br/>Videos</b></p> <br> |  |
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March 22, 2017

Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1101A  
Washington, D.C. 20460

Re: 2022-2025 Model Year Light-Duty Vehicle Greenhouse Gas Emission Standards

Dear Administrator Pruitt:

As the environmental agency heads for the states of Connecticut, Delaware, Maryland, Massachusetts, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Washington, and the District of Columbia, we write to urge you to maintain the U.S. Environmental Protection Agency's (EPA's) "Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards." While the record suggests that more stringent standards may be appropriate, we agree with EPA's January 13, 2017 decision to keep the current national greenhouse gas (GHG) standards for model year (MY) 2022-2025 to provide automobile manufacturers with regulatory certainty. We also support maintaining these national standards in order to maximize environmental and economic benefits and to ensure that the United States continues as a world leader in advanced vehicles. In addition, we strongly urge you to respect the independent authority of California to implement its own standards and the right of other states to opt into those California standards to meet the environmental challenges we face.

As part of the 2012 rulemaking establishing the MY 2017-2025 light-duty vehicle GHG standards, which the automobile manufacturers strongly endorsed, EPA made a commitment to conduct a Midterm Evaluation of the standards for MY 2022-2025. After conducting a robust evaluation of an extensive technical record and providing multiple opportunities for public input, EPA determined that the standards for MY 2022-2025 are still appropriate under section 202(a) of the federal Clean Air Act. EPA's completion of the Midterm Evaluation ahead of schedule does not provide grounds to reopen or alter EPA's determination, nor does it change the facts supporting the decision. The record clearly shows that technologies needed to meet the standards are here today, automakers are expected to meet the standards at lower costs than previously estimated, and many other technologies in active development may provide even more cost effective compliance options. The record also establishes that the standards will save consumers money on fuels that will then be available to invest in other areas of the economy, provide public health and welfare benefits, and will not negatively impact the economic viability of the automobile industry or vehicle safety.

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In addition, we strongly urge you to resist industry lobbying to attempt to revoke the waiver issued to California to implement its own GHG standards. You have often spoken of the importance of states' rights, and the right of California to establish and enforce standards that are needed to meet its environmental challenges is fundamental to the Clean Air Act, as is the right of other states to opt into the California standards. California's authority to adopt its own standards has been recognized for the past half century by EPA Administrators on a bipartisan basis. Any effort to revoke EPA's waiver decision for California's standards would be unprecedented, run afoul of the statutory criteria for granting or denying a waiver in section 209(b) of the federal Clean Air Act, and undermine our state rights. In granting a waiver for California's GHG standards, EPA determined that California met its burden and an even stronger waiver case could be made today. Moreover, our states continue to have broad bipartisan support for the authority Congress granted to states in section 177 of the Clean Air Act to adopt and enforce California standards that are more protective of public health and welfare.

For these reasons, we respectfully request that you preserve EPA's current GHG standards for MY 2022-25 and leave California's waiver intact.

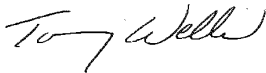
Sincerely,



Robert Klee  
Commissioner  
Connecticut Department of Energy and Environmental Protection



Shawn Garvin  
Secretary  
Delaware Department of Natural Resources and Environmental Control



Tommy Wells  
Director  
D.C. Department of Energy and Environment



Ben Grumbles  
Secretary  
Maryland Department of the Environment



Martin Suuberg  
Commissioner  
Massachusetts Department of Environmental Protection



Basil Seggos  
Commissioner  
New York Department of Environmental Conservation



Richard Whitman  
Director  
Oregon Department of Environmental Quality



Patrick McDonnell  
Acting Secretary  
Pennsylvania Department of Environmental Protection



Janet Coit  
Director  
Rhode Island Department of Environmental Management



Maia Bellon  
Director  
Department of Ecology  
State of Washington



Emily Boedecker  
Commissioner  
Vermont Department of Environmental Conservation

cc: Christopher Grundler, Director  
Office of Transportation and Air Quality  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Mary Nichols  
Chairman  
California Air Resources Board  
1001 "I" Street  
Sacramento, California 95814

The Secretary of the Department of Transportation, Elaine Chao, and the Administrator of the Environmental Protection Agency, Scott Pruitt, signed the following Notice on March 13, 2017 and we are submitting it for publication in the Federal Register. While we have taken steps to ensure the accuracy of this Internet version of the notice, it is not the official version of the notice. Please refer to the official version in a forthcoming Federal Register publication, which will appear on the Government Printing Office's FDSys website ([www.gpo.gov/fdsys/search/home.action](http://www.gpo.gov/fdsys/search/home.action)). Once the official version of this document is published in the Federal Register, this version will be removed from the Internet and replaced with a link to the official version.

6560-50-P

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration****49 CFR Parts 523, 531, 533, 536 and 537****ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 86 (§ 86.1818-12(c))****[FRL-XXXX-XX-XXX]****Notice of Intention to Reconsider the Final Determination of the Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light Duty Vehicles**

**AGENCY:** Environmental Protection Agency (EPA) and Department of Transportation's (DOT) National Highway Traffic Safety Administration (NHTSA).

**ACTION:** Notice.

**SUMMARY:** EPA announces its intention to reconsider the Final Determination of the Mid-Term Evaluation of greenhouse gas (GHG) standards for model year (MY) 2022-2025 light-duty vehicles and to coordinate its reconsideration with the parallel process to be undertaken by the DOT's NHTSA regarding Corporate Average Fuel Economy (CAFE) standards for cars and light trucks for the same model years.

**FOR FURTHER INFORMATION CONTACT:** William Charmley, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, Fuel Emissions Laboratory/OAR, 2565 Plymouth Road, Ann Arbor, MI 48105, telephone (734) 214-4446. Email:

[charmley.william@epa.gov](mailto:charmley.william@epa.gov) and Rebecca Schade, Office of the Chief Counsel, National

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This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

Highway Traffic Safety Administration, 1200 New Jersey Avenue, S.E., Washington, DC 20590;  
telephone: (202) 366-2992.

**SUPPLEMENTARY INFORMATION:** By this notice, EPA announces its intention to reconsider its Final Determination of the Mid-Term Evaluation of GHG standards for MY 2022-2025 light-duty vehicles. The EPA has inherent authority to reconsider past decisions and to revise, replace or repeal a decision to the extent permitted by law and supported by a reasoned explanation. *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009). In 2012, EPA committed to continuing to coordinate development of its Clean Air Act (CAA) section 202(a)(1) (42 U.S.C. 7521(a)) emission standards with NHTSA's development of CAFE standards for light-duty vehicles, but did not do so in development and publication of EPA's January 12, 2017 Midterm Evaluation of standards conducted under 40 CFR 86.1818-12(h) of EPA's regulations. EPA now announces it will reconsider that determination in coordination with NHTSA.

The Mid-Term Evaluation was established to review standards set in a 2012 joint rulemaking by the EPA and NHTSA, which set federal GHG emissions and CAFE standards for MY 2017 and beyond for light-duty vehicles. 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, Final Rule, 77 FR 62,624 (Oct. 15, 2012). These standards, codified for EPA at 40 C.F.R. 86.1818-12, apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles (i.e., sport utility vehicles, cross-over utility vehicles and light trucks), collectively referred to in this notice as light-duty vehicles.

This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

The EPA and NHTSA finalized separate sets of standards under their respective statutory authorities. EPA set GHG standards (including standards for emissions of carbon dioxide (CO<sub>2</sub>), nitrous oxide, methane and air conditioning refrigerants) for MY 2017-2025 passenger cars and light-trucks under section 202(a) of the CAA. NHTSA sets national CAFE standards under the Energy Policy and Conservation Act (EPCA), as amended by the Energy Independence and Security Act (EISA) of 2007 (49 U.S.C. 32902). NHTSA set final CAFE standards for MY 2017-2021 light-duty vehicles and issued augural standards for MYs 2022-2025.

The 2012 rulemaking establishing these standards included a regulatory requirement for the EPA to conduct a Mid-Term Evaluation of the GHG standards established for MYs 2022-2025. 77 Fed. Reg. 62,625 (October 15, 2012), codified at 40 CFR 86.1818-12(h). In July 2016, EPA, NHTSA, and the California Air Resources Board (CARB) released for public comment a jointly prepared Draft Technical Assessment Report, which examined a range of issues relevant to GHG emissions and CAFE standards for MYs 2022–2025. 81 Fed. Reg. 49,217 (July 27, 2016). In November, 2016, EPA issued a proposed determination for the Mid-Term Evaluation. 81 Fed. Reg. 87,927 (Dec. 6, 2016). On January 12, 2017, the EPA Administrator signed the Final Determination of the Mid-Term Evaluation of light-duty vehicle GHG emissions standards for MYs 2022– 2025.

Under 40 CFR 86.1818-12(h), no later than April 1, 2018, the EPA Administrator must determine whether the GHG standards previously established under 40 CFR 86.1818-12(c) for MYs 2022-2025 are appropriate under section 202(a) of the CAA, in light of the record then before the Administrator. Given that CO<sub>2</sub> makes up the vast majority of the GHGs that EPA regulates under section 202(a), and given that the technologies available for regulating CO<sub>2</sub>

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emissions do so by improving fuel economy (which NHTSA regulates under EPCA/EISA), NHTSA’s views with regard to what CAFE standards would be maximum feasible for those model years is an appropriate consideration in EPA’s determining what GHG standards would be appropriate under the CAA. See 40 CFR 86.1818-12(h)(1)(vii) (listing as one of the factors EPA should consider in the Mid-Term Evaluation “[t]he impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program”). However, NHTSA has not yet considered what CAFE standards would be the maximum feasible standards for MYs 2022-2025. Accordingly, EPA has concluded that it is appropriate to reconsider its Final Determination in order to allow additional consultation and coordination with NHTSA in support of a national harmonized program.

For its part, NHTSA will continue to engage with stakeholders as it works to develop a Notice of Proposed Rulemaking to set CAFE standards for MYs 2022-2025. As explained in the 2012 final rule, this proposal will be part of “a de novo rulemaking conducted...with fresh inputs and a fresh consideration and balancing of all relevant factors, based on the best and most current information before the agency at that time.” 77 Fed. Reg. 62,652. A final rule for MY 2022 is statutorily required to be issued by NHTSA by April 1, 2020.

In accord with the schedule set forth in EPA’s regulations, the EPA intends to make a new Final Determination regarding the appropriateness of the MY 2022-2025 GHG standards no later than April 1, 2018.

Dated: \_\_\_\_\_

\_\_\_\_\_

This document is a prepublication version, signed by the Secretary of Transportation, Elaine Chao, and the EPA Administrator, Scott Pruitt, on March 15, 2017. We have taken steps to ensure the accuracy of this version, but it is not the official version.

Elaine L. Chao  
Secretary, Department of Transportation

Dated: \_\_\_\_\_

\_\_\_\_\_  
E. Scott Pruitt  
Administrator, Environmental Protection Agency



**CONTACT:**

[press@epa.gov](mailto:press@epa.gov)

**FOR IMMEDIATE RELEASE**

March 15, 2017

## **EPA to Reexamine Emission Standards for Cars and Light Duty Trucks--Model Years 2022-2025**

**WASHINGTON**— Today, Department of Transportation Secretary (DOT) Elaine Chao and U.S. Environmental Protection Agency (EPA) Administrator Scott Pruitt will revisit an Obama Administration era rule that finalized standards to increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by Model Year 2025.

