



Oregon

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September 19, 2025

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Sent via email to: a-and-r-Docket@epa.gov

Subject line: Oregon Comments on Docket ID No. EPA-HQ-OAR- 2025-0194

Subject: Written comments in opposition to Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards

To Whom it May Concern,

The Oregon Department of Environmental Quality submits these comments to convey our strong opposition to rescission of EPA's 2009 Endangerment Finding and greenhouse gas vehicle emissions standards.

Potential harms from rescinding federal emissions standards

Rescinding the Endangerment Finding and associated federal standards would have serious and far-reaching consequences for Oregon. Public health would suffer first: Oregonians, especially children, older adults, and communities near major highways and freight hubs, would face increased risks of asthma, heart disease, and premature death from higher levels of smog and particulate pollution. Climate-related hazards such as wildfires, heat waves, and drought, which are already increasing mortality and adverse health outcomes, disrupting the economy, and straining health care systems, would become more frequent and severe without federal action to limit GHGs.

Rescinding the Endangerment Finding and associated federal standards also would undermine Oregon's economic transition to clean energy and transportation. Businesses, utilities, and local governments rely on the certainty of federal standards to guide investments in infrastructure, vehicles, and technologies. Rolling back federal authority creates regulatory uncertainty, discourages innovation, and risks leaving Oregon consumers paying more for outdated, polluting technologies. The harms of rescission would fall directly on the people of Oregon through worsened health outcomes, greater risk of natural hazards, and lost economic opportunities.

Climate change impacts on public health and welfare in Oregon

Anthropogenic climate forcing is a driver of rising air and surface-water temperatures in Oregon.

Attribution studies show a clear inflection point around 1960 when anthropogenic radiative forcing (emissions of greenhouse gases and aerosols from human activities) became a dominant cause of rising air temperatures in the Pacific Northwest.¹ This demonstrates the direct role of human-caused climate pollution in altering Oregon's thermal and hydrologic systems.² For Oregonians, it demonstrates that unchecked emissions increasingly will impair water quality.

Extreme Heat and Health Outcomes

Increases in temperature and the number, frequency, and intensity of heat waves directly and indirectly lead to increased mortality and health risks. For example, extreme heat leads to spikes in emergency department and urgent-care visits and preventable deaths. Heat waves, which are made more frequent and intense by climate change, are already driving health-care utilization and demand in Oregon.³ The Oregon Health Authority found that daily heat-related illness emergency department and urgent-care visits increased on high heat index days. They documented 139 heat-related deaths from 2021–2023,⁴ including an estimated 96 deaths during an extreme heat wave during June 2021.⁵

These impacts are not isolated events; they are indicative of a broader public health trend. Climate change is increasing both the frequency and severity of heat waves, leading to a sustained rise in health-care utilization and preventable mortality across Oregon.

Drought, Wildfires and Smoke Exposure

As temperatures increase, the frequency, duration, and severity of drought in Oregon is increasing.⁶ Both heat and drought are associated with increases in the probability of and area burned by

¹ Abatzoglou, J. T., Rupp, D. E., & Mote, P. W. 2014. "Seasonal climate variability and change in the Pacific Northwest of the United States". *Journal of Climate*, 27(5): 2125-2142.

² Oregon Department of Environmental Quality, Total Maximum Daily Loads for the Willamette Subbasins Technical Support Document Appendix G: Climate Change and Stream Temperature in Oregon: A Literature Synthesis Amended, May 2025, <https://ormswd2.synergycds.com/HPRMWebDrawer/Record/6900948/File/document> (DEQ TMDL Report) Page 12.

³ Oregon Climate Change Research Institute, Oregon State University, Seventh Oregon climate assessment, <https://oregonstate.app.box.com/s/ziqc1kisxkup45147phjp526kheugqnb>, Page 7.

⁴ Oregon Health Authority, Climate and Health in Oregon: 2023 Report, [https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20\(1\).pdf](https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20(1).pdf) ("OHA 2023 Report") Page 30.

