

Title: Control of Air Pollution From New Motor Vehicles: Heavy-Duty Engine and Vehicle

Agency/Subagency: Environmental Protection agency (EPA)/ Office of Air and Radiation (OAR)

The following was presented by Moving Forward Network Members with additional member support on the drafting of and in attendance at the MFN presentation on 2/4/2022.

Omar Muhammad, Executive Director - Lowcountry Alliance for Model Communities
Melissa Miles, Executive Director - New Jersey Environmental Justice Alliance
Beto Lugo Martinez, Co-Executive Director - CleanAirNow
Atenas Mena, Co-Executive Director - CleanAirNow
Ramsey Sprague, President - Mobile Environmental Justice Action Coalition
Dave Cooke, Senior Vehicles Analyst, Union of Concerned Scientists
Sasan Saadat, Senior Research and Policy Analyst - Earthjustice
Patricio Pottillo, Transportation Analyst Climate & Clean Energy, Natural Resource Defense Council
Angelo Logan, Campaign and Policy Director - Moving Forward Network
Molly Greenberg, Campaign Manager - Moving Forward Network

The Moving Forward Network is a national network of over 50 member organizations that centers grassroots, frontline-community knowledge, expertise and engagement from communities across the US that bear the negative impacts of the global freight transportation system.

We are a network, who came together over 10 years ago by grassroot organizations, allied environmental organizations and academics with a mission to build power with communities to transform the global freight transportation system and advance environmental justice.

To date, MFN members have been meeting with EPA and following up on a comprehensive letter to address the health and environmental impacts across the freight sector. We know that in order to ensure protection for EJ communities impacted by the freight system we need to address it in its entirety. We need comprehensive policies that guarantee emission reduction in environmental justice communities. For the purposes of today we will focus primarily on the recommendations relating to heavy duty trucks. We will submit the letter that was sent to EPA and the presentation from today following the call.

1. Transition to zero-emission trucks and buses, by setting a zero-emission sales mandate. Require that all new trucks have zero emissions beginning in 2035.
 - a. Zero-emission trucks are commercially available, economically compelling, and a significant effective solution for reducing freight emissions.
 - b. Advances in this technology are outpacing even the best estimates from just a few years ago—cost and technology assessments of battery-electric trucks from 2018 are already becoming obsolete
 - c. Multiple reports, including economic impact statements for California's ZE truck rules, prove that aggressive ZEV adoption would yield enormous savings just in terms of avoided fuel and maintenance costs. When you factor in the avoided health and climate

damage, benefits dramatically outweigh costs.

2. Current NOx regulations are not doing enough to reduce emissions. We need to set stringent criteria pollution standards **and** ZEV sales mandates. Within the Clean Truck Plan the federal government should be aiming for the most protective standards that they are legally allowed to require. Therefore the Clean Truck Plan should have emissions standards which specifically aim at achieving zero emission for all the heavy duty trucks and include a zero emission vehicle sales mandate.
 - a. These emissions standards should at least:
 - i. Reduce test-cycle emissions by at least 90 percent from diesel vehicles.
 - ii. Have real-world performance commensurate with lab tests, including over the full vehicle lifetime, which can be up to 1 million miles in tractor-trailers.
 1. Extend useful life and warranty provisions to encourage manufacturers to produce more durable products
 - iii. Result in the widespread deployment of zero tailpipe emissions vehicles.
 - iv. Ensure that environmental justice communities will benefit from mandatory emissions reductions in their communities
3. Consider environmental justice impacts and priorities “from source to tailpipe to grave.” Not promote false solutions, (e.g., carbon trading and/or “greenwashed” energy that comes from non-renewable and heavy-polluting sources such as natural gas, biomass, etc.)
 - a. The Heavy Duty Truck Rule as well as other emissions standards and mandates **must not include natural gas**, renewable natural gas or fossil fuel engines. Also, the rules **should not** include any **market-based strategy**. Unlike the California Omnibus rule, the EPA should not be supportive of false solutions like natural gas as means to accomplish a “cleaner” truck.
 - b. In the creation of new energy infrastructure clean energy must be prioritized and Cumulative Impacts considerations. Communities most impacted must not be further harmed and instead must benefit.
 - c. Funding of public money regarding transportation must go to zero-emission solutions and technology. This funding should prioritize environmental justice communities who are most impacted. Funding programs must be coupled with regulatory requirements that will target mandatory emission reductions for EJ communities.
4. Retire all combustion trucks on or before 2045
 - a. Recommendations for how achieving goal
 - i. Starts with EPA requiring all new trucks to be zero-emissions well before 2045
 - ii. EPA must also regulate rebuilds, (e.g., glider trucks) to prevent life extensions for dirty old trucks
 - iii. States then need direction/support from EPA on how to exercise authority over in-use trucks to drive retirement - e.g., reasonably available control measures and

transportation control measures in state plans, indirect source review measures, targeted incentives for scrappage, etc.

MFN Member Comments

Ramsey Sprague, President - Mobile Environmental Justice Action Coalition

Good afternoon, everybody. My name is Ramsey Sprague, I serve on the MFN Advisory Board and am also the President of the Mobile Environmental Justice Action Coalition board or “MEJAC” based in Mobile, Alabama. MEJAC was founded in 2013 by residents of the historic Africatown community to address environmental justice concerns.