“Today’s decision by the EPA is a win for the American economy,” said U.S. Department of Transportation Secretary Elaine L. Chao. “The Department of Transportation will re-open the Mid-Term evaluation process and work with the EPA to complete the review in a transparent, data-driven manner.”

“These standards are costly for automakers and the American people,” said EPA Administrator Scott Pruitt. “We will work with our partners at DOT to take a fresh look to determine if this approach is realistic. This thorough review will help ensure that this national program is good for consumers and good for the environment.”

The Midterm Evaluation process that is being revisited today, was established as a part of the 2012 final greenhouse gas emissions standards for model years 2017-2025, requiring EPA to determine no later than April 1, 2018, whether the standards established are appropriate. The action the agency is taking today will ensure that deadline is met. If the agency believes that the final determination issued by the previous administration is not realistic, it would submit a new proposal for public comment.

Midterm Evaluation Process: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

R038

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February 10, 2017

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

We greatly appreciate your personal focus on steps to strengthen the economy in the United States and your commitment to jobs in our sector.

We write you today to ask that you reinstate the data-driven Midterm Review of the fuel economy/GHG rules through Model Year 2025 – without prejudging the outcome - and to harmonize the federal requirements.

As you know, in 2011 the last Administration established these fuel economy/GHG targets. Two commitments underlying that agreement were (1) the concept of One National Program under which rules from two federal agencies and California would be harmonized; and (2) the Midterm Review (MTR), a commonsense evaluation to ensure the assumptions underlying the agreement remained valid. As recently as late last fall, EPA assured us that the MTR would not result in a final determination before the next Administration came into office (the schedule provided a determination by April of 2018).

Despite these commitments, in just days before the Inauguration, the previous Administration truncated the process for the MTR to lock in the GHG stringency schedule through 2025 without any changes, despite significant market realities suggesting flexibility might be in order. At a time when current and projected gas prices are well below anticipated levels and the early years of the CAFE program have yielded material MPG improvement, consumers often are making choices that are inconsistent with the long-term success of the current schedule.

We are committed to continued gains in fuel efficiency and carbon reduction. At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels, putting hundreds of thousands and perhaps as many as a million jobs at risk (Center for Automotive Research, September 2016).

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Accordingly, we urge your Administration to put the process back on track. A data-driven review – under the originally promised schedule – is necessary to arrive at the maximum feasible fuel economy/GHG standards that appropriately balance environmental progress, safety, affordability and jobs.

Again, thank you for your commitment to smart-regulation, employment and a strong U.S. economy.

Sincerely,

Andrew C. Palmer  
President and Chief Executive Officer, Aston Martin Lagonda, Ltd.

Ludwig Willisch  
Head of BMW Group Region Americas

Sergio Marchionne  
Chief Executive Officer, FCA

Mark Fields  
President and Chief Executive Officer, Ford Motor Company

Mary T. Barra  
Chairman and Chief Executive Officer, General Motors Company

Rick Schostek  
Executive Vice President, Honda North America, Inc.

W. Gerald Flannery  
President and Chief Executive Officer, Hyundai Motor America

Joe Eberhardt  
President and Chief Executive Officer, Jaguar Land Rover North America

Michael Sprague  
Chief Operating Officer and Executive Vice President, Kia Motors America

Masahiro Moro  
President and Chief Executive Officer, Mazda North American Operations

Dietmar Exler  
President and Chief Executive Officer, Mercedes-Benz USA, LLC

Ryujiro Kobashi  
President and Chief Executive Officer, Mitsubishi Motors North America, Inc.

José Muñoz  
Chairman, Nissan North America, Inc.

Klaus Zellmer  
President and Chief Executive Officer, Porsche Cars North America, Inc.

Thomas J. Doll  
President and Chief Operating Officer, Subaru of America, Inc.

James E. Lentz  
Chief Executive Officer, Toyota Motor North America, Inc.

Hinrich Woebcken  
Chief Executive Officer, VW North American Region and President and Chief Executive  
Officer, Volkswagen Group of America

Lex Kerssemakers  
Senior Vice President Americas and President and Chief Executive Officer Volvo Car  
USA LLC

February 10, 2017

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The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

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We are committed to continued gains in fuel efficiency and carbon reduction. At the same time, ignoring consumer preferences and market realities will drive up costs for buyers and threaten future production levels, putting hundreds of thousands and perhaps as many as a million jobs at risk (Center for Automotive Research, September 2016).

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ED\_001220\_00003232

Accordingly, we urge your Administration to put the process back on track. A data-driven review – under the originally promised schedule – is necessary to arrive at the maximum feasible fuel economy/GHG standards that appropriately balance environmental progress, safety, affordability and jobs.

Again, thank you for your commitment to smart-regulation, employment and a strong U.S. economy.

Sincerely,

Andrew C. Palmer  
President and Chief Executive Officer, Aston Martin Lagonda, Ltd.

Ludwig Willisch  
Head of BMW Group Region Americas

Sergio Marchionne  
Chief Executive Officer, FCA

Mark Fields  
President and Chief Executive Officer, Ford Motor Company

Mary T. Barra  
Chairman and Chief Executive Officer, General Motors Company

Rick Schostek  
Executive Vice President, Honda North America, Inc.

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President and Chief Executive Officer, Hyundai Motor America

Joe Eberhardt  
President and Chief Executive Officer, Jaguar Land Rover North America

Michael Sprague  
Chief Operating Officer and Executive Vice President, Kia Motors America

Masahiro Moro  
President and Chief Executive Officer, Mazda North American Operations

Dietmar Exler  
President and Chief Executive Officer, Mercedes-Benz USA, LLC

Ryujiro Kobashi  
President and Chief Executive Officer, Mitsubishi Motors North America, Inc.

José Muñoz  
Chairman, Nissan North America, Inc.

Klaus Zellmer  
President and Chief Executive Officer, Porsche Cars North America, Inc.

Thomas J. Doll  
President and Chief Operating Officer, Subaru of America, Inc.

James E. Lentz  
Chief Executive Officer, Toyota Motor North America, Inc.

Hinrich Woebcken  
Chief Executive Officer, VW North American Region and President and Chief Executive  
Officer, Volkswagen Group of America

Lex Kerssemakers  
Senior Vice President Americas and President and Chief Executive Officer Volvo Car  
USA LLC

**From:** Olechiw, Michael  
**Location:** AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE  
**Importance:** Normal  
**Subject:** MTE Update  
**Start Date/Time:** Mon 3/6/2017 3:00:00 PM  
**End Date/Time:** Mon 3/6/2017 4:00:00 PM

Colleagues,

Many of you may have heard that the Administrator has decided to take action on the MTE Final Determination. While we do not yet know with certainty what that action will be, or the exact timing associated with the announcement, this meeting is being set to communicate what we do know and to discuss what this could potentially mean for us going forward.

**Call-in:**

**Ex. 6 - Personal Privacy**

ED\_001220\_00003361-00001

ED\_001220\_00003361



**To:** Olechwi, Michael[olechwi.michael@epa.gov]  
**From:** Automotive News  
**Sent:** Fri 3/24/2017 7:01:18 PM  
**Subject:** P.M. NEWSCAST: Midterm review won't stop march toward higher mpg, experts say | Ford, Lyft join YouTube ad exodus | Sales rise predicted | VW's latest compliance boss | Toyota billboard clears the air

March 24, 2017

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ED\_001220\_00003378-00002

ED\_001220\_00003378

**To:** Lieske, Christopher[lieske.christopher@epa.gov]  
**Cc:** Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Simon, Joseph  
**Sent:** Tue 3/7/2017 12:20:20 PM  
**Subject:** New Controls AX-17-000-4817 & AX-17-000-4822  
[AX-17-000-4817 Correspondence.pdf](#)  
[AX-17-000-4822 Correspondence.pdf](#)

Hello Chris,

New Controls AX-17-000-4822 & AX-17-000-4822.

Please see attached. These are due by 3/16.

Any questions, please let me know.

Thanks

|              |                |                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                          |                             |                                                                           |                                             |
|--------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------|---------------------------------------------|
| 3/6/17 17015 | AX-17-000-4817 | <p><b>LD GHG</b> - Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation</p> <p><b>LD-GHG</b> - Petition for Reconsideration and Request to Withdraw Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (January 12, 2017)</p> | <p>Mitch Bainwol,<br/>Alliance of<br/>Automobile<br/>Manufacturers</p> <p>John Bozzella<br/>Association of<br/>Global<br/>Automakers</p> | <p>LDVSEC</p> <p>LDVSEC</p> | <p>Mike Olechiw<br/>Chris Lieske</p> <p>Mike Olechiw<br/>Chris Lieske</p> | <p>3/16-<br/>3/17</p> <p>3/16-<br/>3/17</p> |
|--------------|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------|---------------------------------------------|

**Joe Simon**

Senior Service America, Inc.

Supporting the USEPA through a Cooperative Agreement

under the Senior Environmental (SEE) Program

Assessment and Standards Division

Direct line 734-214-4835

Email: [Simon.Joseph@epa.gov](mailto:Simon.Joseph@epa.gov)

ED\_001220\_00003400-00002

ED\_001220\_00003400

**To:** Midterm Review[Midterm\_Review@epa.gov]  
**Cc:** Hoyer, Marion[hoyer.marion@epa.gov]; Sargeant, Kathryn[sargeant.kathryn@epa.gov]  
**From:** Helfand, Gloria  
**Sent:** Thur 1/26/2017 1:46:01 PM  
**Subject:** Inside EPA: Top EPA Vehicle Staffer Defends Agency, Acknowledges GHG Uncertainty

<https://insideepa.com/daily-news/top-epa-vehicle-staffer-defends-agency-acknowledges-ghg-uncertainty>

The article describes Chris Grundler’s talk at the SAE. In addition, it cites a “source familiar with debates on the vehicle GHG standards,” that “The question for industry would then become whether it wants to spend at least the next three years ‘starting over’ with EPA on revised standards for model years 2022-2025 or instead negotiate a deal with California and EPA [for post-2025], as has occurred numerous times before...”

Gloria Helfand, Ph.D.

Assessment and Standards Division

Office of Transportation and Air Quality

U.S. Environmental Protection Agency

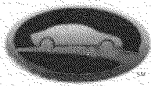
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February 21, 2017

G. Scott Pruitt  
 Administrator  
 U.S. Environmental Protection Agency  
 1200 Pennsylvania Avenue, N.W.  
 Mail Code 1101A  
 Washington, D.C. 20460

OFFICE OF THE  
 EXECUTIVE SECRETARY

2017 FEB 21 PM 2:37

RE: Final Determination on the Appropriateness of the Model Year 2022-2025  
 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm  
 Evaluation

Dear Administrator Pruitt,

I write on behalf of the Alliance of Automobile Manufacturers (Alliance), an association representing twelve leading manufacturers of cars and light trucks,<sup>1</sup> to request that the U.S. Environmental Protection Agency (EPA) withdraw the Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (Final Determination) which was announced on January 13, 2017 but never published in the *Federal Register*.

For the auto industry, the Final Determination may be the single most important decision that EPA has made in recent history. The Alliance requests that EPA withdraw the Final Determination and resume the Midterm Evaluation, in accordance with its original timetable, to remedy the severe procedural and substantive defects that have infected the process to date. We explain, in more detail below, EPA's authority to withdraw the Final Determination and why that withdrawal is appropriate and essential.