⁵ "Oregon medical examiner releases names of June heat wave victims" Oregon Public Broadcast. <https://www.opb.org/article/2021/08/06/oregon-june-heat-wave-deaths-names-revealed-medical-examiner/> (Last accessed Sept. 13th, 2025)

⁶ O'Neill, L.W., M. Koszuta, N. Siler, and E. Fleishman. 2025. Oregon drought history and twenty-first century projections. Pages 94–114 in E. Fleishman, editor. Seventh Oregon climate assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon. doi: 10.5399/osu/1181.

wildfires in Oregon,⁷ and, by extension, increases in exposure to wildfire smoke. The seventh Oregon Climate Assessment noted, “[projected] wildfire smoke and population in Oregon from 2046–2051 suggest that the number of cases of short-term health outcomes attributable to smoke are likely to increase considerably relative to 2005–2009 among all adults, and especially among older adults. The increase in adverse outcomes was associated with substantial increases in economic losses and lost quality-of-life. Drought also is associated with many negative health outcomes, from water and food insecurity to poor air quality. Moreover, drought conditions are correlated with increased rates of mental health issues, including anxiety, depression, and suicide.”⁸

Increased wildfire smoke from climate change contributes to asthma-related emergency department visits and tens of millions in added health-care costs. According to the Oregon Health Authority, inhalable fine particles from combustion (including wildfires) can damage the lungs, heart, and other organs.⁹ Oregon climate scientists project more severe wildfires due to aridity from increased droughts and extreme heat, driving more smoke.¹⁰ Increased warming will contribute to projected smoke-related asthma emergency-department visits adding about \$99.7 million to health-care costs in Oregon in the 2050s.¹¹ This is a direct, pollution-driven cost pressure on hospitals, clinics, insurers, and publicly funded health care programs.

Compounding Health Impacts from Heat and Smoke

The compound effects of heat and smoke increased health impacts for up to ~40% of Oregonians. Fine particulate matter exposure and extreme heat often occur on the same days and can yield harms that are worse than exposure to heat or smoke alone, culminating in emergency department visits, hospitalizations, and even death. In 2023, in 12 Oregon counties (home to ~1.7 million people), ≥14 days had both a heat index ≥80°F and compromised air quality, concentrating risk among people with asthma, chronic obstructive pulmonary disease, and other chronic conditions. and higher costs.¹²

⁷ Rupp., D., and A. Holz. 2023. Wildlife trends and drivers. Pages 94-102 in Fleishman, E., editor. Sixth Oregon climate assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon. doi: 10.5399/osu/1161.

⁸ Oregon Climate Change Research Institute, Oregon State University, Seventh Oregon climate assessment, <https://oregonstate.app.box.com/s/ziqc1kisxkup45147phjp526kheugqnb> , Page 8.

⁹ Oregon Health Authority, Climate and Health in Oregon: 2023 Report, [https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20\(1\).pdf](https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20(1).pdf) (“OHA 2023 Report”) Page 31.

¹⁰ Fleishman, E., editor. 2023. Sixth Oregon Climate Assessment. Oregon Climate Change Research Institute, Oregon State University, Corvallis, Oregon. <https://blogs.oregonstate.edu/occ/oregon-climate-assessments>

¹¹ Stowell JD, Yang C-E, Fu JS, Scovronick NC, Strickland MJ, Liu Y. Asthma exacerbation due to climate change-induced wildfire smoke in the western US. Environmental Research Letters. 2022;17(1):014023. Page 5. Website: <https://iopscience.iop.org/article/10.1088/1748-9326/ac4138>

¹² Oregon Health Authority, Climate and Health in Oregon: 2023 Report, [https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20\(1\).pdf](https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20(1).pdf) (“OHA 2023 Report”) Page 37.

Ozone and Hot Weather Pollution

Ozone, also is formed and increased by combustion, including burning of fossil fuels and biomass,¹³ and exposure to ozone can worsen health effects during hot, smoky periods. For Oregon health care providers, this means treating more chest pain, dyspnea, asthma flares, and potential cardiovascular events, translating to higher emergency department demand and admissions when exposure to extreme heat and wildfire smoke overlaps.¹⁴

Declining snowpack and summer flows result in warmer surface-water temperatures

Peak streamflow advanced by 10–30 days, with 5–25% reductions in June streamflow. In Oregon, August discharges are declining by up to –8.5% per decade between 1976 to 2015.¹⁵ The impact is that less water in rivers during peak summer means intensified competition among agriculture, cities, and ecosystems for adequate water resources.