The final point I want to make for y’all today is one that may seem as though it falls outside of the bounds of the proposed Heavy Duty Truck Rule, but for communities like Africatown, it is an important point to make.

Africatown is on the cusp of major international celebration of its historic significance as being founded by African-born Freedmen smuggled into the US on the last and most thoroughly documented journey of the Trans-Atlantic Slave Trade. It is also immediately adjacent to many Alabama State Port Authority’s Port of Mobile facilities and railways and is facing major environmental and quality of life impacts from rapid regional development of freight, drayage, and other port related activities.

MEJAC’s air quality concerns are inseparable from such growth, but we’re confident that they can be adequately addressed but only through federal leadership.

We need to see all internal combustion trucks retired on or before 2045. To achieve this, it’s pretty obvious that EPA must be requiring all new trucks to be zero-emissions well before 2045. The agency must also come to regulate rebuilds of old commercial vehicles to prevent further extensions to the lifetimes of dirty, aging trucks. A principal concern of MEJAC’s is that states would then of course need clear direction and support from EPA on how to exercise authority to regulate in-use trucks in order to encourage retirement. This direction could include what are becoming staple air quality regulations like transportation control measures, reasonably available control measures, indirect source review measures, targeted incentives for scrappage, and other sorts of programs.

Without this sort of clear guidance from EPA, historic Africatown is destined to be besieged by heavy duty trucks servicing what is projected to be a booming import market for the Port of Mobile. MEJAC is on record as having raised these sorts of concerns many times to EPA Region 4 and USACE Mobile District during the sEIS permitting process for the Port’s ship channel expansion project, which was approved and is underway. We were ignored and barely received accommodation in terms of basic community engagement under the previous federal administration. This administration has choices to make for vulnerable communities that face political oppression in terms of public participation norms.

In the 1980s and 90s, Africatown was split into 4 parts by two Interstate Highways. When I look at the EISs from those projects and read how the voices of descendants of those who survived the final journey across the Atlantic in enslavement were totally and absolutely ignored by regional leaders exercising the full power vested to them by federal rules, some of whom were descendants of their ancestors’ slavers, I can’t help but reflect on conversations about what Confederate Monuments mean and how they should be handled. Just as a monument signals the values its sculptors and patrons wish

to project into the future, so do the highways, railyards, refineries, and vehicles that travel them and which fragment and harm communities like Africatown.

Internal combustion truck retirement is the only reasonable approach to even beginning to mitigate the scope of rapidly escalating dangers that the regional economic development strategies of yesteryear Mobile, Alabama have laid out on top of, through, and surrounding precious communities like Africatown and their priceless contributions to world heritage that are just now beginning to be fully understood. Yesterday's federal regulations fell short. They don't have to again.

Allow what I've shared with respect to the lived experiences of Africatown's residents to provide evocative insight about the consequences of ambiguous, under-policed, or under ambitious federal regulatory frameworks. Seemingly specific environmental concerns in a particular corner of a port city in the Deep South can describe how federal decision makers who can must dream bigger before what many might not ever realize we even had access to is lost to future generations.

In conclusion, internal combustion heavy duty trucks, their soot, and their greenhouse gas impacts need thoughtful, comprehensive action today to realize equitable human dignity for our tomorrows.

Atenas Mena, Co-Executive Director - CleanAirNow

Good afternoon, my name is Atenas Mena and I am the Co-Executive Director of CleanAirNow, a Kansas City Environmental Justice organization. I come from a family of fighters. When I was young, I recall my father resisting big box corporations from taking his home and land causing them to stop on their tracks from expanding more into his neighborhood. Although they were unsuccessful in removing him, he was further exposed to pollutants from the stalled semi trucks in addition to his regular exposure from the nearby highway and industrial facilities. In that moment I learned of the impact we can have on governing bodies and how there is still much more to do for an optimal quality of life. With my environmental health nursing background I have dedicated my work to serving my community by identifying environmental hazards that have historically and disproportionately negatively impacted the health of fenceline communities. Fence line communities are oftentimes communities of color, low-income households, and who we consider environmental justice communities.

I ask that you consider prioritizing environmental justice communities like mine, by NOT supporting fossil fuel trucks. Health impacts from diesel pollution fall more heavily on people of color even at the same level of exposure because of the cumulative impacts from environmental, socioeconomic, and other health stressors that compromise health. We also do NOT support the false solutions that come from non renewable and heavy polluting sources like natural gas and biomass in the Heavy Duty Truck Rule and other emission standards. We do not need the false promises of "cleaner trucks," we need zero emissions.

In the creation of zero emission infrastructure, we must prioritize environmental justice communities, because of the cumulative impacts that further damage our quality of life. As I stated earlier, my father lives in close proximity to rail yards, industrial facilities, and semi-trucks. He is not alone in this burden, many family homes, daycare centers, schools and parks are exposed to environmental carcinogens and other health damaging pollutants. Zero Emissions in the freight sector will be a step in the right direction for a more equitable and healthy living environment for our community.

The funding for zero emission solutions and technology should prioritize the most impacted. Funding programs must also be coupled with regulatory requirements that will target mandatory emission reductions for Environmental Justice communities.

Thank you for your time