#### 1. EPA Should Exercise Its Authority to Withdraw the Final Determination

As you know, on January 20, the White House issued a memorandum to the heads of all executive departments and agencies instituting a freeze on regulatory activity, pending review by the Office of Management and Budget (OMB) Director.<sup>2</sup> The Alliance urges EPA to withdraw the Final Determination on its own initiative in accordance with the regulatory freeze. Irrespective of whether EPA considers the Final Determination a rule or an adjudication, the Final Determination should be reviewed

<sup>1</sup> Alliance members are BMW Group, FCA US LLC, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche Cars North America, Toyota, Volkswagen Group of America, and Volvo Car USA.

<sup>2</sup> See Memorandum for the Heads of Executive Departments and Agencies, Jan. 20, 2017, <https://www.whitehouse.gov/the-press-office/2017/01/20/memorandum-heads-executive-departments-and-agencies>.

BMW Group

FCA  
FIAT CHRYSLER

Ford

GM  
GENERAL MOTORS

JAGUAR

LAND-ROVER

MAZDA

Mercedes-Benz

MITSUBISHI  
 MOTORS

PORSCHE

TOYOTA

VOLKSWAGEN

VOLVO

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and withdrawn. As the Alliance has noted, a wealth of precedents confirm that the Final Determination is a rule, and all rules not yet published in the *Federal Register* are subject to the regulatory freeze.<sup>3</sup> Even if EPA continues to construe the Final Determination as an adjudication, however, it is still subject to the regulatory freeze as an “agency statement of general applicability and future effect ‘that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.’” The Final Determination reaffirms and reinstates industry-wide greenhouse gas emissions standards for all light vehicles sold in America for MY 2022-2025, and thereby establishes a policy on a regulatory issue of central importance to the auto industry.

Furthermore, EPA has ample authority to withdraw the Final Determination on its own initiative, irrespective of whether EPA considers it a rule or an adjudication. If the Final Determination is a rule, it is clearly a nonfinal one, because it has not been published in the *Federal Register*. See 5 U.S.C. § 553(d); *Kennecott Utah Copper Corp. v. U.S. Dep’t of Interior*, 88 F.3d 1191, 1209 (D.C. Cir. 1996). And, as a nonfinal rule, EPA can readily withdraw the Final Determination without engaging in notice-and-comment rulemaking. *Kennecott*, 88 F.3d at 1206.

Even if EPA continues to endorse the view that the Final Determination is an adjudication, however, EPA has broad inherent power to reconsider its decision “within the period available for taking an appeal.” *Am. Methyl Corp. v. EPA*, 749 F.2d 826, 835 (D.C. Cir. 1984). Agencies have long exercised this power to fix determinations like this one that suffer from “serious procedural and substantive deficiencies.” *Belville Min. Co. v. United States*, 999 F.2d 989, 998 (6th Cir. 1993). Regardless of how EPA classifies the Final Determination, EPA should promptly withdraw it in light of the many procedural and substantive flaws described below.

## 2. EPA Has Abrogated Its Commitment to a Robust Midterm Evaluation

As the Supreme Court has recognized, EPA’s regulatory efforts to address greenhouse gases have already produced “the single largest expansion in the scope of the [Clean Air Act] in its history.”<sup>4</sup> In 2009, EPA issued an Endangerment Finding that motor vehicle greenhouse gas emissions contribute to climate change and thereby threaten public health and welfare. Thereafter, EPA and the National Highway Traffic Safety Administration (NHTSA) began jointly setting greenhouse gas emissions and fuel economy standards for new light-duty motor vehicles, starting with Model Year (MY) 2012-2016. Then, in 2012, EPA and NHTSA took the unprecedented step of

<sup>3</sup> See Alliance Comments on Proposed Determination on Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation at 11-13, Dec. 30, 2016, Docket ID No. EPA-HQ-OAR-2015-0827; Memorandum for the Heads of Executive Departments and Agencies, Jan. 20, 2017.

<sup>4</sup> *Utility Air Regulatory Group v. EPA*, 134 S. Ct. 2427, 2436 (2014) (internal quotation marks omitted).

setting joint greenhouse gas and fuel economy standards over a decade in advance for MY 2022-2025 vehicles. 77 Fed. Reg. 62,628 (Oct. 15, 2012). No agency ever had set emissions standards so far into the future, and all stakeholders understood that no one could accurately project the circumstances affecting the technological and economic feasibility of these standards.

The Alliance supported these efforts—but only on the condition that EPA and NHTSA would reassess standards as data became available to test their feasibility. That commitment was essential because of the great uncertainty regarding the feasibility of the future standards. Based on the projections in the 2012 rule, manufacturers must achieve an average 54.5 miles per gallon equivalent across their new vehicle fleets by 2025. Even today, no conventional vehicle today meets that target, and conventional vehicles comprise 96.5% of the new light-duty vehicle fleet. Only some non-conventional vehicles (i.e., hybrid, plug-in electric, and fuel-cell vehicles), which comprise fewer than 3.5% of today’s new vehicles, currently can do so.<sup>5</sup> Even under EPA’s optimistic estimates, the automotive industry will have to spend a staggering \$200 billion between 2012 and 2025 to comply, making these standards many times more expensive than the Clean Power Plan.<sup>6</sup>

EPA and NHTSA committed to a robust Midterm Evaluation that would take a fresh look at these standards by April 2018. The agencies promised that this review would be collaborative, so that the industry could offer the agencies real-life data to adjust their model-driven forecasts. The agencies also committed to developing greenhouse gas emissions standards and fuel economy standards in tandem.<sup>7</sup> And they repeatedly represented that they would not complete the Proposed Determination/Notice of Proposed Rulemaking until mid-2017 at the earliest.<sup>8</sup> The industry took the agencies at their word, commissioning complex studies critical to assessing the MY 2022-2025 standards and the processes used by EPA in its analysis, that we had expected to add to the administrative record for the Midterm Evaluation in 2017.

On November 30, 2016, EPA abruptly abrogated these commitments. EPA issued a Proposed Determination that the MY 2022-2025 standards should go into force

<sup>5</sup> “Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends: 1975 through 2016,” at 118. U.S. Environmental Protection Agency. EPA-420-R-16-010, Nov. 2016.

<sup>6</sup> See EPA Regulatory Impact Analysis for 2012-2016 rule (EPA-420-R-10-009, Apr. 2010) at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-model-year-2012-2016-light-duty-vehicle>; EPA Regulatory Impact Analysis for 2017-2025 rule (EPA-420-R-12-016, Aug. 2012) at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-model-year-2017-and-later-light-duty-vehicle>.

<sup>7</sup> See 40 C.F.R. § 86.1818-12(h), 77 Fed. Reg. 62,784 (Oct. 15, 2012), 40 C.F.R. § 86.1818-12(h)(1)-(2); 81 Fed. Reg. 49,219 (July 27, 2016).

<sup>8</sup> See Alliance Comments on Proposed Determination at 10, Dec. 30, 2016, Docket ID No. EPA-HQ-OAR-2015-0827.



without modification. EPA issued the Proposed Determination without coordinating with NHTSA. EPA demanded comments by December 30, 2016, even though the Proposed Determination was not published in the *Federal Register* until December 6. The public and industry had a mere 24 days, spanning a major national holiday, to comment on nearly 1,000 pages of documents, plus additional cited documents and computer modeling, regarding requirements that will profoundly affect the automobile industry and the more than 900,000 American workers it directly employs.<sup>9</sup> After EPA denied requests by various stakeholders to extend the abbreviated comment period, we did our best to file substantive comments. EPA received more than 100,000 public comments, including 63 sets of comments from various organizations spanning hundreds of pages.<sup>10</sup> Many objected that the comment period was inadequate. EPA denied all requests to extend the abbreviated comment period and yet EPA issued the Final Determination on January 13, 2017, just 14 days after the comment period closed. EPA brushed aside objections to its procedural shortcuts and never justified the need for such an abbreviated comment period. EPA also rejected commenters' substantive and technical concerns by resting on its earlier analysis.

### 3. EPA Should Withdraw the Final Determination Immediately

The Final Determination is the product of egregious procedural and substantive defects and EPA should withdraw it.<sup>11</sup> In EPA's rush to promulgate the Final Determination before the new administration took office, EPA bypassed required procedures, failing for instance to provide an adequate period for meaningful notice and comment. The Final Determination asserts that there was no need for more time because the Proposed Determination did not include much new material. But that contention is belied by EPA's acknowledgement that the Proposed Determination adjusted a number of EPA assumptions in response to commenters who pointed out errors at earlier stages. The industry also had an unacceptably short period to try to ascertain why EPA rejected many of its objections.<sup>12</sup> These procedural defects are significant irrespective of whether the Final Determination constitutes rulemaking or adjudication.

EPA's unilateral announcement of its Final Determination also constitutes a failure to harmonize its greenhouse gas emissions standards with NHTSA's fuel-economy standards, contrary to the letter and intent of EPA's own regulations. NHTSA has not yet reached a determination on its fuel economy standards and continues its

---

<sup>9</sup> U.S. Department of Labor, Bureau of Labor Statistics, 2015, U.S. Vehicle and Equipment Manufacturing Employment equaled 909,700 people.

<sup>10</sup> Final Determination, Response to Comments at 1-3.

<sup>11</sup> See Alliance Comments on Proposed Determination, Dec. 30, 2016, Docket ID No. EPA-HQ-OAR-2015-0827.

<sup>12</sup> See Final Determination, Response to Comments at 7.

Midterm Evaluation rulemaking activities. EPA's failure to act in coordination with NHTSA also casts serious doubt on the legitimacy of EPA's data and conclusions, given the substantial discrepancies between EPA's and NHTSA's analysis of the technologies and costs associated with the MY 2022-2025 standards.<sup>13</sup>

Furthermore, EPA's Final Determination that the MY 2022-2025 greenhouse gas standards should remain unchanged, is riddled with indefensible assumptions, inadequate analysis, and a failure to engage with contrary evidence. Here are just a few examples:

- EPA estimated that these standards will cost the industry at least \$200 billion. But EPA underestimated the burden. Contrary to EPA's assumptions, manufacturers will have to rely on much more expensive electrified technologies (i.e., hybrids and plug-ins), driving up vehicle prices and depressing auto sales.
- EPA refused to conduct an analysis of consumer acceptance and technology affordability needed for compliance, claiming this was too difficult.
- EPA refused to analyze substantively the economic impact of the MY 2022-2025 standards, instead making cursory assertions that downplayed the impact of its mandate on auto sales and employment.
- EPA refused to consider many of the Alliance's technical concerns even when supported by an outside consultant<sup>14</sup>, asserted the Alliance provided insufficient data, and then refused further meetings for clarification.

#### 4. Studies and Data Highly Relevant to the Midterm Evaluation Have Not Been Submitted to EPA Because They Still Are Pending

It is particularly critical that EPA withdraw the current Final Determination and reopen the Midterm Evaluation process because analysis commissioned according to EPA's original timetable is ongoing and the Alliance expects that new information relevant to the Final Determination's underlying assumptions and resulting analysis will soon emerge. EPA's rushed timetable, coupled with its about-face on the timing of the Midterm Evaluation, prevented consideration of this information.

<sup>13</sup> See Alliance Comments on US EPA, US DOT, California's Air Resources Board Draft Technical Assessment Report of Greenhouse Gas Emissions and Fuel Economy Standards for Model Year 2022-2025 Cars and Light Trucks at ES-9, Sept. 26, 2016, Docket ID No. EPA-HQ-OAR-2015-0827, NHTSA's costs are approximately 42% higher than EPA's (NHTSA Table ES-2 v. EPA ES-4 Table ES-1).