Water Quality and Harmful Algal Blooms

Warming waters and low water flows that are made more likely by climate change result in more cyanobacterial blooms (often referenced as harmful algal blooms) and associated toxin exposures and health advisories. The Oregon Health Authority links warm weather, nutrients, and low water flow, all intensified by climate change, to cyanobacterial blooms that release toxins. Reported impacts include gastrointestinal, neurologic, and dermatologic illnesses and skin, ear, and eye irritation; in 2023, OHA issued 12 recreational health advisories for rivers, lakes, and reservoirs (including a permanent advisory on stretches of the Umpqua River). Exposure to cyanobacterial blooms increases the number of clinical visits and public-health response costs, and losses of recreation and tourism revenue.¹⁶

Warming Waters and Threats to Cold-Water Fisheries

Hotter summers are leading to warmer surface waters and reductions in the amount and quality of habitat for salmonids. August mean air temperatures across Oregon increased by 0.29°C per decade since 1960. Corresponding stream temperatures are increasing by 0.09°C to 0.27°C per

¹³ Daniel A. Jaffe, Nicole L. Wigder, Ozone production from wildfires: A critical review, *Atmospheric Environment*, Volume 51, 2012, Pages 1-10, ISSN 1352-2310, <https://doi.org/10.1016/j.atmosenv.2011.11.063>.

(<https://www.sciencedirect.com/science/article/pii/S1352231011012507>)

¹⁴ Oregon Health Authority, Climate and Health in Oregon: 2023 Report, [https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20\(1\).pdf](https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20(1).pdf) (“OHA 2023 Report”) Page 38.

¹⁵ Oregon Department of Environmental Quality, Total Maximum Daily Loads for the Willamette Subbasins Technical Support Document Appendix G: Climate Change and Stream Temperature in Oregon: A Literature Synthesis Amended, May 2025, <https://ormswd2.synergycds.com/HPRMWebDrawer/Record/6900948/File/document> (DEQ TMDL Report) Page 8.

¹⁶ Oregon Health Authority, Climate and Health in Oregon: 2023 Report, [https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20\(1\).pdf](https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/CLIMATECHANGE/Documents/FINAL%20Climate%20Health%20in%20Oregon%202023%20v071124%20(1).pdf) (“OHA 2023 Report”) Page 44.

decade in unregulated streams, especially in summer.¹⁷ Exceedance of thermal tolerances of salmon and trout can lead to population declines and threats to Tribal and commercial fisheries.

Economic Consequences of Climate Related Health Impacts

The public health and environmental consequences described above also come with profound economic costs. Economic losses from a major smoke event in Oregon are likely to be highly localized and industry specific given the unequal distribution of wildfire smoke and economic activity and the unequal effects of smoke among industries. Estimates suggest that a major smoke event will reduce the state's per annum Gross Domestic Product by at least \$1 billion, or about one-third of one percent. Compounded or cascading losses from multiple independent or interacting events within the same year will result in greater economic effects, as will accounting for health effects of smoke.¹⁸

These harms and impacts on Oregon's public health and welfare are well researched, documented, and supported by scientific consensus. The citations in this document are not exhaustive, but indicative of an all-encompassing issue that EPA must take seriously. Transportation emissions are a major contributor to human-caused climate change, and federal action, such as the current federal vehicle emissions standards, is necessary to help avoid worse outcomes.

Summary of Oregon's climate policies

Oregon has established ambitious climate and clean energy policies that are deeply tied to reducing greenhouse gas (GHG) emissions. Through legislation, the state has committed to reducing GHG emissions at least 75% below 1990 levels by 2050. In the transportation sector, Oregon is working to reduce emissions through a three-part strategy: making vehicles cleaner, making fuels cleaner, and reducing the number of miles people need to drive. These efforts are coordinated across state agencies and supported by federal programs that provide funding and regulatory certainty.

Oregon has adopted both the Advanced Clean Cars II and Advanced Clean Trucks rules, ensuring that zero-emission cars, buses, and trucks are increasingly available in the state. These standards are reinforced by the Oregon Clean Vehicle Rebate Program, and several medium and heavy-duty vehicle grant and incentive programs that Oregon DEQ administers to support Oregonians' purchase of the new technologies. Additional support for Oregon's approach comes from federal programs like the National Electric Vehicle Infrastructure (NEVI) program and the Charging and

¹⁷ Oregon Department of Environmental Quality, Total Maximum Daily Loads for the Willamette Subbasins Technical Support Document Appendix G: Climate Change and Stream Temperature in Oregon: A Literature Synthesis Amended, May 2025, <https://ormswd2.synergydcs.com/HPRMWebDrawer/Record/6900948/File/document> (DEQ TMDL Report) Page 7.

