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Submitted electronically to www.regulations.gov & 2016TAR@arb.ca.gov.

Docket ID No. EPA-HQ-OAR-2015-0827
Docket ID No. NHTSA-2016-0068
CARB - <http://www.arb.ca.gov/msprog/levprog/leviii/2016tar.htm>

Request for Extension of Deadline to Comment on Draft Technical Assessment Report: Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy for Model Years 2022-2025

Dear Mr. Lieske, Ms. Yoon and Mr. McCarthy:

I am writing on behalf of the Alliance of Automobile Manufacturers (“Alliance”), an association representing 12 manufacturers of cars and light trucks,¹ to request an extension of the comment

¹ Alliance members are BMW Group, FCA US, Ford Motor Company, General Motors Company, Jaguar Land Rover, Mazda, Mercedes-Benz USA, Mitsubishi Motors, Porsche Cars North America, Toyota, Volkswagen Group of America, and Volvo Cars of North America. For additional information, please visit <http://www.autoalliance.org>.

period for the Draft Joint Technical Assessment Report on the Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards for Model Years 2022-2025 (“Draft TAR”).² We respectfully request an extension of the comment period from the current 60 days to a total of not less than 120 days.

In order for the Mid-Term Evaluation to truly be a collaborative, data-driven, and transparent process, the public comment period must be long enough to provide time for the public to fully understand the information that it has taken the agencies years to assimilate. In addition, the Alliance is raising some additional procedural issues that are critical to the success of the Mid-Term Evaluation process.

The Alliance has been working with the U.S. Environmental Protection Agency (“EPA”) and the National Highway and Transportation Safety Administration (“NHTSA”) (“the Agencies”) to provide meaningful information and comment on many aspects related to the Draft TAR and plans to continue doing so. However, the Draft TAR provides the first opportunity for Alliance members to understand whether and how the Agencies have utilized and interpreted this information in its assessments. The Draft TAR spans more than 1,200 pages and incorporates the findings of 1,099 separate studies.

Even now, some supporting documents and analyses are not fully available for review. For example, during an in person search by Alliance staff on July 26, 2016, EPA reading room librarians stated that articles from “Docket EPA-OAR-2015-0827” will not be published for at least a month. Furthermore, many supporting documents were not available in the electronic docket through the regulations.gov website until July 27, 2016, and certain referenced documents (e.g. “ALPHA Autonomie Comparison.pdf,” referenced as docket location EPA-HQ-OAR-2015-0827-0939) still appear to be missing.

While the sheer volume of information alone justifies this extension request, several other factors should be considered:

- The Alliance currently is considering submission of a Freedom of Information Act (“FOIA”) request to EPA to obtain documents that may be critical for proper assessment and comment on the Draft TAR.
- Regardless of the possible FOIA request, extended time is necessary for the public, including key stakeholders, to review the Agencies’ technical models and assess the conclusions. As an example, the OMEGA model, just one of the newly updated models, has been described by the EPA as roughly 10,000 technology packages for each of the 19 vehicle types³. The process of reviewing the new OMEGA model and the vehicle technology packages, which was not possible before the TAR, will require much more than the 60 days allotted in the current comment period.
- In addition, the same Alliance member company professional staffs’ responsible for reviewing the Draft TAR also are responsible for developing recommendations for changes

² Notice of Availability published at 81 Fed. Reg. 49217 (July 27, 2016).

³ 2016 EPA-NHTSA Modeling Workshop, Modeling Methodology for EPA GHG Analysis, March 1, 2016.

to their companies' medium- and heavy-duty vehicle product plans. During the Draft TAR comment period, the Agencies are expected to release the Phase 2 Final Rule on heavy-duty vehicle greenhouse gas ("GHG") and fuel efficiency standards for Model Years 2018-2027. An extended comment period would improve member company responsiveness with respect to both of these functions.

In addition to an extension of the formal comment period, every stakeholder would benefit if the Agencies would explain their anticipated schedule for the Midterm Evaluation following the release of the Draft TAR in more detail. The Alliance recognizes that in the 2012 Rule, EPA declined to commit to a specific schedule beyond issuing the Draft TAR, a Preliminary Determination and a Final Determination or decision (*See* 77 Fed. Reg. at 62787). However, it now is critical to the success of the Midterm Evaluation process that the Agencies explain their intentions regarding:

1. whether they intend to issue a revised or final TAR, addressing public comments;
2. when they expect to issue the Proposed Determination or Notice of Proposed Rulemaking; and
3. the specific timing for a joint final rule if EPA determines the MY 2022-2025 standards should change.

Finally, the Alliance notes that California's Air Resources Board ("CARB") is pursuing its own midterm evaluation on an accelerated schedule.⁴ EPA and NHTSA should seek to be more transparent about their efforts to coordinate with CARB, and should ensure the midterm evaluations performed by the Agencies and CARB are aligned, particularly in regards to both the substance and timing of the actions.

Thank you for your prompt consideration of this extension request and questions regarding the Agencies' overall schedule.

Sincerely,



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⁴ See http://www.arb.ca.gov/msprog/consumer_info/advanced_clean_cars/consumer_acc_mtr.htm, describing how the results of CARB's midterm review will be presented in December 2016.

cc: Bill Charmley, EPA
Michael Olechiw, EPA
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Annette Hebert, CARB