

Testimony of Paul G. Billings, Senior Vice President, Advocacy, American Lung Association

December 4, 2017

Docket ID No. EPA–HQ– OAR–2014–0827:

Proposed Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits

Docket ID No. EPA– HQ-OAR-2017-0355:

Proposed repeal of the Clean Power Plan.

Good Morning, I am Paul Billings, Senior Vice President for Advocacy at the American Lung Association. The American Lung Association’s mission is to save lives by preventing lung disease and promoting lung health. Clean, healthy air to breathe is vital to the health of all, but especially the millions of people with lung diseases - children with asthma, seniors with chronic obstructive pulmonary disease or adults with lung cancer.

We strongly oppose the reopening of the dirty diesel truck loophole. These dirty diesel trucks are marketed as “new trucks” by the companies that sell them. They should have to follow the same rules as other new trucks.

In 2016, when EPA correctly closed this lethal loophole, the EPA’s analysis showed that the trucks sold in just one year would result in up to 1,600 premature deaths while they remain in use. The analysis showed that by 2025 communities across the nation would be burdened by more than 190,000 tons of smog-forming nitrogen oxide pollution and more than 5,000 tons on cancer causing particle pollution.

The World Health Organization’s International Agency for Research has classified diesel engine exhaust as a Group 1 carcinogen.

Since 2007, diesel trucks have been required to have diesel particulate filters. The Health Effects Institute’s Advanced Collaborative Emissions Study looked the impact of pollution controls on diesel engine emissions. The study’s results “demonstrate the effectiveness of modern aftertreatment technologies used in the modern diesel engines: they greatly reduce the emissions of PM, NOx, and NO2, and the levels of other toxic components”¹

The study showed that ‘after a lifetime of exposure, [new-technology diesel exhaust] does not produce tumors in rats, unlike [traditional technology exhaust].’² In sum, the Health Effects Institute showed that properly installed and functioning pollution controls on diesel engines work.

So, what possible justification could there be to allow tens of thousands of uncontrolled dirty, diesel engines back on the road without modern pollution controls?

These dirty trucks are operating with engines that are the same engines that were part of, what then-Administrator Carol Browner called the “biggest civil penalty ever for violating an environmental law.” The record breaking 1998 diesel consent decree permitted the sale of non-compliant engines until

¹Health Effects Institute. 2015. Executive Summary. The Advanced Collaborative Emissions Study (ACES). Boston, MA:Health Effects Institute https://www.healtheffects.org/system/files/ACES-Executive-Summary2015_0.pdf

² Health Effects Institute. 2015. Executive Summary. The Advanced Collaborative Emissions Study (ACES). Boston, MA:Health Effects Institute https://www.healtheffects.org/system/files/ACES-Executive-Summary2015_0.pdf

October 2002.³ Redacted Confidential Business Information in the docket shows that nearly all engines from recent glider production are 1998-2002 pre-EGR (exhaust gas recirculation – a NOx pollution control technology) engines. There are a small but significant number of 2004-2006 engines used, but very few 2007 and later engines.⁴

The dirty diesel truck loophole gives new life to the engines that were already allowed, under that consent decree, to exceed that 1998 standard by 50%.⁵

How many generations of children must grow up breathing toxic emissions from these cheater engines?

In a November 20, 2017 report, EPA showed that under highway cruise conditions **PM emissions were 55 times higher** than comparable model year 2014 and 2015 vehicles.⁶ The report also showed under transient testing conditions, particulate matter emissions from a dirty diesel truck **were 450 times higher** than a comparable truck.⁷



Figure 9: PM Filters from Glider #1 testing over the Super Cycle Test

*A1: Phase 1, hot start ARB Transient cycle; A2: Phase 2, four hot running ARB Transient cycles; A3: 10 minutes of measured idle; A4: 55/65 mph cruise. The PM sampling equipment shut down at phase 2 so filters A3 and A4 were not collecting PM.*⁸

In EPA's report, the photograph of the black pm filters (figure 9 above) illustrate how dirty these trucks are.

Do not give these dirty trucks a license to pollute.

This dirty truck loophole is but one example of the spate of rollbacks and delays that threaten public health and undermine efforts to address air pollution and climate change. Similar to cleaning up dirty

³ U.S. Environmental Protection Agency Announcement of Settlement with Heavy Duty Diesel Manufacturers, 10/22/1998 Carol M. Browner, Administrator

https://archive.epa.gov/epapages/newsroom_archive/speeches/8c4e850716947a808525701a0052e384.html

⁴ Summary Memo for Glider Production Data - Redacted Version <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2379>

⁵ Consent Decree: Detroit Diesel Corporation Diesel Engines Settlement

<https://www.epa.gov/enforcement/detroit-diesel-corporation-diesel-engine-settlement>

⁶ HD Chassis Glider Final Report 11202017 <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2417> p. 3

⁷ HD Chassis Glider Final Report 11202017 <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2417> p. 3

⁸ HD Chassis Glider Final Report 11202017 <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2417> p. 15

trucks, the health benefits of the Clean Power Plan are tremendous. I am counting on EPA to protect my family from air pollution and the devastating impacts of climate change. I am very dismayed by the efforts to undermine clean air safeguards that will result in **millions of tons of additional pollution in our air**. These reckless steps undercut decades of progress and completely fail to fulfill the requirements of the Clean Air Act. **I respectfully request that my comments also be included in the Clean Power Plan docket EPA-HQ-OAR-2017-0355.**

Cutting carbon pollution from power plants would not only fight climate change, but reduce other dangerous pollutants that are emitted alongside carbon. Repealing the Clean Power Plan would result in **45 percent more toxic sulfur dioxide emissions from coal-fired power plants**. According to the EPA 2017 analysis, the Clean Power Plan would prevent 4,500 early deaths every year once it is implemented in 2030.

EPA has clear legal authority to regulate the dirty trucks, known as “gliders,” under the Clean Air Act. The Clean Air Act clearly intended for EPA to regulate these vehicles and not let them drive through a dirty diesel truck loophole.

Please don't let dirty diesel trucks and dirty power plants poison our air.