<sup>14</sup> See Novation Analytics Comments on Draft Technical Assessment, Sept. 26, 2016; Docket ID No. EPA-HQ-OAR-2015-0827.

We urge EPA to reconsider imposing such a far-reaching mandate on an entire industry without adequately considering the consequences, and without giving stakeholders a meaningful opportunity to comment. The MY 2022-2025 standards threaten to depress an industry that can ill afford spiraling regulatory costs. If left unchanged, those standards could cause up to *1.1 million* Americans to lose jobs due to lost vehicle sales.<sup>15</sup> And low-income households would be hit the hardest.<sup>16</sup>

The Alliance is not asking EPA to make a different Final Determination at this time. All we are asking is that EPA withdraw the Final Determination and resume the Midterm Evaluation, in conjunction with NHTSA, consistent with the timetable embodied in EPA's own regulations. We believe that, if carried out as intended, the Midterm Evaluation can lead to an outcome that makes sense for all affected stakeholders and for society as a whole.

The Alliance welcomes the opportunity for further dialogue about ways to rekindle the industry's longstanding cooperation with EPA on these issues.

Sincerely,



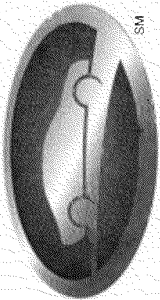
Mitch Bainwol  
President and CEO

Cc: Secretary Elaine Chao, DOT  
Kevin Green, DOT  
Bill Charmley, EPA  
Chris Grundler, EPA  
Michael Olechiw EPA  
Rebecca Yoon, NHTSA  
James Tamm, NHTSA  
Mike McCarthy, CARB  
Annette Hebert, CARB

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<sup>15</sup> McAlinden, Sean, et al., *The Potential Effects of the 2017-2025 EPA/NHTSA GHG/Fuel Economy Mandates on the U.S. Economy*, Center for Automotive Research (Sep. 2016) at 49. Referring to the \$3.00 per gallon gasoline price \$6,000 technology cost scenario.

<sup>16</sup> Walton, Tom, et al., *The Impact of Future Fuel Economy Standards on Low Income Households*, Defour Group LLC (Sep. 2016); Walton, Tom, et al., *Defour Group Response to EPA Rejoinders to Defour Group / Alliance of Automobile Manufacturers Submission Regarding the Regressivity/Affordability of EPA's Proposed Fuel Economy Standards*, (Dec. 2016).



SM

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February 21, 2017

Scott Pruitt  
Administrator  
Environmental Protection Agency  
Office of the Administrator 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington DC 20460

EXECUTIVE SECRETARIAT

OFFICE OF THE

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REC

Attention: Docket ID No. EPA-HQ-OAR-2015-0827

RE: Petition for Reconsideration and Request to Withdraw Final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (January 12, 2017)

Dear Administrator Pruitt:

The Association of Global Automakers, Inc. (Global Automakers)<sup>1</sup> respectfully petitions the United States Environmental Protection Agency (EPA) to reconsider its final Determination on the Appropriateness of the Model Year 2022-2025 Light-duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation (the “Determination”), and requests that the Determination be withdrawn. As explained below, EPA’s premature Determination suffers from a multitude of procedural and substantive flaws. Most importantly, it is inconsistent with the coordinated process to which EPA committed in 2012 to ensure the development of “One National Program” to regulate fuel economy and greenhouse gas (GHG) emissions in coordination with the National Highway Traffic Safety Administration (NHTSA). Consequently, we are requesting that EPA withdraw the Determination and reopen the record so that EPA’s rulemaking concerning GHG emission standards for model years (MY) 2022-2025 can be aligned with fuel economy rulemaking currently underway at NHTSA for those years.

<sup>1</sup> The Association of Global Automakers represents international motor vehicle manufacturers, original equipment suppliers, and other automotive-related trade associations. Our member companies have invested \$56 billion in U.S.-based facilities, directly employ nearly 100,000 Americans, and sell 47 percent of all new vehicles purchased annually in the country. Combined, our members operate more than 300 production, design, R&D, sales, finance and other facilities across the United States. Working with industry leaders, legislators, and regulators in the United States, Global Automakers aims to create public policies that improve motor vehicle safety, encourage technological innovation, and protect our planet. Our goal is to foster an open and competitive automotive marketplace that encourages investment, job growth, and development of vehicles that can enhance Americans’ quality of life. For more information, please visit [www.globalautomakers.org](http://www.globalautomakers.org).



## GlobalAutomakers

### A. Background

On January 12, 2017—just one week before the end of the previous administration—EPA published its final Determination concerning whether the GHG emissions standards currently on the books for MY 2022-2025 remain appropriate. This Determination was part of a “Midterm Evaluation” of those standards, a key protective mechanism that was included, at the insistence of the auto industry as a condition of its support of these regulations, in the 2012 joint EPA and NHTSA rule setting fuel economy and GHG emission standards covering MY 2017 through 2025.<sup>2</sup> Given that NHTSA is statutorily prevented from promulgating fuel economy standards governing more than a five-year period, and that the EPA standards were being set more than ten years into the future, having an objective and data-driven Midterm Evaluation is necessary to ensure that the future standards are feasible, cost-effective, and achieve the goals of the two relevant statutes under the One National Program.

Throughout the process of the Midterm Evaluation, both EPA and NHTSA made several commitments to the stakeholders. First, the agencies promised to remain aligned from both a procedural and substantive standpoint.<sup>3</sup> As was the case with the 2012 rulemaking, during the Midterm Evaluation the agencies were to jointly issue a proposed rulemaking/determination and a final rulemaking/determination. This was necessary to ensure that One National Program is maintained and to protect manufacturers from having to comply with multiple inconsistent standards.

Second, EPA and NHTSA consistently stated that the final NHTSA rule and EPA determination were expected by April 1, 2018,<sup>4</sup> with a proposed rule and a proposed determination expected in the summer of 2017.<sup>5</sup> This timeline would allow the agencies to account for the most up-to-date and robust information concerning the light-duty fleet and the costs and effectiveness of the technologies needed to meet the standards. In developing information for the record, in allocating scarce automotive engineering

<sup>2</sup> See 2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards, 77 Fed. Reg. 62,624 (Oct. 15, 2012). The State of California has its own GHG emission standards for light duty vehicles, but has amended its regulations to include a “deemed-to-comply” provision whereby automakers could show compliance with its state GHG emission standards by complying with EPA GHG regulations. Together, the California regulations and the EPA/NHTSA standards are referred to as the “One National Program.”

<sup>3</sup> See 77 Fed. Reg. at 62,633 (stating that EPA and NHTSA will act jointly in their proposed and final rulemaking in the Midterm Evaluation “[i]n order to align the agencies’ proceedings for MYs 2022–2025 and to maintain a joint national program.”)

<sup>4</sup> *Id.*

<sup>5</sup> See <https://www.epa.gov/sites/production/files/2016-10/documents/grundler-sae-naipc-2015-09-17-presentation.pdf> at 24 (indicating that the EPA Proposed Determination and NHTSA notice of proposed rulemaking would be released mid-2017 and the final determination made in April 2018).



resources, and in the expenditure of considerable sums, the industry relied upon this schedule and these repeated representations.

Finally, both EPA and NHTSA committed to a collaborative process that would fully account for the input of all stakeholders. To achieve this, the agencies stated that they would provide periods of public comment on the draft Technical Assessment Report (TAR) that EPA and NHTSA compiled in collaboration with the California Air Resources Board (CARB), and a separate period of comment with respect to EPA's and NHTSA's proposals concerning the MY 2022-2025 standards.<sup>6</sup> Given that the agencies' actions on this matter would affect billions of dollars of investments on the part of automakers as well as the types of vehicles that would be made available to customers for years (if not decades) to come, it is critically important that the agencies get it right.

Despite this carefully constructed (and fully promised) process, EPA unilaterally reversed course 22 days after the Presidential Election. On November 30, 2016, EPA abruptly announced that it was abandoning its previously committed-to plan on the Midterm Evaluation and published a lengthy "Proposed Determination" concerning the appropriateness of the MY 2022-2025 GHG standards. Signaling its new intent to rush through a final Determination before the end of the Obama Administration, EPA provided stakeholders with just 30 days from the release of the Proposed Determination on EPA's website to provide comments (which was only 24 days from the date the Proposed Determination was published in the Federal Register<sup>7</sup>). EPA was informed by many stakeholders that this comment period was far too short for an action of this magnitude and included a holiday period when many automakers are closed. Nevertheless, EPA's Final Determination was released on January 12, 2017.

When EPA announced the Proposed Determination, it styled its action as a "proposed adjudicatory determination."<sup>8</sup> EPA therefore took the position that its Determination could escape both the procedural requirements of Section 307 of the Clean Air Act<sup>9</sup> and the rulemaking provisions of the Administrative Procedures Act (APA).<sup>10</sup> In the Final Determination and Response to Comment, EPA rejected the argument made by Global Automakers and many other stakeholders that the Determination amounted to a rulemaking because it is a prospective action setting agency policy.<sup>11</sup> Consistent with its position that the Determination is not a rulemaking, EPA has not published the Determination in the Federal Register.

<sup>6</sup> 77 Fed. Reg. at 62,784.

<sup>7</sup> 81 Fed. Reg. 87,927 (Dec. 6, 2016).

<sup>8</sup> See Proposed Determination at ES-2 and 2 n.2.

<sup>9</sup> 42 U.S.C. § 7607(d)

<sup>10</sup> 5 U.S.C. § 553

<sup>11</sup> See EPA Final Determination on the Appropriateness of the Model Year 2022-2025 Light-Duty Vehicle Greenhouse Gas Emissions Standards under the Midterm Evaluation at 11, n.20.

## B. EPA Has Ample Authority to Reconsider the Determination

Regardless of whether the Final Determination is considered a rule or an adjudication, this EPA has the authority to withdraw and reconsider it. In the event that the Determination is an adjudication (as the prior EPA claimed), then the agency has inherent authority to reconsider that decision. “It is widely accepted that an agency may, on its own initiative, reconsider its interim or even its final decisions, regardless of whether the applicable statute and agency regulations expressly provide for such review.”<sup>12</sup> This is especially true where the underlying determination has “serious procedural and substantive deficiencies.”<sup>13</sup> Unless a statute expressly limits an agency’s authority to reconsider its decisions—which is not the case here—then the agency may freely do so as long as reconsideration occurs within a reasonable time after the first decision and notice of the agency’s intent to reconsider is given to the parties.<sup>14</sup>

In the event that the Determination did amount to a rulemaking, then it is subject to withdrawal and reconsideration for two separate and independent reasons. First, the Federal Register Act requires that all documents of “general applicability and legal effect” be published in the Federal Register.<sup>15</sup> The EPA Final Determination has not been published in the Federal Register in contravention of this clear requirement. Thus, under President Trump’s Memorandum for the Heads of Executive Departments and Agencies; Regulatory Freeze Pending Review,<sup>16</sup> if viewed as a rule the Final Determination can and should be withdrawn by the new Administration.

