UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Lamar Smith
Chairman
Committee on Science, Space, and Technology
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of July 12, 2018 to the U.S. Environmental Protection Agency regarding the National Vehicle and Fuel Emissions Laboratory (NVFEL) testing on glider truck emission rates. Acting Administrator Wheeler has asked me to respond on his behalf.

On July 10, 2017, EPA received a Petition for Reconsideration of certain regulatory requirements specific to glider kits, glider engines and glider vehicles.[1] Among the issues raised, the Petitioners stated, "… EPA did not perform any actual testing to analyze the environmental impact of remanufactured engines and gliders compared to new Original Equipment Manufacturer ("OEM") vehicles." In response to the Petition for Reconsideration, on August 17, 2017, EPA notified the Petitioners that the Agency would initiate a rulemaking process to consider the issues they had raised. At that time, EPA noted that the Petition "... raises concerns that the EPA relied upon 'unsupported assumptions rather than data' with regard to the emission impacts of gliders."[2] Relatedly on July 27, 2017, the House Appropriations Committee issued the Committee Report on the Interior, Environment and Related Agencies Appropriation Bill for 2018. The Committee Report discussed the topic of heavy-duty glider vehicles, and the Committee made this request of EPA: "The Committee urges EPA to study the emissions impact of remanufactured engines used in glider kits, compared to new engines, and issue a report to the Committee when available."[3]

In response to the decision to initiate a rulemaking to revisit the EPA glider vehicle regulations and, as well, the House Appropriations Committee request that EPA study glider vehicle emissions, in August 2017, EPA's NVFEL initiated a program to perform emissions testing of heavy-duty glider vehicles. To acquire one or more in-use glider vehicles for the emissions test program, EPA staff contacted several heavy-duty vehicle and engine manufacturers with

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dealerships or distribution centers in Michigan, where the NVFEL is located. Volvo Group North America, which includes the Mack Truck and Volvo Truck brands, expressed a willingness to assist with EPA's acquisition of a glider vehicle for testing through its dealership network. Volvo Group North America was able to arrange for EPA to test two used glider vehicles at the NVFEL, one in October and one in November of 2017.

EPA released the emissions test report on November 20, 2017, by placing the report into the public docket for EPA's glider vehicle proposal, which was published in the *Federal Register* on November 16, 2017, and opened a public comment period. Although EPA was not able to complete the report prior to publication of the NPRM, the glider vehicle test report was docketed in time to allow the public more than 40 days to review it before the close of the comment period. EPA provided no draft of the report to any outside stakeholder, and made the report available to all members of the public at the same time, via the EPA public docket.[4] EPA's test results, as presented in the report, were largely consistent with the expected emissions performance of highway diesel engines that were produced in the 1998-2002 timeframe. That is, the emission results of engines produced in that timeframe would be expected to be higher for oxides of nitrogen and particulate matter, because such engines do not include modern emission control technology that has been widely used on heavy-duty engines in the past decade.

Please note that the Agency conducted this testing at the NVFEL. The NVFEL is a national laboratory used by EPA for compliance and confirmatory testing of a wide range of on-highway and off-highway mobile sources, including passenger cars, commercial trucks, and engines. The NVFEL is an ISO/IEC 17025 accredited laboratory. Such accreditation is intended to ensure that measurements made and data produced are reliably accurate, consistently precise, and conform to regulatory requirements.[5] The NVFEL follows rigorous procedures to ensure only high-quality data is utilized by EPA. As documented in the EPA glider vehicle test report, EPA utilized the same test equipment and followed the same testing protocols specified in the Code of Federal Regulations for the emissions testing of highway motor vehicles, which includes the equipment utilized in the glider vehicle test program for the assessment of both gaseous and particulate matter emissions.[6]

I consulted with relevant staff in preparing this response. They have assured me that they designed the test program, performed the testing, and wrote the test report – all independent of any outside stakeholder input. In particular, they report that, while Volvo did provide unsolicited views on the EPA test program, EPA staff directed and carried out the test program independent from Volvo.

Enclosed is the first set of responsive documents. As discussed with your staff, we will be delivering responsive documents on a rolling basis as they are located and reviewed. We will then work with your staff to schedule a briefing on the NVFEL glider vehicle testing.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kyle Aarons in the Office of Congressional and Intergovernmental Relations at (202) 564-7351 or Aarons.Kyle@epa.gov.

