

EPA'S ONE NATIONAL PROGRAM RULE

Sunil Kumar
Principal Environmental Engineer

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Introduction

- EPA/NHTSA published on September 27, 2019 the “One National Program Rule” to be effective November 26, 2019. This action finalizes critical parts of the Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule that was first proposed in August 2018.
- This rule provides nationwide uniform fuel economy and greenhouse gas emission standards for automobile and light duty trucks. NHTSA used its statutory authority under the express preemption provisions of the Energy Policy and Conservation Act to set nationally applicable fuel economy standards.
- Through this action, the federal law preempted state and local tailpipe greenhouse gas (GHG) emissions standards as well as zero emission vehicle (ZEV) mandates. States would no longer be able to set tougher GHG emissions standards for passenger cars and light duty trucks. This would hinder the region’s ability to reduce GHG emissions and work towards attaining the region’s GHG reduction targets.

Introduction

- EPA withdrew the Clean Air Act preemption waiver it granted to the State of California in January 2013 as it related to California's Advanced Clean Car programs for GHG emissions and ZEVs.
- *However, California's ability to enforce its Low Emission Vehicle program and other clean air standards to address harmful ozone-forming vehicle emissions is not affected by this action.*
- EPA/NHTSA will publish the remaining portions of the SAFE Vehicles Rule (revisions to the federal fuel economy and GHG vehicle emissions standards) in the future.
- The District, Maryland, and Virginia joined a lawsuit against the rule led by California. Therefore, uncertainties related to the rule is expected for some time to come.



Impact on Criteria Pollutants and Precursors & GHG Emissions

- **Impact due to Removal of ZEV Mandates**
 - On-road mobile emissions for Maryland will be impacted in future years as the state adopted California's ZEV mandates. Maryland recently requested guidance from EPA on how to model the rule change concerning ZEV mandates but is yet to receive a response. For this reason, the exact impact of the rule cannot be estimated on emissions as of now.
- **Impact due to Expected Final SAFE Rule GHG & Fuel Economy Standards**
 - Since EPA and NHTSA have yet to finalize the GHG and fuel economy standards, the exact impact of the rule cannot be estimated on emissions as of now.



Impact on SIPs

- **2008 Ozone Maintenance Plan**
 - Plan has MOVES2014a based on-road mobile emissions for Maryland and motor vehicle emissions budgets (MVEBs) for VOC and NOx developed for 2014, 2025, and 2030 using ZEV assumptions and the CAFÉ rule.
 - MOVES2014b model needs to be updated to include the new (yet-to-be-published) SAFE rule for GHG and fuel economy standards. EPA also needs to provide guidance for modeling the removal of ZEV mandates. The plan would probably need to be revised with the new version of MOVES model to accommodate rule changes and develop new sets of MVEBs, if needed.
- **Future SIPs**
 - The Washington region is currently in nonattainment of the 2015 ozone standard and needs to attain by the end of 2020. The region will realize less emissions reductions in future years in the absence of ZEV mandates making it potentially tougher to attain. Since the final SAFE rule for GHG and fuel economy standards is yet to be published, the impact of those changes on emissions is uncertain at this time.



Impact on Transportation Conformity

- Emissions in the conformity analyses for future years are expected to differ from the ones in the 2008 ozone maintenance plan due to the removal of ZEV mandates and changes expected in the final SAFE rule GHG and fuel economy standards. Emissions in the above plan would need to be revised with the new version of MOVES model to accommodate rule changes and develop new sets of MVEBs, if needed.
- The currently on-going transportation conformity analysis (Visualize 2045 Update) is not including the change in the ZEV rule in absence of the guidance from EPA. The future analysis will do so once the guidance is available.