Second, an agency has inherent power to withdraw and reconsider a rule that suffers from fatal legal and procedural flaws.<sup>17</sup> Adhering to the proper procedures is a fundamental prerequisite for valid rulemaking.<sup>18</sup> Here, the Determination is invalid as a rule because EPA did not follow any of the procedural requirements set forth in Section 307(d) of the Clean Air Act. EPA did not convene a hearing to allow interested persons to comment on the Proposed Determination, and did keep the record of the proceedings open for 30 days to provide an opportunity for interested persons to submit rebuttal and supplementary information to the

<sup>12</sup> *Dun & Bradstreet Corp. Found. v. United States Postal Serv.*, 946 F.2d 189, 193 (2d Cir. 1991). See also *ConocoPhillips Co. v. United States EPA*, 612 F.3d 822, 832 (5th Cir. 2010) (“Embedded in an agency’s power to make a decision is its power to reconsider that decision.”); *Gun South, Inc. v. Brady*, 877 F.2d 858 (11th Cir. 1989) (holding that Bureau of Alcohol, Tobacco, and Firearms had the implied authority to correct the erroneous approval of firearms import application).

<sup>13</sup> *Belville Mining Co. v. United States*, 999 F.2d 989, 998 (6th Cir. 1993).

<sup>14</sup> *Dun & Bradstreet*, 946 F.2d at 193.

<sup>15</sup> 44 USC 1505(a)(2).

<sup>16</sup> 82 Fed. Reg. 8346 (Jan. 24, 2017).

<sup>17</sup> *Citizens Against the Pellissippi Parkway v. Mineta*, 375 F.3d 412, 416 (6th Cir. 2004).

<sup>18</sup> *United States v. Utesch*, 596 F.3d 302, 312 (6th Cir. 2010) (stating that a “reviewing court must focus not merely on the ultimate rule but on the process of an administrative rulemaking; otherwise, an agency could always violate the APA’s procedural requirements based on the representation that it would have adopted the same rule had the proper process been followed.”)



record.<sup>19</sup> Presumably, the prior EPA ignored these requirements because to follow them would have prevented the agency from finalizing the Determination before the end of the Obama Administration. But politics is not a reason for running roughshod over important procedural protections found in the Clean Air Act.

**C. EPA Should Withdraw the Determination and Reopen the Rulemaking Record to Maintain the One National Program EPA Promised**

EPA's Determination is a significant action by the agency that will have far-reaching ramifications for the industry and the automobile driving public. EPA readily concedes that the MY 2022-2025 standards will increase the prices of new motor vehicles by a substantial amount (according to EPA's own estimates), and will impact the types of vehicles sold in the U.S. An action of this magnitude requires a thoughtful and collaborative decision-making process. Here, however, EPA opted for political expediency instead, and jammed through a Final Determination in the waning days of the lame-duck Administration.

The EPA Determination suffers from many procedural and substantive flaws, any one of which would justify withdrawing the rule and reopening the rulemaking record. Among them are:

- Failure to follow EPA regulations requiring coordination with NHTSA. The Midterm Evaluation was designed so that the actions of EPA and NHTSA would be carefully coordinated every step of the way. As explained in the preamble to the 2012 rulemaking, "[i]n order to align the agencies' proceedings for MYs 2022–2025 and to maintain a joint national program, if the EPA determination is that its standards will not change, NHTSA will issue its final rule concurrently with the EPA determination."<sup>20</sup> This requirement is codified at 40 C.F.R. § 86.1818-12(h)(1)(vii), which requires EPA's Midterm Evaluation to account for "[t]he impact of the greenhouse gas emission standards on the Corporate Average Fuel Economy standards and a national harmonized program." Without providing any justification for its doing so, EPA violated this central tenet of the Midterm Evaluation by finalizing its Determination more than a year before NHTSA's rulemaking is expected to be completed and acted contrary to its own regulations. NHTSA is currently in the middle of its rulemaking process for MY 2022-2025 fuel economy standards, and its decision will be based on more up-to-date information than EPA's. Consequently, there is a risk that NHTSA will reach a different conclusion from EPA concerning appropriate standards for MY 2022-2025. This is the antithesis of the One National Program that EPA agreed to.

- Needlessly accelerating the timeline for the GHG Midterm Evaluation. Prior to November 2016, EPA had repeatedly represented that it would propose its determination/rulemaking in the summer of 2017 and finalize its actions by April 2018. Based on these representations, Global Automakers and other

<sup>19</sup> 42 U.S.C. § 307(d)(5).

<sup>20</sup> 77 Fed. Reg. at 62,633.



members of the auto industry commissioned several studies concerning the baseline light duty fleets and the technologies necessary to meet the current MY 2022-2025 standards. EPA was informed that these studies will be important for its determination but would not be complete until the promised mid-2017 timeframe. Additionally, EPA was urged to delay its actions so that it could account for the most up-to-date information concerning the technologies needed to meet the standards, their costs, and their impacts on consumers—as NHTSA is doing with its rulemaking. EPA ignored these calls and finalized its determination based on a record that was far from complete solely to rob the incoming Administration of an opportunity to have input on this important matter.

- Failure to provide an adequate period for public comment. The Proposed Determination and the accompanying Technical Support Document consisted of almost 1,000 pages, and cited almost 1,100 references, many of which are new or significantly revised since the earlier Draft TAR. Additionally, EPA conducted 102 new runs of the computer models it uses to assess the effectiveness of fuel saving technologies. Thirty days is an insufficient time period for stakeholders to fully review, analyze, and prepare detailed comments on an action as significant and complex as EPA's Determination – especially in light of the intervening national holidays. EPA offered no reasoned explanation as to why it was short-circuiting the comment period on such an important agency action.

- Failure to address the GHG emission program as a whole. In its rush to finalize its Determination, EPA answered only half the question, *i.e.*, whether the numeric standards expressed in the footprint-based curves remain appropriate. However, the GHG regulations also include program flexibilities that automakers rely on to meet the standards. These flexibilities provide incentives for the early adoption of advanced fuel-saving technologies and help manufacturers smooth out annual variability in compliance over several model years. They are an important aspect of the One National Program, and they provide real and lasting environmental benefits. EPA's failure to look at the entire program as a whole was inconsistent with the very purpose of the Midterm Evaluation.

- Failure to respond adequately to comments concerning consumer acceptance, cost and technology effectiveness. EPA received more than 100,000 public comments on the Proposed Determination.<sup>21</sup> Many of the comments from industry focused on the extent to which lack of consumer acceptance may impact the ability to achieve the standards, as well as the costs and effectiveness of the necessary technologies. The fact that EPA finalized its Determination a mere **13 days** after the close of the comment period demonstrates that the agency could not have adequately responded to all of these comments. Indeed, a review of the final Determination and the Response to Comments reveals that EPA did not provide adequate responses to the many comments given.

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<sup>21</sup> See Determination at 1.

GlobalAutomakers 

EPA's determination as to the appropriateness of the GHG emission standards for MY 2022 through 2025 was a significant action that will have wide-ranging implications for the automobile industry and the car-buying public. It was therefore important that EPA reach its decision based on an open and collaborative process, and only after fully considering all of the most up-to-date information concerning the costs and feasibility of the technologies necessary to meet the standards. Rather than adhering to such a process that it had agreed to and promised in 2012, EPA rushed through a Final Determination at the very end of the previous Administration. Therefore, we respectfully request that EPA: (a) withdraw the Determination, (b) reopen the record on the Midterm Evaluation, and (c) reset the timetable for EPA's actions so that they align with NHTSA's rulemaking.

Thank you for your prompt consideration of this matter.

Sincerely,



John Bozzella  
President and CEO  
Association of Global Automakers

cc: Secretary Elaine Chao, DOT  
Kevin Green, DOT  
Bill Charmley, EPA  
Chris Grundler, EPA  
Michael Olechiw, EPA  
Rebecca Yoon, NHTSA  
James Tamm, NHTSA  
Alberto Ayala, CARB

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**To:** Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Wysor, Tad  
**Sent:** Thur 3/23/2017 1:27:11 PM  
**Subject:** RE: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Thanks, Mkike. Good, sounds like the door wasn't quite closed. I'll be by shortly and see if you're still avail. Tad

**From:** Olechiw, Michael  
**Sent:** Thursday, March 23, 2017 9:09 AM  
**To:** Wysor, Tad <wysor.tad@epa.gov>  
**Subject:** FW: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Best Regards,

**Michael R. Olechiw**

Director - Light-duty Vehicles and Small Engines Center

USEPA/OTAQ/ASD

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[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)

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ED\_001220\_00003440

**From:** Sutton, Tia

**Sent:** Thursday, March 23, 2017 9:04 AM

**To:** Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>

**Cc:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>

**Subject:** Re: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Great- thanks, Mike!

Sent from my iPhone

On Mar 23, 2017, at 8:53 AM, Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)> wrote:

Tia,

We would like to propose the following change to the T2/T3 abstract:

This rule proposes vehicle test procedure adjustments to account for current transition in the align the test fuels used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

The rule is not about alignment between two programs but rather an accounting of the difference in the two fuels and the way the fuel differences effect each program.

Please let me know if this is acceptable and if you require anything additional.

Mike

ED\_001220\_00003440-00002

ED\_001220\_00003440

**From:** Sutton, Tia

**Sent:** Wednesday, March 22, 2017 12:51 PM

**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechwi, Michael <[olechwi.michael@epa.gov](mailto:olechwi.michael@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Erin@epa.gov](mailto:Erin@epa.gov)>

**Subject:** Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

**Importance:** High

Hi all,

Your review is needed on a few of the ASD blurbs for the Reg Agenda. Specifically:

- **Mike and Bill:** the Tier 3 Test Fuel abstract is a bit hard to read/understand (and we're also wondering if the discussion of GHG should be toned down a bit) – Erin proposed a simplified statement below, but please take a look and let us know if you'd like to go with this simplified statement, or do a rewrite of what's currently there.
- **Bill:** would like your review of the revised MTE abstract that I drafted.
- **Kathryn:** we made a few minor edits to the Lead in Av Gas abstract, so just wanted to make sure you had a chance to take a look.

### Vehicle Test Procedure Adjustments for Tier 3 Test Fuel: Tier 3

The Light-Duty Greenhouse Gas (GHG) and Fuel Economy standards adopted on October 15, 2012 (77 FR 62624) by EPA and the National Highway Traffic Safety Administration (NHTSA) required that vehicle emissions laboratory testing be performed using the long-standing vehicle test fuel gasoline formula, which contains no ethanol ("E0" fuel) and has higher levels of aromatics. EPA's Tier 3 Motor Vehicle Emission and Fuel Standards rule (79 FR 23414, April 28, 2014), focused on reductions in non-greenhouse gas emissions and affected essentially the same universe of light-duty vehicles as the GHG rules that were previously adopted. As a part of the Tier 3 rule, EPA changed the laboratory test fuel to be more similar to typical gasoline fuels sold in the market today, which generally contain 10 percent ethanol ("E10") and lower levels of aromatics.

This rulemaking is necessary in order to make vehicle test procedure adjustments that account for the Tier 3 test fuel changes as they begin to apply to CO2 and fuel economy testing. This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

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***Simplified alternate wording for review and editing by ASD:***

This rule proposes vehicle test procedure adjustments to align the test fuel used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

**Mid Term Evaluation for Model Year 2022-2025: Tier 2**

As part of the 2012 rulemaking establishing the model year (MY) 2017-2025 light-duty vehicle GHG standards (77 FR 62624, October 15, 2012), EPA made a regulatory commitment to conduct a Mid-term Evaluation (MTE) of the MY 2022-2025 standards, in coordination with the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) and the California Air Resources Board (CARB).

The purpose of the MTE process is for EPA to decide whether the standards for MY 2022-2025 are still appropriate given the latest available data and information.