Sincerely,

William L. Wehrum
Assistant Administrator

Enclosure

cc: The Honorable Eddie Bernice Johnson
Ranking Member

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Bill Posey
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Posey:

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Sincerely,

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Assistant Administrator

Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Ralph Abraham
Chairman
Subcommittee on Oversight
Committee on Science, Space, and Technology
U.S. House of Representatives
Washington, D.C. 20515

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Enclosure

cc: The Honorable Don Beyer
Ranking Member

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Clay Higgins
Vice Chairman
Subcommittee on Oversight
Committee on Science, Space, and Technology
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Vice Chairman:

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OFFICE OF
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Committee on Science, Space, and Technology
U.S. House of Representatives
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Please note that the Agency conducted this testing at the NVFEL. The NVFEL is a national laboratory used by EPA for compliance and confirmatory testing of a wide range of on-highway and off-highway mobile sources, including passenger cars, commercial trucks, and engines. The NVFEL is an ISO/IEC 17025 accredited laboratory. Such accreditation is intended to ensure that measurements made and data produced are reliably accurate, consistently precise, and conform to regulatory requirements.[5] The NVFEL follows rigorous procedures to ensure only high-quality data is utilized by EPA. As documented in the EPA glider vehicle test report, EPA utilized the same test equipment and followed the same testing protocols specified in the Code of Federal Regulations for the emissions testing of highway motor vehicles, which includes the equipment utilized in the glider vehicle test program for the assessment of both gaseous and particulate matter emissions.[6]

I consulted with relevant staff in preparing this response. They have assured me that they designed the test program, performed the testing, and wrote the test report – all independent of any outside stakeholder input. In particular, they report that, while Volvo did provide unsolicited views on the EPA test program, EPA staff directed and carried out the test program independent from Volvo.

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Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Kyle Aarons in the Office of Congressional and Intergovernmental Relations at (202) 564-7351 or Aarons.Kyle@epa.gov.

Sincerely,

William L. Wehrum
Assistant Administrator

Enclosure

cc: The Honorable Suzanne Bonamici
Ranking Member

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Brian Babin
Chairman
Subcommittee on Space
Committee on Science, Space, and Technology
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of July 12, 2018 to the U.S. Environmental Protection Agency regarding the National Vehicle and Fuel Emissions Laboratory (NVFEL) testing on glider truck emission rates. Acting Administrator Wheeler has asked me to respond on his behalf.

On July 10, 2017, EPA received a Petition for Reconsideration of certain regulatory requirements specific to glider kits, glider engines and glider vehicles.[27] Among the issues raised, the Petitioners stated, "... EPA did not perform any actual testing to analyze the environmental impact of remanufactured engines and gliders compared to new Original Equipment Manufacturer ("OEM") vehicles." In response to the Petition for Reconsideration, on August 17, 2017, EPA notified the Petitioners that the Agency would initiate a rulemaking process to consider the issues they had raised. At that time, EPA noted that the Petition "... raises concerns that the EPA relied upon 'unsupported assumptions rather than data' with regard to the emission impacts of gliders."[28] Relatedly on July 27, 2017, the House Appropriations Committee issued the Committee Report on the Interior, Environment and Related Agencies Appropriation Bill for 2018. The Committee Report discussed the topic of heavy-duty glider vehicles, and the Committee made this request of EPA: "The Committee urges EPA to study the emissions impact of remanufactured engines used in glider kits, compared to new engines, and issue a report to the Committee when available."[29]

In response to the decision to initiate a rulemaking to revisit the EPA glider vehicle regulations and, as well, the House Appropriations Committee request that EPA study glider vehicle emissions, in August 2017, EPA's NVFEL initiated a program to perform emissions testing of heavy-duty glider vehicles. To acquire one or more in-use glider vehicles for the emissions test program, EPA staff contacted several heavy-duty vehicle and engine manufacturers with

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Enclosure

cc: The Honorable Ami Bera
Ranking Member

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
AIR AND RADIATION

The Honorable Greg Palmer
U.S. House of Representatives
Washington, D.C. 20515

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