

EPA and DOT Propose To Regulate Greenhouse Gas Emissions For Heavy Trucks

Posted by [Courtney LeBoeuf, Esq.](#) in [Clean Air](#), [Emerging Issues](#), [Environmental Legislation and Regulation](#) on **November 1, 2010**

Responding to a Presidential directive to take coordinated steps to produce a new generation of clean vehicles, the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT) [announced](#) last week the first ever national standards to reduce greenhouse gas emissions and improve fuel efficiency of heavy-duty highway vehicles. This broad sector of vehicles – ranging from large pickups to sleeper-cab tractors – represents the second largest contributor to oil consumption and greenhouse gas emissions, after light-duty passenger cars and trucks. The program is projected to reduce greenhouse gas emissions by an estimated 250 million metric tons and save 500 million barrels of oil over the lives of the vehicles produced during the program's first five years.

In addition to reducing transportation's environmental impact, the new standards are expected to reduce the cost of transporting freight. According to U.S. Transportation Secretary Ray LaHood, "this is a win-win-win for the environment, businesses and the American consumer."

The new standards propose to regulate three categories of heavy trucks: (1) combination tractors; (2) heavy-duty pickups and vans; and (3) vocational vehicles. For combination tractors, EPA and DOT are proposing engine and vehicle standards to begin in the 2014 model year and achieve up to a 20 percent reduction in carbon dioxide emissions and fuel consumption by 2018 model year. For heavy-duty pickup trucks and vans, the proposed standards phase in gasoline vehicles starting in the 2014 model year and achieve up to a 10 percent reduction. For diesel vehicles, the standard proposes a 15 percent reduction by 2018 model year. For vocational vehicles, the agencies are proposing engine and vehicle standards starting in the 2014 model year which would achieve up to a 10 percent reduction in fuel consumption and carbon dioxide emissions by 2018 model year.

Heavy-duty trucks play an important role in the goods movement infrastructure in the U.S. and have experienced significant growth over the past decade. But this growth is not without environmental cost. Mobile sources, such as heavy-duty trucks, emitted 31 percent of all U.S. greenhouse gases in 2007 and have been the fastest-growing source of U.S. greenhouse gases since 1990. By setting greenhouse gas emissions standards for this sector, EPA and DOT are moving forward with concrete steps to address climate change and improve U.S. energy security by reducing dependence on foreign oil.

In implementing a final rule, EPA and DOT will need to achieve a balance between the goals of achieving greenhouse gas reductions and fuel efficiency improvements while allowing industry to implement the changes in a cost-effective manner. Commenting on the standards, Truck Manufacturers Association President Tim Blubaugh stated: "EPA and the National Highway Transportation Safety Administration (NHTSA) need to provide manufacturers adequate lead time, encourage the use of existing technologies, assure regulatory compatibility with the complex commercial engine and truck marketplace, and avoid potential unintended consequences."

The new standards also raise the issue of potential conflict and overlap with state authorities as states have undertaken a number of different regulatory programs to reduce greenhouse gas emissions from vehicles. With California leading the way, many states have undertaken to adopt low carbon fuel standards. Any differences between state and federal regulatory schemes could create the risk of conflict and lead to confusion within the industry. As new federal policies addressing vehicle emissions are adopted, this issue will become more relevant and will no doubt be the subject of future judicial review and analysis.

The DOT's National Highway Traffic Safety Administration (NHTSA) has prepared a [Draft Environmental Impact Statement](#) (DEIS) for the proposed fuel efficiency standards. **Comments may be submitted on the DEIS through January 3, 2011.** Additionally, a 60-day comment period will commence once the proposal is published in the Federal Register.

Comments are closed.

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