EPA's regulations require several steps in the MTE process, including several opportunities for public input. The first step in the process was the joint issuance by EPA, NHTSA, and CARB of a Draft Technical Assessment Report (TAR) for public comment in July 2016, which examined a wide range of factors relevant to the MY 2022-2025 standards. Public input on the Draft TAR informed a subsequent Proposed Determination, which EPA issued for public comment in November 2016. A Final Determination was issued in January 2017, in which EPA responded to the public comments on the Proposed Determination and determined that the MY 2022-2025 standards should remain in place without change. In March 2017, EPA and the Department of Transportation (DOT) issued a Federal Register Notice (82 FR 14671, March 22, 2017) announcing Administrator Pruitt's intention to reconsider the Final Determination by April 1, 2018, and to coordinate the reconsideration with DOT.

Throughout the MTE process, EPA will continue to examine a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

**Lead in Aviation Gasoline**



This action, the Advance Notice of Proposed Rulemaking (ANPR) on Lead Emissions from Piston-Engine Aircraft Using Leaded Aviation Gasoline, provided an initial response to a petition submitted by Friends of the Earth in 2006. The ~~his action~~ ANPR described data available regarding the lead inventory related to the use of leaded aviation gasoline, air quality monitoring data, air quality modeling data and requested comment and information regarding additional aspects of the emissions of lead from this source. The next phase of this action is issuing a proposed ~~the~~ Aviation Lead Emissions Endangerment Finding (SAN: 5934 RIN: 2060-AT10).

ED\_001220\_00003440-00005

ED\_001220\_00003440

**To:** Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Wysor, Tad  
**Sent:** Thur 3/23/2017 12:42:25 PM  
**Subject:** RE: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Mike, if we get a chance to re-revise the Reg Agenda abstract that Erin apparently streamlined yesterday in sending it forward with others, I would at least clarify that it's not an alignment of test fuels, but of test results. Something like this:

This rule proposes vehicle test procedure adjustments to account for current transition in the align the test fuels used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

**From:** Wysor, Tad  
**Sent:** Wednesday, March 22, 2017 6:04 PM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>  
**Subject:** FW: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas  
**Importance:** High

Glad I happened to call Tia. As you may have heard, OTAQ is moving everything seems on the reg agenda till later, even our "short NPRM", per a conversation involving Bill and Kathryn yesterday involving new requirement for how the 2-for-1 stuff is rolling out.

This revision Erin did of my Abstract from last year to make it "simpler" is not correct, and Tia knows that and is flagging that for Sarah D as this goes forward tonight.

But I obviously want to find out what you know, and what you can find from Bill or Kathryn. Bottom line from Tia is that we don't expect OMB to be stirring the pot, and wont' be surprised if we're going slow. Whether industry expects this or knows about it is another question. Seek me out soon? Tad

**From:** Sutton, Tia  
**Sent:** Wednesday, March 22, 2017 5:26 PM  
**To:** Wysor, Tad <[wysor.tad@epa.gov](mailto:wysor.tad@epa.gov)>  
**Subject:** FW: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas  
**Importance:** High

**From:** Sutton, Tia  
**Sent:** Wednesday, March 22, 2017 12:51 PM  
**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Birgfeld.Erin@epa.gov](mailto:Birgfeld.Erin@epa.gov)>  
**Subject:** Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas  
**Importance:** High

Hi all,

Your review is needed on a few of the ASD blurbs for the Reg Agenda. Specifically:

- **Mike and Bill:** the Tier 3 Test Fuel abstract is a bit hard to read/understand (and we're also wondering if the discussion of GHG should be toned down a bit) – Erin proposed a simplified statement below, but please take a look and let us know if you'd like to go with this simplified statement, or do a rewrite of what's currently there.
- **Bill:** would like your review of the revised MTE abstract that I drafted.
- **Kathryn:** we made a few minor edits to the Lead in Av Gas abstract, so just wanted to make sure you had a chance to take a look.

### Vehicle Test Procedure Adjustments for Tier 3 Test Fuel: Tier 3

The Light-Duty Greenhouse Gas (GHG) and Fuel Economy standards adopted on October 15, 2012 (77 FR 62624) by EPA and the National Highway Traffic Safety Administration (NHTSA) required that vehicle emissions laboratory testing be performed using the long-standing vehicle test fuel gasoline formula, which contains no ethanol ("E0" fuel) and has higher levels of aromatics. EPA's Tier 3 Motor Vehicle Emission and Fuel Standards rule (79 FR 23414, April 28, 2014), focused on reductions in non-

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greenhouse gas emissions and affected essentially the same universe of light-duty vehicles as the GHG rules that were previously adopted. As a part of the Tier 3 rule, EPA changed the laboratory test fuel to be more similar to typical gasoline fuels sold in the market today, which generally contain 10 percent ethanol ("E10") and lower levels of aromatics.

This rulemaking is necessary in order to make vehicle test procedure adjustments that account for the Tier 3 test fuel changes as they begin to apply to CO<sub>2</sub> and fuel economy testing. This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

***Simplified alternate wording for review and editing by ASD:***

This rule proposes vehicle test procedure adjustments to align the test fuel used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

**Mid Term Evaluation for Model Year 2022-2025: Tier 2**

As part of the 2012 rulemaking establishing the model year (MY) 2017-2025 light-duty vehicle GHG standards (77 FR 62624, October 15, 2012), EPA made a regulatory commitment to conduct a Mid-term Evaluation (MTE) of the MY 2022-2025 standards, in coordination with the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) and the California Air Resources Board (CARB).

The purpose of the MTE process is for EPA to decide whether the standards for MY 2022-2025 are still appropriate given the latest available data and information.

EPA's regulations require several steps in the MTE process, including several opportunities for public input. The first step in the process was the joint issuance by EPA, NHTSA, and CARB of a Draft Technical Assessment Report (TAR) for public comment in July 2016, which examined a wide range of factors relevant to the MY 2022-2025 standards. Public input on the Draft TAR informed a subsequent Proposed Determination, which EPA issued for public comment in November 2016. A Final Determination was issued in January 2017, in which EPA responded to the public comments on the Proposed Determination and determined that the MY 2022-2025 standards should remain in place without change. In March 2017, EPA and the Department of Transportation (DOT) issued a Federal Register Notice (82 FR 14671, March 22, 2017) announcing Administrator Pruitt's intention to reconsider the Final Determination by April 1, 2018, and to coordinate the reconsideration with DOT.

Throughout the MTE process, EPA will continue to examine a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

## Lead in Aviation Gasoline

This action, the Advance Notice of Proposed Rulemaking (ANPR) on Lead Emissions from Piston-Engine Aircraft Using Leaded Aviation Gasoline, provided an initial response to a petition submitted by Friends of the Earth in 2006. The ~~his action~~ ANPR described data available regarding the lead inventory related to the use of leaded aviation gasoline, air quality monitoring data, air quality modeling data and requested comment and information regarding additional aspects of the emissions of lead from this source. The next phase of this action is issuing a proposed ~~the~~ Aviation Lead Emissions Endangerment Finding (SAN: 5934 RIN: 2060-AT10).

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ED\_001220\_00003441

**To:** McDonald, Joseph[McDonald.Joseph@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Ellies, Ben  
**Sent:** Thur 3/16/2017 12:35:52 PM  
**Subject:** RE: MTE Web site updated with new FR Notice

Consider it an opportunity to gather even more data.

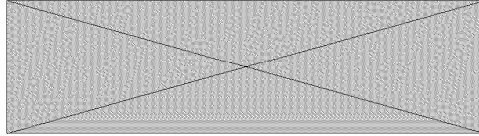
**From:** McDonald, Joseph  
**Sent:** Wednesday, March 15, 2017 4:54 PM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>  
**Cc:** Ellies, Ben <ellies.ben@epa.gov>  
**Subject:** FW: MTE Web site updated with new FR Notice

OK. Now what do we do?

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 2:05 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** MTE Web site updated with new FR Notice

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

**To:** Olechiv, Michael[olechiv.michael@epa.gov]  
**From:** ACEEE News  
**Sent:** Mon 3/6/2017 3:44:59 PM  
**Subject:** Vehicle standards are energy efficiency at its best - and too valuable to roll back



## BLOG POST

Media Contact: Patrick Kiker  
[pkiker@aceee.org](mailto:pkiker@aceee.org), (202) 507-4043

# Vehicle standards are energy efficiency at its best - and too valuable to roll back

by Steven Nadel, Executive Director

The Trump administration is reportedly launching a rollback of vehicle efficiency standards that greatly benefit the US economy. These standards save consumers money, create jobs, help reduce US reliance on foreign oil, and lower carbon emissions. The Corporate Average Fuel Economy (CAFE) and greenhouse gas emissions standards adopted since 2009 will reduce fuel consumption by more than 2 million barrels of oil per day by 2025 (the equivalent of taking 53 million cars off the road) and will eliminate 6 billion tons of greenhouse gas emissions over the lifetimes of vehicles of model years 2012-2025. Consumers will save over \$1 trillion at the gas pump, which is more than three times the added cost of the more efficient vehicles. The energy savings compare favorably to any other efficiency policy out there: an ACEEE analysis of primary energy savings from recent and prospective policies---including the Clean Power Plan---showed vehicle standards to be the biggest saver from today through 2040.

Benefits of the program extend beyond savings for new car buyers. At the time the standards for model years 2017-2025 were proposed in 2011, ACEEE projected they would create 50,000 jobs in the auto sector by 2030 because of the additional components and labor needed to develop and produce more-efficient cars. Moreover, there would be a net gain of 570,000 jobs economy-wide by 2030. This gain represents new auto industry jobs as well as jobs created in all sectors because of car buyers' spending of added disposable income from owning more-efficient vehicles. It takes into account jobs lost in oil-related sectors because of reduced demand for fuel...

To continue reading this blog post, visit: <http://aceee.org/blog/2017/03/vehicle-standards-are-energy>

*About ACEEE: The American Council for an Energy-Efficient Economy acts as a catalyst to advance energy efficiency policies, programs, technologies, investments, and behaviors. For information about ACEEE and its programs, publications, and conferences, visit [aceee.org](http://aceee.org)*

###

ACEEE, 529 14th Street., N.W., Suite 600, Washington, DC 20045

[SafeUnsubscribe™ olechiw.michael@epa.gov](#)

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Sent by [aceeenews@aceee.org](mailto:aceeenews@aceee.org)

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ED\_001220\_00003468



**To:** Simon, Karl[Simon.Karl@epa.gov]  
**Cc:** Charmley, William[charmley.william@epa.gov]; Kataoka, Mark[Kataoka.Mark@epa.gov]; Moran, Robin[moran.robin@epa.gov]; Orlin, David[Orlin.David@epa.gov]; Olechiw, Michael[olechiw.michael@epa.gov]; Yanca, Catherine[yanca.catherine@epa.gov]; Bolon, Kevin[Bolon.Kevin@epa.gov]; Hengst, Benjamin[Hengst.Benjamin@epa.gov]  
**From:** Snapp, Lisa  
**Sent:** Mon 2/13/2017 2:49:50 PM  
**Subject:** Re: Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump

Me as well, please. Thanks.

