

# United States Senate

WASHINGTON, DC 20510

April 3, 2018

The Honorable E. Scott Pruitt  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460  
Re: Draft Final Determination on Vehicle Emissions Standards

Dear Administrator Pruitt,

We write to express our strong opposition to the revised final determination that would roll back and weaken our long-standing fuel economy emissions standards. These standards save consumers money at the pump; promote energy independence by reducing our reliance on foreign oil, when we still import more than 3.5 million barrels every day;<sup>1</sup> foster innovation and American competitiveness; and protect the environment and public health.

In 2012, the National Highway Traffic Safety Administration (NHTSA) and the Environmental Protection Agency (EPA) worked together with states, automakers, and other experts to establish passenger vehicle fuel economy and greenhouse gas standards for vehicle model years (MY) 2017-2025. These standards will save nearly 2.5 million barrels of oil a day by 2030, reduce greenhouse gas emissions by 6 billion metric tons over the lifespan of the covered vehicles, and save consumers more than \$1 trillion dollars in fuel costs, an average of \$3,000 to \$5,000 over the life of a vehicle purchased in 2025. For the second half of these standards, from MY 2022-2025, EPA agreed to undertake a Mid-Term Evaluation (MTE) on whether they should strengthen, loosen, or maintain the current standards.

EPA was required to issue a Final Determination on whether the standards are appropriate by April 1, 2018. EPA, NHTSA, and the California Air Resources Board (CARB) issued a Draft Technical Assessment Report in July 2016 that found the existing MY2022-2025 standards could be met.<sup>2</sup> EPA's proposed determination, released in November 2016, reemphasized that the standards were appropriate and that no additional rulemaking was needed.<sup>3</sup> This determination was finalized in January 2017.<sup>4</sup>

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<sup>1</sup> U.S. Net Imports of Crude Oil and Petroleum Products, U.S. Energy Information Administration.  
<https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=PET&s=MTTNTUS2&f=M>

<sup>2</sup> EPA-420-D-16-900 (July 2016)

<sup>3</sup> EPA-420-R-16-020 (November 2016)

<sup>4</sup> EPA-420-R-17-000 (January 2017)

Despite the significant amount of expert analysis, stakeholder engagement, and agency expertise that went into this final determination, you decided to revisit this decision and issue a second final determination for MY2022-2025 vehicle emissions standards. In your announcement, you said the previous determination was “wrong” and “set the standards too high.”<sup>5</sup>

These weakened fuel economy emissions standards will force Americans to forgo many of the benefits of the originally agreed upon standards: consumers will pay more at the pump, the United States will import more oil, and the country will emit more greenhouse gases. You are also leaving automakers and consumers exposed to regulatory uncertainty.

We request your response by April 20, 2018 to the following questions about your reconsideration of the January 2017 final determination and the process by which you decided to reopen this rulemaking:

1. How did the EPA arrive at a conclusion that the fuel economy standards are no longer technologically feasible, a conclusion which contradicts the 2016 719-page TAR and the extensive process underlying the January 2017 MTE?
2. What specifically within the EPA’s January 2017 final determination did you think was inaccurate enough to warrant reopening the MTE?
3. Did EPA calculate how much additional money consumers would spend on gas as a result of your decision to weaken the MY2022-2025 standards? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
4. Did EPA consider how the proposed changes to the January 2017 final determination will affect the amount of oil imported into the United States? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
5. Did EPA consider how the proposed changes to the January 2017 final determination will affect the number of jobs in the fuel efficiency industry? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
6. Did EPA consider how the proposed changes to the January 2017 final determination will increase greenhouse gas emissions? If yes, please detail the methodology, and if no, please provide an explanation as to why you did not do this analysis.
7. Please detail all changes that were made to the inputs and execution of the modeling of possible technology pathways in your decision to reconsider the January 2017 final determination compared to the 2017 final determination itself.
8. Please detail all meetings you had with the auto industry and its representatives that dealt with the subject of these standards. Please provide copies of all documents (memos, reports, analyses, talking points, emails) you received from the auto industry and its representatives on this subject.

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<sup>5</sup> EPA Administrator Pruitt: *GHG Emissions Standards for Cars and Light Trucks Should Be Revised*, U.S. Environmental Protection Agency (April 2, 2018), <https://www.epa.gov/newsreleases/epa-administrator-pruitt-ghg-emissions-standards-cars-and-light-trucks-should-be>

9. Please detail all meetings you had with the oil industry and its representatives that dealt with this subject. Please provide copies of all documents (memos, reports, analyses, talking points, emails) you received from the oil industry and its representatives on this subject.

It is extremely troubling to us that EPA would seemingly bend to industry pressure and overturn an agreement that the auto industry had itself once supported. The current MY 2022-2025 fuel economy emissions standards deliver savings to consumers, protect the environment, and promote national security through energy independence. Your answers to the questions above are necessary to help us and the public understand why you appear to oppose these important objectives.

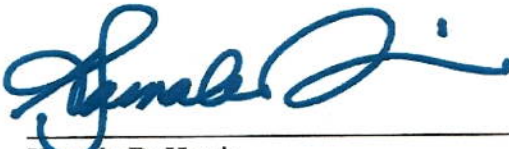
Sincerely,



Edward J. Markey  
U.S. Senator



Sheldon Whitehouse  
U.S. Senator



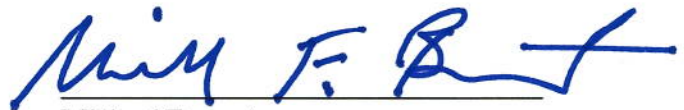
Kamala D. Harris  
U.S. Senator



Richard Blumenthal  
U.S. Senator



Dianne Feinstein  
U.S. Senator



Michael Bennet  
U.S. Senator