

VECHICLES AND ENGINES

Internal deliberative pre-decisional - FOR USE BY 2024 PRESIDENT-ELECT TRANSITION TEAM MEMBERS ONLY

ISSUE SUMMARY:

The Clean Air Act (CAA) provides authority and the obligation for the EPA to establish emissions standards for the transportation sector.

KEY POINTS:

Aircraft:

- In 2023, EPA issued a [final determination](#) that lead emissions to air from certain aircraft engines cause or contribute to air pollution which may reasonably be anticipated to endanger public health and welfare. With this final determination, EPA became subject to a duty to propose and promulgate regulatory standards for lead emissions from aircraft engines. The Federal Aviation Administration (FAA) is also now subject to a duty to prescribe standards for the composition or chemical or physical properties of aircraft fuel to control or eliminate aircraft lead emissions. EPA and FAA are committed to working together and are currently exploring regulatory next steps.
- EPA is currently participating in the development of more stringent airplane GHG standards by the International Civil Aviation Organization (ICAO), which are expected to be adopted at the 13th meeting of ICAO's Committee on Aviation Environmental Protection (CAEP) in February 2025. EPA is working closely with FAA throughout this GHG standards development process. For the next CAEP cycle in ICAO, which is from 2025 to 2028, the EPA has an opportunity to work with FAA on developing more stringent aircraft engine NOx and PM standards.

California Waivers:

- The Clean Air Act allows California to seek a waiver of the preemption which prohibits states from enacting emission standards for new motor vehicles. EPA must grant a waiver, however, before California's rules may be enforced. The Clean Air Act also allows California to seek an authorization, or a waiver of preemption which prohibits states from adopting and enforcing emission standards for some new and non-new nonroad vehicles and engines. Once EPA grants an authorization California may enforce the nonroad rule.
 - The table here provides information on the California Air Resources Board (CARB) waiver or authorization requests that have been filed and are pending EPA action: <https://www.epa.gov/state-and-local-transportation/vehicle-emissions-california-waivers-and-authorizations#current>

On-Highway Vehicle Technical Amendments

- At the request of vehicle and engine manufacturers, EPA is planning to propose minor technical amendments to both the [light/medium-duty](#) and [heavy-duty vehicles](#) rules that were finalized in March 2024. These minor

amendments will fine tune a number of regulatory provisions to ensure the smooth implementation of the programs by both EPA and the regulated industry.

Locomotives

- EPA [took action in 2023](#) to narrow the scope of preemption of state regulation of non-new locomotives and engines, but EPA retains federal authority for the regulation of new locomotives and new locomotive engines. We have ongoing efforts to work with stakeholders to develop a set of options and recommendations for regulatory action at the federal level.

ONGOING/UPCOMING REVIEWS FOR FY2025:

KEY EXTERNAL STAKEHOLDERS:

<input checked="" type="checkbox"/> Congress	<input checked="" type="checkbox"/> Industry	<input checked="" type="checkbox"/> States	<input checked="" type="checkbox"/> Tribes	<input checked="" type="checkbox"/> Media	<input checked="" type="checkbox"/> Other Federal Agency
<input checked="" type="checkbox"/> NGO	<input checked="" type="checkbox"/> Local Governments	<input checked="" type="checkbox"/> Public			

From different perspectives, all of these stakeholders are interested in EPA's transportation regulations and programs, which affect essentially all new vehicles in the coming years, including issues of technological feasibility, air quality, societal benefits, and costs.

MOVING FORWARD:

EPA will continue working with FAA on aircraft lead regulatory next steps, following the administrative process to review California waivers and authorizations, developing the on-highway vehicle technical amendments, and working with stakeholders on locomotive next steps.