



# Regulatory Update

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## Supplemental Notice to EPA's Proposal for Cleaner Vehicles and Gasoline

*The U.S. Environmental Protection Agency (EPA) is issuing a supplemental notice to the Agency's proposal for cleaner vehicles and cleaner gasoline (known as the Tier 2 and sulfur rulemaking). In the proposal and its supporting documentation, EPA established that states will need this clean vehicle and fuel program to attain and maintain the old (1-hour) ozone standard as well as the new (8-hour) ozone standard. This supplemental notice clarifies that a recent decision of the Court of Appeals for the District of Columbia Circuit regarding EPA's new (8-hour) ozone standard does not affect EPA's proposed requirements for a cleaner vehicle and gasoline program.*

### **EPA's Proposal to Reduce Tailpipe Emissions**

On May 1, 1999, EPA proposed more protective tailpipe emissions standards for all passenger vehicles, including sport utility vehicles (SUVs), minivans and pick-up trucks. It marks the first time that SUVs and other light-duty trucks would be subject to the same national pollution standards as cars. Simultaneously, EPA proposed reducing sulfur in gasoline, which will ensure the effectiveness of low emission-control technologies in vehicles and reduce harmful air pollution.

There is a significant need for further reductions in emissions to attain and maintain air quality standards. Further reductions from automobiles are needed to attain and maintain the old (1-hour) ozone standard as well

as the new (8-hour) ozone standard. EPA's proposal is a necessary and appropriate regulatory program that would provide cleaner air and greater public health protection.

## **New Air Quality Standards and a Recent Court Ruling**

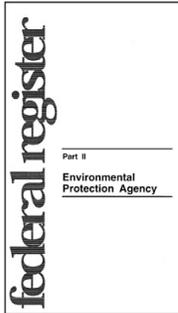
In July 1997, EPA issued health-based air quality standards for ozone and particulate matter. In response to challenges filed by industry and others, a three-judge panel of the Court of Appeals for the District of Columbia Circuit issued a split opinion on May 14, 1999. (*American Trucking Association vs. EPA*, Nos 97-1440, 97-1441). The court held that the Clean Air Act—as applied in setting the new public health air quality standards for ozone (smog) and particulate matter (soot)—is unconstitutional as an improper delegation of legislative authority to EPA. EPA disagrees with this opinion, and is recommending that the Department of Justice take all judicial steps necessary to overturn it.

EPA is issuing a supplemental notice that contains a more detailed description of the available ozone modeling data, which shows a strong need for additional emission reductions to meet the old (1-hour) ozone standard. EPA is issuing this notice to provide the public with an opportunity to comment on this additional information.

## **Health and Environmental Benefits of Tailpipe Emission Reductions**

Motor vehicles generate about 30 percent of all emissions of oxides of nitrogen and volatile organic compounds—the pollution that causes ozone. Ozone and particulate matter in the United States together account for 15,000 premature deaths, 1 million respiratory problems, 400,000 asthma attacks, and thousands of cases of aggravated asthma, especially in children.

As newer, cleaner cars enter the national fleet, the proposed tailpipe standards would significantly reduce emissions of oxides of nitrogen from vehicles by about 74 percent by 2030. The proposed standards would reduce emissions of particulate matter, or soot, from vehicles by about 84 percent by 2030. This proposal also reduces emissions that cause or contribute to ozone, particulate matter, air toxics, acid rain, and other air pollution.



## For More Information

EPA welcomes public comment on this supplemental notice. For instructions on submitting written comments, please see the *Federal Register* notice. It is available from the EPA Air Docket by calling 202-260-7548; please refer to Docket No. A-97-10. In addition, the supplemental notice, proposed rule, and related documents are available electronically via EPA's Tier 2 Internet site at:

<http://www.epa.gov/oms/tr2home.htm>

If you have other questions, you can contact the Tier 2 Team at:

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