

October 27, 2022

Connecticut

Delaware

District of Columbia

Maine

Maryland

Massachusetts

New Hampshire

New Jersey

New York

Pennsylvania

Penobscot Indian Nation

Rhode Island

St. Regis Mohawk Tribe

Vermont

Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: *California's Waiver Requests for the Advanced Clean Trucks, Zero-Emission Airport Shuttle, and Zero-Emission Power Train Certification regulations, Docket No. EPA-HQ-OAR-2022-0331, Omnibus Low-NOx regulation, Docket No. EPA-HQ-OAR-2022-0332, and Heavy-Duty Vehicle and Engine Emissions Warranty and Maintenance regulations, Docket No. EPA-HQ-OAR-2022-0330*

Dear Administrator Regan:

The Mid-Atlantic/Northeast States Visibility Union (MANEVU)¹ joins its sister agency, the Ozone Transport Commission (OTC), in urging the U.S. Environmental Protection Agency (EPA) to promptly grant waivers for California's heavy-duty (HD) truck regulations in the above-referenced dockets. As mentioned in a corresponding letter dated October 24, 2022 from the OTC, California's more stringent standards do not become enforceable unless EPA grants a waiver of preemption.

The OTC previously offered comments lending strong support for California's waiver request.² In that comment letter, dated August 2, 2022, the OTC detailed the need for reductions in nitrogen oxides (NOx) in the ozone transport region (OTR) and illustrated the potential environmental benefit that could be realized in the OTR from EPA's granting of California's waivers. The purpose of this letter, and the OTC's corresponding letter, is to urge EPA to grant California's waivers without delay.

MANE-VU Class I Areas

Acadia National Park
Maine

Brigantine Wilderness
New Jersey

Great Gulf Wilderness
New Hampshire

Lye Brook Wilderness
Vermont

Moosehorn Wilderness
Maine

Presidential Range
Dry River Wilderness
New Hampshire

Roosevelt Campobello
International Park
Maine/New Brunswick,
Canada

¹ MANEVU was formed to foster a coordinated approach to improving visibility at national parks and wilderness areas in the Northeast and Mid-Atlantic region. Its members include Connecticut; Delaware; the District of Columbia; Maine; Maryland; Massachusetts; New Hampshire; New Jersey; New York; Pennsylvania; Rhode Island; Vermont; the Penobscot Indian Nation; the St. Regis Mohawk Tribe; EPA Regions 1, 2, and 3; the National Park Service; the U.S. Fish & Wildlife Service; and the U.S. Forest Service. These comments are the consensus views of the MANEVU non-federal members and are not intended to represent views of the federal agency partners in MANEVU.

² See, OTC's previous comments in support of EPA granting the California waivers submitted to all three dockets and available at

<https://otcair.org/upload/Documents/Correspondence/Final%20OTC%20MSC%20comments%20on%20CA%20waiver%20requests%2020220802.pdf> (August 2, 2022).

MANEVU is responsible for the visibility protection at the seven mandatory Class I federal areas in the MANEVU region. NO_x emissions contribute to regional haze, which mars vistas and views in wilderness areas, including the MANEVU Class I areas. Highway trucks are projected to be the third largest contributor to NO_x emissions in the OTR by 2023.³

Historically, MANEVU has relied on widespread reductions of sulfur dioxide (SO₂) to make reasonable progress towards the federal regional haze rule goal of natural visibility conditions at Class I areas by 2064. However, recent analyses^{4,5} of monitored visibility and speciated light extinction data have shown that, as SO₂ emissions and sulfate have declined, nitrates have become a proportionally more important contributor to regional haze in the MANEVU region. The same analyses have also shown that the steep declines over time in haze indices (which equate to improvements in visibility) within the MANEVU Class I areas are beginning to level off at some sites.

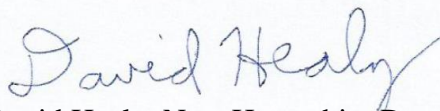
The clear implication of this flattening trend in visibility improvement is that SO₂ reductions alone can no longer be relied upon if all MANEVU Class I areas are to meet their reasonable progress goals for visibility improvement. An important path forward for achieving future progress will be significant NO_x reductions. Given the transportation sector's contribution to the overall NO_x inventory, it is critically important that EPA promptly grant California's waiver requests so that states have the option of implementing those measures.

In summary, MANEVU urges EPA to expeditiously approve California's waiver requests.

Sincerely,



Sharon Davis, New Jersey Department of Environmental Protection



David Healy, New Hampshire Department of Environmental Services
Co-Chairs, MANE-VU Technical Support Committee

cc: MANEVU Air Directors
Liane Randolph, Steven Cliff, California ARB
Joseph Goffman, Alejandra Núñez, EPA OAR
Sarah Dunham, William Charmley, Kayla Steinberg, EPA OTAQ
David Dickinson, EPA TCD

³ The geographic boundaries of MANEVU are similar to those of the OTR.

⁴ See, The Changing Nature of Visibility Impairment in the MANE-VU Region, *EM* (April 2022)
<https://www.nescaum.org/documents/the-changing-nature-of-visibility-impairment-in-the-mid-atlantic-northeast-visibility-union-mane-vu-region/changing-nature-visibility-mane-vu-region-em202204.pdf>.

⁵ See also, Mid-Atlantic/Northeast U.S. Visibility Data 2004-2019 (2nd RH SIP Metrics), January 21, 2021 revision,
<https://otcair.org/manevu/Upload/Publication/Reports/MANEVU%20Trends%202004-19%20Report%202nd%20SIP%20Metrics%20-January%2021%202021%20Update.pdf>.

Lynne Hamjian, Cynthia Greene, EPA Region 1
Richard Ruvo, Matthew Laurita, Kirk Wieber, EPA Region 2
Cristina Fernandez, EPA Region 3