

Mobile Source
Technical Review
Subcommittee
Meeting

April 2, 2019

Presented by Bill Charmley,
EPA/OAR/OTAQ

OTAQ Regulatory Outlook

Topics

- Regulatory Actions
- Pending Litigations
- Major Studies
- Possible Future Rulemakings

Regulatory Actions: On-road Vehicles & Engines

Action	Description	Milestone Targets
The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Passenger Cars and Light Trucks. 2060-AU09	Rulemaking to revise MY2021 – MY2026 vehicle GHG standards, possible changes to California vehicle waiver	NPRM Issued August 2018 Final Rule in 2019
Cleaner Trucks Initiative	Rulemaking to revise EPA emission standards for highway heavy-duty engines & vehicles	NPRM in 2020
Vehicle Test Procedure Adjustments for Tier 3 Test Fuel. 2060-AT21	Adjustments to EPA GHG and NHTSA CAFE test procedures to account for change to Tier 3 gasoline certification test fuel	NPRM currently under OMB-led interagency Review

Regulatory Actions: On-road Vehicles & Marine Diesel Engines

Action	Description	Milestone Targets
Light-Duty Vehicle GHG Program Technical Amendments. 2060-AT75	Action to correct errors in EPA regulations from program promulgated in 2012.	NPRM issued October 2018 Final Rule expected in 2019
Amendments Related to Marine Diesel Engine Emission Standards. 2060-AU30	Action to consider amending regulatory schedule for smallest power category of Tier 4 marine standards to provide additional lead time or other accommodations. May include fuel reg. amendment to allow distribution of 5,000 ppm S distillate marine fuel in the U.S., consistent with IMO 2020 std.	NPRM expected in 2019 FRM also possibly in 2019
Improvements to Vehicle Design Criteria for Dual-Fueled Natural Gas Vehicles. 2060-AU31	Action to consider changes to dual-fuel natural gas design criterial in existing EPA regulations. Same issues also under consideration in the SAFE NPRM. May be consolidated with SAFE FRM.	TBD

Regulatory Actions: Fuels

Action	Description	Milestone Targets
2020 Renewable Fuel Volume Annual Standards Rule.	Rulemaking to put in place the renewable fuel obligations for the 2020 Calendar Year.	NPRM expected late May/early June 2019 Final Rule expected Nov 30, 2019
Renewable Fuel Standard Program Modification of Applicable Volume. (" Reset " Rule) 2060-AU28	Rulemaking to revise the renewable fuel volumes specified in the statute for 2020-2022	NPRM expected late Summer 2019
E15 RVP Waiver and RIN Market Reform Rule. 2060-AU34	Rulemaking to extend the 1-psi RVP waiver currently applicable to E10 to also apply to E15 - proposing that E15 is substantially similar to E10 cert fuel. Rulemaking to put in place various RIN market reforms to prevent potential RIN market manipulation	NPRM signed 3/19 FRM expected May 31, 2019

Regulatory Actions: Renewable Fuels Program

Action	Description	Milestone Targets
Fuel Regulatory Streamlining Rule. 2060-AT31	Rulemaking to rewrite all of our Part 80 fuel regulations (other than RFS) to be streamlined, easier to understand, and up-to-date	NPRM Fall 2019
2016 Remand	Action to respond to the D.C. Circuit decision that EPA inappropriately lowered the 2016 RFS standards by an inappropriate use of “inadequate domestic supply”	TBD – may occur with 2020 RVO Rule
Renewables Enhancement and Growth Support (REGS) Rule	Rulemaking to allow biointermediates under RFS, put in place standards for higher level ethanol blends, new RFS pathways, seek comment on regulations to allow generation of RINs for renewable electricity, and put in place a number of other technical amendments to RFS.	NPRM proposed Nov. 2016 Final Rule TBD

Regulatory Actions: “Long Term” via Fall Reg. Agenda

Action	Description	Milestone Targets
Control of Air Pollution From Aircraft and Aircraft Engines: Proposed GHG Emissions Standards and Test Procedures. 2060-AT26	EPA’s 2016 endangerment and cause or contribute findings obligates EPA under section 231 of the Clean Air Act to set emission standards applicable to GHG emissions from aircraft engines. This action would fulfill EPA’s obligation, and take into consideration ICAO’s 2017 international CO ₂ stds.	Long-term Action
Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits. 2060-AT79	Reconsideration of EPA requirements established in a 2016 rule. This action re-considers if EPA has authority under the CAA to establish requirements for glider kits, glider engines, and glider vehicles.	NPRM published Nov. 2017 Final Rule: Long-term Action
Endangerment Finding for Lead Emissions From Piston-Engine Aircraft Using Leaded Aviation Gasoline. 2060-AT10	EPA would make make a determination, under section 231 of the Clean Air Act, as to whether lead emissions from aircraft operating on leaded fuel cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare.	Long-term Action

Major Studies

Action	Description	Milestone Targets
Coastal Marine Mode Shift Study	<p>Study in response to request from Congress. Will examine the potential for transportation mode shift in coastal marine transportation markets as a result of compliance with the North American Emission Control Area fuel sulfur limits.</p> <p>https://www.epa.gov/regulations-emissions-vehicles-and-engines/study-impacts-compliance-eca-fuel-sulfur-limits-us</p>	<p>Interim report completed February 2018</p> <p>Stakeholder workshop held July 2018</p> <p>Final study due to Congress end of FY2020</p>
RFS Air Quality Anti-backsliding Study	<p>Carry out a study on the air quality impacts of RFS volumes as required by Section 211(v) of the CAA</p>	<p>Draft proposed Consent Decree would establish deadline of March 30, 2020; public comment on proposed CD closed March 25, 2019</p>

Additional RFS Actions, including Pending Litigation and Petitions

- **Small refinery exemptions for 2018**
- **Numerous ongoing litigation and notices of intent to sue from multiple parties on many aspects of the program, including but not limited to:**
 - 2017, 2018, 2019 Annual standards
 - Point of Obligation for the RFS standards
 - Small Refinery Exemptions
 - RINs for renewable electricity (eRINs)
 - Endangered Species Act Compliance
- **Numerous petitions and other requests on many aspects of the program, including but not limited to:**
 - Waiver of the 2018/19 standards
 - Revision of the annual percent standards to account for small refinery exemptions
 - Aggregate compliance approach for feedstocks from existing agricultural lands
 - New Pathways and Facility Specific Pathways
 - Treatment of mixed feedstocks, corn kernel fiber, “wastes”, and others
 - Qualification of various sources of forestry products

Possible Future Actions

- **Highway Heavy-duty Engine & Vehicle Technical Amendments**
 - Vehicle and engine companies have discussed with EPA several issues that should be addressed prior to the start of Model Year 2021
- **Reconsideration of EPA CO₂ Standard for Highway Trailers**
 - Reconsideration of EPA CO₂ standards established for certain types of trailers established in 2016 Final Rule in response to Petition for Reconsideration from Trailer Industry
- **Aircraft Engine Particulate Matter Standards**
 - A possible future EPA action, as a result of the adoption in Feb. 2019 by ICAO of PM standards
- **Locomotive Emission Standards Petition**
 - Outstanding 2016 petition for rulemaking from San Joaquin Valley Air Pollution Control District
- **Beyond Land-based Nonroad Diesel Tier 4 Program**
 - U.S. engine industry has asked EPA to consider updating Tier 4, to consider elements in the European Stage 5 program