Sent phrom my iPhone

On Feb 13, 2017, at 9:30 AM, Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)> wrote:

Of course include me in both

**From:** Charmley, William  
**Sent:** Monday, February 13, 2017 9:14 AM  
**To:** Kataoka, Mark <[Kataoka.Mark@epa.gov](mailto:Kataoka.Mark@epa.gov)>; Moran, Robin <[moran.robin@epa.gov](mailto:moran.robin@epa.gov)>; Orlin, David <[Orlin.David@epa.gov](mailto:Orlin.David@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Yanca, Catherine <[yanca.catherine@epa.gov](mailto:yanca.catherine@epa.gov)>; Bolon, Kevin <[Bolon.Kevin@epa.gov](mailto:Bolon.Kevin@epa.gov)>  
**Cc:** Simon, Karl <[Simon.Karl@epa.gov](mailto:Simon.Karl@epa.gov)>; Snapp, Lisa <[snapp.lisa@epa.gov](mailto:snapp.lisa@epa.gov)>; Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>  
**Subject:** Auto industry leaders February 10, 2017 letter on Midterm Review to President Trump

Dear all –

We received a copy of this letter in the past few days.

Over the weekend Chris asked me if we could verbally discuss with David Orlin and Mark Kataoka a few questions that are on Chris's mind:

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# **Ex. 5 - Deliberative Process**

Once we have had an opportunity to discuss, then we could schedule a meeting with Chris.

Karl, Lisa and Ben – please let me know if you would like to participate in this discussion (both the ASD/OGC discussion, and then the meeting with Chris G.)

Thanks

Bill

**To:** Olechiw, Michael[olechiw.michael@epa.gov]  
**From:** Sutton, Tia  
**Sent:** Thur 3/23/2017 1:12:35 PM  
**Subject:** Re: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

And sorry if I caused any consternation with Tad... I owe ya one!

Do you know if Bill is around? I updated the MTE abstract based on a chat Ben & I had with Bill, but I haven't heard anything back from him on it. Could you take a look at that one when you get a chance? Wanna make sure I didn't screw anything up!

Sent from my iPhone

On Mar 23, 2017, at 8:53 AM, Olechiw, Michael <olechiw.michael@epa.gov> wrote:

Tia,

We would like to propose the following change to the T2/T3 abstract:

This rule proposes vehicle test procedure adjustments to account for current transition in the align the test fuels used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

The rule is not about alignment between two programs but rather an accounting of the difference in the two fuels and the way the fuel differences effect each program.

Please let me know if this is acceptable and if you require anything additional.

Mike

ED\_001220\_00003579-00001

ED\_001220\_00003579

**From:** Sutton, Tia  
**Sent:** Wednesday, March 22, 2017 12:51 PM  
**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>  
**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Erin@epa.gov](mailto:Erin@epa.gov)>  
**Subject:** Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas  
**Importance:** High

Hi all,

Your review is needed on a few of the ASD blurbs for the Reg Agenda. Specifically:

- **Mike and Bill:** the Tier 3 Test Fuel abstract is a bit hard to read/understand (and we're also wondering if the discussion of GHG should be toned down a bit) – Erin proposed a simplified statement below, but please take a look and let us know if you'd like to go with this simplified statement, or do a rewrite of what's currently there.
- **Bill:** would like your review of the revised MTE abstract that I drafted.
- **Kathryn:** we made a few minor edits to the Lead in Av Gas abstract, so just wanted to make sure you had a chance to take a look.

### Vehicle Test Procedure Adjustments for Tier 3 Test Fuel: Tier 3

The Light-Duty Greenhouse Gas (GHG) and Fuel Economy standards adopted on October 15, 2012 (77 FR 62624) by EPA and the National Highway Traffic Safety Administration (NHTSA) required that vehicle emissions laboratory testing be performed using the long-standing vehicle test fuel gasoline formula, which contains no ethanol ("E0" fuel) and has higher levels of aromatics. EPA's Tier 3 Motor Vehicle Emission and Fuel Standards rule (79 FR 23414, April 28, 2014), focused on reductions in non-greenhouse gas emissions and affected essentially the same universe of light-duty vehicles as the GHG rules that were previously adopted. As a part of the Tier 3 rule, EPA changed the laboratory test fuel to be more similar to typical gasoline fuels sold in the market today, which generally contain 10 percent ethanol ("E10") and lower levels of aromatics.

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***Simplified alternate wording for review and editing by ASD:***

This rule proposes vehicle test procedure adjustments to align the test fuel used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

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EPA's regulations require several steps in the MTE process, including several opportunities for public input. The first step in the process was the joint issuance by EPA, NHTSA, and CARB of a Draft Technical Assessment Report (TAR) for public comment in July 2016, which examined a wide range of factors relevant to the MY 2022-2025 standards. Public input on the Draft TAR informed a subsequent Proposed Determination, which EPA issued for public comment in November 2016. A Final Determination was issued in January 2017, in which EPA responded to the public comments on the Proposed Determination and determined that the MY 2022-2025 standards should remain in place without change. In March 2017, EPA and the Department of Transportation (DOT) issued a Federal Register Notice (82 FR 14671, March 22, 2017) announcing Administrator Pruitt's intention to reconsider the Final Determination by April 1, 2018, and to coordinate the reconsideration with DOT.

Throughout the MTE process, EPA will continue to examine a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

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Engine Aircraft Using Leaded Aviation Gasoline, provided an initial response to a petition submitted by Friends of the Earth in 2006. The ~~his action~~ ANPR described data available regarding the lead inventory related to the use of leaded aviation gasoline, air quality monitoring data, air quality modeling data and requested comment and information regarding additional aspects of the emissions of lead from this source. The next phase of this action is issuing a proposed ~~the~~ Aviation Lead Emissions Endangerment Finding (SAN: 5934 RIN: 2060-AT10).

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**To:** Olechwi, Michael[olechwi.michael@epa.gov]  
**From:** Cherry, Jeff  
**Sent:** Fri 3/17/2017 11:18:43 AM  
**Subject:** FW: EP-C-12-014 FEV NA, Inc.

Mike – FYI – The email to purchasing below with our first attempt to reopen the FEV contract for 6 months.

Best regards,

Jeff

Jeff Cherry  
Assessment & Standards Division  
United States Environmental Protection Agency

Office of Transportation and Air Quality

National Vehicle Fuels and Emissions Laboratory  
2000 Traverwood Drive  
Ann Arbor, MI 48105  
Voice: 734-214-4371  
[cherry.jeff@epa.gov](mailto:cherry.jeff@epa.gov)

**From:** Helmer, Kent  
**Sent:** Thursday, March 16, 2017 5:07 PM  
**To:** Growney, Matthew <Growney.Matthew@epa.gov>  
**Cc:** Hingsbergen, Clare <hingsbergen.clare@epa.gov>; Cullen, Angela <cullen.angela@epa.gov>; Cherry, Jeff <Cherry.Jeff@epa.gov>  
**Subject:** EP-C-12-014 FEV NA, Inc.

Matt – we are sensitive here to your concerns with going forward with an extension of an expiring (and expired) contract, especially one which is heading into the re-compete process. And likewise, we knew that back in January, 2017, we could not marshal a good enough argument to justify an extension to FEV’s expiring contract.

However, with the recent (March 15, 2017) GHG emission “Notice of Intent to Reconsider the Final Determination of the Mid-Term Evaluation of Light-duty GHG Standards” requiring EPA

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to **re-open** deliberations on our 2022-2025 fuel standards for light-duty vehicles, we have been given a legal and Executive Office imperative to get the work which was suspended at FEV back “online” and completed, such that it can be incorporated into the public docket as all of the work is in support of this particular effort. It is now imperative that we finish the various reports and Peer Reviews to complete the required analysis of these vehicle emission standards.

I guess I am asking if, with the argument that I am beginning to outline, if it would be possible and if it is allowed under the contract, as written, for you to open a six-month extension to the expired contract? Apparently, management at very high levels in our OAR program office have expressed a willingness to lend their influence, however that may be applied, if it were useful.

Kent Helmer, EPS

US-EPA, OAR- OTAQ- ASD

NVFEL, S89

2000 Traverwood Dr.

Ann Arbor, MI 48105

[helmer.kent@epa.gov](mailto:helmer.kent@epa.gov)

(734) 214-4825

P.S. Efforts, to date, to find a primary contractor for whom FEV NA is a subcontractor (either BPA- or contract-based) have run into dead ends and roadblocks, though this remains an avenue to consider.



**To:** Olechwi, Michael[olechwi.michael@epa.gov]  
**Cc:** Ellies, Ben[ellies.ben@epa.gov]  
**From:** McDonald, Joseph  
**Sent:** Wed 3/15/2017 8:54:07 PM  
**Subject:** FW: MTE Web site updated with new FR Notice  
[Head-desk.gif](#)

OK. Now what do we do?

**From:** Moran, Robin  
**Sent:** Wednesday, March 15, 2017 2:05 PM  
**To:** Midterm Review <Midterm\_Review@epa.gov>  
**Subject:** MTE Web site updated with new FR Notice

<https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas-ghg>

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ED\_001220\_00003614

**To:** Olechwi, Michael[olechwi.michael@epa.gov]  
**From:** Fernandez, Antonio  
**Sent:** Tue 1/24/2017 2:27:24 PM  
**Subject:** RE: Harmonization follow-ups w/NHTSA-Alliance?

This is the meeting today I would like to be a fly on the wall. Jobs or new standards – pick one is what I suspect will be said.

## Trump to Meet with Detroit CEOs on Tuesday

Plenty of room for deal-making.

by [Paul A. Eisenstein](#) on Jan.24, 2017

Will Trump use the carrot, the stick, or both, during his meeting with Detroit's Big 3 CEOs.

With an assortment of global leaders set to visit the White House in the coming weeks, President Donald Trump will first take time to meet with the CEOs of the Detroit Three automakers in the Oval Office this morning, and it's expected there will be plenty on the agenda.

Trump has put a lot of emphasis on the auto industry since launching his campaign in 2015, notably taking shots at the largest of the two domestic makers for importing cars from Mexico. He has threatened to enact a "big border tax," according to a tweet fired at General Motors earlier this month, scuttled the Trans-Pacific trade pact and advised both Mexico and Canada of his plan to renegotiate the NAFTA deal.

While industry officials worry about the impact of new trade barriers, they're also hoping to get a sympathetic ear from the new president on a variety of their own concerns, including corporate taxes and government regulations like the tough Corporate Average Fuel Economy, or CAFE, mandate the EPA reaffirmed in the final hours of the Obama Administration.

**From:** Olechwi, Michael

ED\_001220\_00003821-00001

ED\_001220\_00003821

**Sent:** Tuesday, January 24, 2017 9:09 AM

**To:** Fernandez, Antonio <fernandez.antonio@epa.gov>; Moran, Robin <moran.robin@epa.gov>

**Cc:** Lieske, Christopher <lieske.christopher@epa.gov>

**Subject:** RE: Harmonization follow-ups w/NHTSA-Alliance?

Whew ... for a second there I thought your note read: "Have a good fight." ☺

**From:** Fernandez, Antonio

**Sent:** Tuesday, January 24, 2017 9:08 AM

**To:** Moran, Robin <moran.robin@epa.gov>

**Cc:** Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>

**Subject:** RE: Harmonization follow-ups w/NHTSA-Alliance?

Have a good flight.

**From:** Moran, Robin

**Sent:** Tuesday, January 24, 2017 9:07 AM

**To:** Fernandez, Antonio <fernandez.antonio@epa.gov>

**Cc:** Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>

**Subject:** RE: Harmonization follow-ups w/NHTSA-Alliance?

Perfect! Thanks.

