

March 9, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Mr. Pruitt:

The Environmental Protection Agency is required to rely on sound science and information as it carries out its mission. This is the public's expectation and the responsibility vested in the EPA by the Clean Air Act and other environmental laws.

Throughout our tenures as Administrators, our policy decisions were centered on the best available research and scientific protocols. We are deeply troubled that the Agency's steadfast commitment to public health and environmental protection based on the best available science is being undermined – putting at risk air and water quality and endangering children and families.

As EPA's latest strategic plan emphasized, it is important that EPA use “the best available science and research to address current and future environmental hazards.”¹ EPA's Scientific Integrity Policy similarly underscores that “[s]cience is the backbone of the EPA's decision-making” and that “[t]he environmental policies, decisions, guidance, and regulations that impact the lives of all Americans every day must be grounded, at a most fundamental level, in sound, high quality science.”² These measures help ensure that EPA is informed by the best available information and able to share accurate information with the public about the implications of its decisions.

We write express our concern that EPA has failed to rely on the best scientific analysis in the recent proposal to repeal standards limiting pollution from heavy-duty glider trucks. Recent news reports indicate that a Tennessee Technological University study that EPA's proposal referenced and was informed by is now under investigation for potential research misconduct. Not only does it appear that the Tennessee Tech study failed to follow proper research protocol, the conclusions of the study are contrary to a well-established understanding of the pollution from older diesel engines. Tennessee Tech's president submitted a letter requesting that EPA withdraw “any use or reference” to its study until the investigations are complete, noting that “knowledgeable experts within the University have questioned the methodology and accuracy of

¹ U.S. E.P.A., FY 2018-2022 EPA Strategic Plan, Feb. 12, 2018, pg. 7, available at <https://www.epa.gov/sites/production/files/2018-02/documents/fy-2018-2022-epa-strategic-plan.pdf>.

² U.S. E.P.A., Scientific Integrity Policy, 2012, available at https://www.epa.gov/sites/production/files/2014-02/documents/scientific_integrity_policy_2012.pdf.

the report.”³ In light of the serious questions raised about the study, we urge you withdraw the glider proposal.

America has made tremendous progress in addressing dangerous pollution from heavy-duty diesel trucks. At the same time, the glider industry has emerged, using a loophole to evade otherwise universal pollution standards and changing from a niche to replace collision-damaged trucks to a large industry reselling rebuilt high polluting 1999-2002 engines in new truck bodies. These vehicles have enormous pollution consequences: in 2016, EPA estimated that glider “NOX and PM emissions 20-40 times higher than current engines. If miscalibrated, emissions could be even higher”⁴—and more recent testing has identified even higher potential emission levels.⁵ In 2016, EPA put into place a commonsense solution requiring that glider trucks meet the same emission standards that apply to all other new heavy-duty trucks. The glider industry’s petition for administrative review of this solution challenged the 2016 emission assumptions based on the Tennessee Tech study, and EPA’s proposal to revoke these protections similarly referenced and incorporated the Tennessee Tech study’s claims that glider trucks do not, in fact, have disproportionately high emissions levels.

The emissions research at issue in the Tennessee Tech study is central to understanding the impacts of the proposed glider repeal. It is crucial that EPA’s consideration of this proposal—which has such potentially significant implications for air pollution emissions and air quality—is informed by the best available research and information on the issue of pollution impacts. By Tennessee Tech’s own public admission, in this case EPA was informed by a flawed study that does not meet the high ethical standards for scientific analysis required by the Clean Air Act. EPA has a responsibility to ground its decisions in high-quality science, and to make this information transparent to the public so that stakeholders can fairly understand this proposal’s implications.

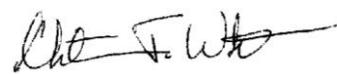
The integrity of the Environmental Protection Agency’s progress in reducing heavy-duty truck pollution is at stake. EPA would be basing a rulemaking—which could have such profound negative health impacts on the American people—on a flawed analysis. We urge you to withdraw the glider proposal.

Sincerely,

Carol M. Browner



Christine Todd Whitman



³ Letter from Tennessee Technological University President Philip Oldman to EPA Administrator Scott Pruitt, Feb. 19, 2018.

⁴ <https://nepis.epa.gov/Exe/ZyPDF.cgi/P100P8IS.PDF?Dockey=P100P8IS.PDF> p 1960

⁵ HD Chassis Glider Final Report 11202017 <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2417> p. 3