**From:** Fernandez, Antonio

**Sent:** Tuesday, January 24, 2017 9:06 AM

**To:** Moran, Robin <moran.robin@epa.gov>

**Cc:** Lieske, Christopher <lieske.christopher@epa.gov>; Olechiw, Michael <olechiw.michael@epa.gov>

**Subject:** RE: Harmonization follow-ups w/NHTSA-Alliance?

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ED\_001220\_00003821

Chris Nevers E-mailed me that the meetings this week were cancelled and it will be rescheduled for February. He is going to keep us in the loop when they get rescheduled.

**From:** Moran, Robin  
**Sent:** Tuesday, January 24, 2017 9:02 AM  
**To:** Fernandez, Antonio <[fernandez.antonio@epa.gov](mailto:fernandez.antonio@epa.gov)>  
**Cc:** Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>  
**Subject:** Harmonization follow-ups w/NHTSA-Alliance?

Hi Tony, I was just remembering that you'd mentioned some follow-up conversations – did you ever get word about whether we were asked to participate?

I noticed there's supposed to be one today at 4pm (if its still on) – I'll be at the airport waiting for flight, but could potentially call-in (or maybe you or Chris could?)

Sent from my iPhone

On Jan 10, 2017, at 2:16 PM, Fernandez, Antonio <[fernandez.antonio@epa.gov](mailto:fernandez.antonio@epa.gov)> wrote:

Mike, Bill,

Not much substantive came out of this meeting between NHTSA and AAM/Global members discussing the June 2016 petition:

- 1) NHTSA said no DFR path for this petition but likely would be part of their 2022-2025 rulemaking
- 2) GM others asked if some requests regarding clarification items (#3) can be done by NHTSA guidance – NHTSA to discuss internally
- 3) Little discussion on request EPA petition #6”Restriction on use of credits” and #8

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“correct multiplier for BEV, PHEV, etc” which they think is wrong in the regs

- 4) Off-cycle harmonization and process #9 request briefly came up but not level of discussion already occurring between CD and manufacturers for menu
- 5) Also , Off-cycle notice and comment path (#3) should be improved to not require it to be done again once something is approved the first time (eg. GM AC compressor)

EPA did not provide any comments regarding #4 or #5 above or regarding the petition items that specifically will involve us.

The conclusion was that a second conference call will occur next week on Wednesday 18<sup>th</sup> @10AM and a follow-up on Tuesday the 24<sup>th</sup> at 4:00PM meeting in DC during government/industry.

I will see if Chris Nevers and Jim Tamm expect us to participate in these next two discussions.

Tony

**From:** Chris Nevers [<mailto:CNevers@autoalliance.org>]  
**Sent:** Wednesday, January 04, 2017 10:37 AM  
**To:** Fernandez, Antonio <[fernandez.antonio@epa.gov](mailto:fernandez.antonio@epa.gov)>; james.tamm@dot.gov  
**Cc:** Lieske, Christopher <[lieske.christopher@epa.gov](mailto:lieske.christopher@epa.gov)>; Wysor, Tad <[wysor.tad@epa.gov](mailto:wysor.tad@epa.gov)>  
**Subject:** RE: Harmonization session call-in for Tuesday January 10th

Good Morning Tony,

I attached a call-in. I am not sure if we will have presentation materials or access to video conference.

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## Harmonization Petition Meeting

Tue, Jan 10, 2017 9:00 AM - 11:00 AM EST

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/978179517>

**You can also dial in using your phone.**

United States: +1 (646) 749-3122

**Access Code: 978-179-517**

First GoToMeeting? Try a test session: <http://help.citrix.com/getready>

Best Regards,

Chris Nevers

Vice President, Energy and Environment

Alliance of Automobile Manufacturers

248-794-5002

**From:** Fernandez, Antonio [<mailto:fernandez.antonio@epa.gov>]

**Sent:** Wednesday, January 04, 2017 8:49 AM

**To:** [james.tamm@dot.gov](mailto:james.tamm@dot.gov); Chris Nevers

**Cc:** Lieske, Christopher; Wysor, Tad

**Subject:** Harmonization session call-in for Tuesday January 10th

Jim/Chris,

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Do you have a call-in number for the meeting next week in Detroit regarding harmonization discussion/petition between NHTSA and AAM/Global? A few of us in AA would like to call-in to listen for any potential EPA contribution. Please let us know.

Thanks

Tony

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**To:** Tad Wysor[Wysor.Tad@epa.gov]  
**From:** Olechiw, Michael  
**Sent:** Thur 3/23/2017 1:08:35 PM  
**Subject:** FW: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Best Regards,

**Michael R. Olechiw**

Director - Light-duty Vehicles and Small Engines Center

USEPA/OTAQ/ASD

2000 Traverwood Drive

Ann Arbor MI 48105

Tel: +1-734-214-4297

Mobile: +1-734-546-8079

Fax: +1-734-214-4050

olechiw.michael@epa.gov

**From:** Sutton, Tia  
**Sent:** Thursday, March 23, 2017 9:04 AM  
**To:** Olechiw, Michael <olechiw.michael@epa.gov>  
**Cc:** Charmley, William <charmley.william@epa.gov>; Sargeant, Kathryn <sargeant.kathryn@epa.gov>; Hengst, Benjamin <Hengst.Benjamin@epa.gov>; Birgfeld, Erin <Birgfeld.Erin@epa.gov>  
**Subject:** Re: Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

Great- thanks, Mike!

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Sent from my iPhone

On Mar 23, 2017, at 8:53 AM, Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)> wrote:

Tia,

We would like to propose the following change to the T2/T3 abstract:

This rule proposes vehicle test procedure adjustments to account for current transition in the ~~align~~ the test fuels used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

The rule is not about alignment between two programs but rather an accounting of the difference in the two fuels and the way the fuel differences effect each program.

Please let me know if this is acceptable and if you require anything additional.

Mike

**From:** Sutton, Tia

**Sent:** Wednesday, March 22, 2017 12:51 PM

**To:** Charmley, William <[charmley.william@epa.gov](mailto:charmley.william@epa.gov)>; Olechiw, Michael <[olechiw.michael@epa.gov](mailto:olechiw.michael@epa.gov)>; Sargeant, Kathryn <[sargeant.kathryn@epa.gov](mailto:sargeant.kathryn@epa.gov)>

**Cc:** Hengst, Benjamin <[Hengst.Benjamin@epa.gov](mailto:Hengst.Benjamin@epa.gov)>; Birgfeld, Erin <[Erin.Birgfeld@epa.gov](mailto:Erin.Birgfeld@epa.gov)>

**Subject:** Final ASD review needed for Reg Agenda abstracts for: T3 Test Fuel, MTE, and Lead in Av Gas

**Importance:** High

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Hi all,

Your review is needed on a few of the ASD blurbs for the Reg Agenda. Specifically:

- **Mike and Bill:** the Tier 3 Test Fuel abstract is a bit hard to read/understand (and we're also wondering if the discussion of GHG should be toned down a bit) – Erin proposed a simplified statement below, but please take a look and let us know if you'd like to go with this simplified statement, or do a rewrite of what's currently there.
- **Bill:** would like your review of the revised MTE abstract that I drafted.
- **Kathryn:** we made a few minor edits to the Lead in Av Gas abstract, so just wanted to make sure you had a chance to take a look.

### **Vehicle Test Procedure Adjustments for Tier 3 Test Fuel: Tier 3**

The Light-Duty Greenhouse Gas (GHG) and Fuel Economy standards adopted on October 15, 2012 (77 FR 62624) by EPA and the National Highway Traffic Safety Administration (NHTSA) required that vehicle emissions laboratory testing be performed using the long-standing vehicle test fuel gasoline formula, which contains no ethanol ("E0" fuel) and has higher levels of aromatics. EPA's Tier 3 Motor Vehicle Emission and Fuel Standards rule (79 FR 23414, April 28, 2014), focused on reductions in non-greenhouse gas emissions and affected essentially the same universe of light-duty vehicles as the GHG rules that were previously adopted. As a part of the Tier 3 rule, EPA changed the laboratory test fuel to be more similar to typical gasoline fuels sold in the market today, which generally contain 10 percent ethanol ("E10") and lower levels of aromatics.

This rulemaking is necessary in order to make vehicle test procedure adjustments that account for the Tier 3 test fuel changes as they begin to apply to CO2 and fuel economy testing. This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

#### ***Simplified alternate wording for review and editing by ASD:***

This rule proposes vehicle test procedure adjustments to align the test fuel used for compliance testing under EPA and NHTSA's joint greenhouse gas (GHG) emissions and corporate average fuel economy standards (CAFE) (77 FR 62624) and EPA's Tier 3 standards (79 FR 23414, April 28, 2014). This will ensure that testing results are consistent across both programs and avoid changes in the stringency of the GHG/Fuel Economy program.

## Mid Term Evaluation for Model Year 2022-2025: Tier 2

As part of the 2012 rulemaking establishing the model year (MY) 2017-2025 light-duty vehicle GHG standards (77 FR 62624, October 15, 2012), EPA made a regulatory commitment to conduct a Mid-term Evaluation (MTE) of the MY 2022-2025 standards, in coordination with the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) and the California Air Resources Board (CARB).

The purpose of the MTE process is for EPA to decide whether the standards for MY 2022-2025 are still appropriate given the latest available data and information.

EPA's regulations require several steps in the MTE process, including several opportunities for public input. The first step in the process was the joint issuance by EPA, NHTSA, and CARB of a Draft Technical Assessment Report (TAR) for public comment in July 2016, which examined a wide range of factors relevant to the MY 2022-2025 standards. Public input on the Draft TAR informed a subsequent Proposed Determination, which EPA issued for public comment in November 2016. A Final Determination was issued in January 2017, in which EPA responded to the public comments on the Proposed Determination and determined that the MY 2022-2025 standards should remain in place without change. In March 2017, EPA and the Department of Transportation (DOT) issued a Federal Register Notice (82 FR 14671, March 22, 2017) announcing Administrator Pruitt's intention to reconsider the Final Determination by April 1, 2018, and to coordinate the reconsideration with DOT.

Throughout the MTE process, EPA will continue to examine a wide range of factors, such as developments in powertrain technology, vehicle electrification, light-weighting and vehicle safety impacts, the penetration of fuel efficient technologies in the marketplace, consumer acceptance of fuel efficient technologies, trends in fuel prices and the vehicle fleet, employment impacts, and many others.

## Lead in Aviation Gasoline

This action, the Advance Notice of Proposed Rulemaking (ANPR) on Lead Emissions from Piston-Engine Aircraft Using Leaded Aviation Gasoline, provided an initial response to a petition submitted by Friends of the Earth in 2006. ~~The his action~~ ANPR described data available regarding the lead inventory related to the use of leaded aviation gasoline, air quality monitoring data, air quality modeling data and requested comment and information regarding additional aspects of the emissions of lead from this source. The next phase of this action is issuing a proposed ~~the~~ Aviation Lead Emissions Endangerment Finding (SAN: 5934 RIN: 2060-AT10).

**From:** Olechiw, Michael  
**Location:** AA-Room-Office-C126-ConfRoom/AA-OTAQ-OFFICE  
**Importance:** Normal  
**Subject:** MTE Update  
**Start Date/Time:** Mon 3/6/2017 3:00:00 PM  
**End Date/Time:** Mon 3/6/2017 4:00:00 PM

Colleagues,

Many of you may have heard that the Administrator has decided to take action on the MTE Final Determination. While we do not yet know with certainty what that action will be, or the exact timing associated with the announcement, this meeting is being set to communicate what we do know and to discuss what this could potentially mean for us going forward.

**Call-in:**

**Ex. 6 - Personal Privacy**

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