¹⁸ Oregon Climate Change Research Institute, Oregon State University, Seventh Oregon climate assessment, <https://oregonstate.app.box.com/s/ziqc1kisxkup45147phjp526kheugqnb> , Page 7.

Fueling Infrastructure (CFI) program, both of which support construction of the charging network Oregonians need. Oregon has already secured NEVI and CFI funds to install charging stations along I-5, I-84, and key freight corridors, aligning with the state's climate and equity goals. Oregon analysis shows federal and state vehicle and fuel regulations, including ACCII and ACT, were set to reduce Oregon's Transportation sector GHG reductions by over one-third by 2050.¹⁹

Oregon's Climate Protection Program sets mandatory, declining greenhouse gas emission limits from fossil fuels used in Oregon, including the transportation and building sectors. Oregon's Clean Fuels Program reduces the carbon intensity of fuels year over year, requiring oil companies and fuel providers to blend or replace fossil fuels with lower-carbon alternatives such as electricity, hydrogen, and biofuels.

Oregon also works to reduce transportation emissions with its land use system. The Oregon Department of Land Conservation and Development's Climate Friendly and Equitable Communities rules require cities and regions to zone for more housing near jobs and services, reduce minimum parking requirements, and improve transit, walking, and biking infrastructure. Oregonians recognize that climate goals cannot be achieved by vehicle and fuel standards alone; the State is building communities where people do not have to drive as much.

Oregon also has multiagency partnerships through the Oregon Statewide Transportation Strategy and Every Mile Counts, which are focused on reducing the number of vehicle miles traveled, shifting trips to cleaner modes, and making every mile traveled less polluting. These programs help ensure that Oregon meets its emission targets while reducing household transportation costs, improving air quality in frontline communities, and enhancing mobility options for all Oregonians.

Federal GHG emission standards provide the foundation for Oregon's multi-pronged strategies to reduce emissions from transportation. Together with state programs and collaboration, they ensure that Oregon can cut emissions from vehicles, fuels, and the number of miles that Oregonians drive. Oregon has consistently built on this foundation to protect public health and accelerate adoption of zero-emission technologies. Oregon's climate framework is ambitious but achievable, provided it is supported by strong federal rules. Weakening or rescinding federal authority undermines state progress and risks leaving Oregonians with fewer tools to reduce greenhouse gas emissions and air pollution.

Role of GHG emission standards in achieving Oregon's climate goals

Greenhouse gas emission standards for vehicles and power plants are essential to Oregon's strategy for meeting climate-change mitigation targets. Transportation accounts for nearly 35% of Oregon's total greenhouse gas emissions, and federal vehicle standards have been a central driver in reducing pollution while spurring the development and availability of cleaner technologies.

¹⁹ This is based on the gap between [Oregon Transportation Emissions website](#) VisionEval Plans & Trends Scenarios for 2018 and 2022.

Similarly, national limits on power plant emissions have accelerated renewable energy deployment, benefiting Oregon and improving regional air quality.

Without federal greenhouse gas emissions standards, Oregon would be left with a patchwork of state-level policies that cannot achieve the same extent of reductions in emissions. Federal rules create consistency across markets, enabling manufacturers and utilities to plan for the long term, reduce costs, and deliver cleaner technologies to Oregon residents and businesses. In this way, federal standards enable Oregon to align economic growth with its climate-change mitigation commitments. Removing these standards would make it far more difficult, if not impossible, to achieve the state's legally binding emission reduction targets.

Scientific arguments against rescission of the GHG endangerment findings

Scientific disputes are best resolved through rigorous scrutiny and peer review, often by large numbers of subject-matter experts in multiple complementary disciplines. The public suffers when the rulemaking process is used to override scientific certainty. The EPA proposed "Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards"²⁰ and the Department of Energy's Climate Working Group (CWG) report, "A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate,"²¹ distorts the voluminous scientific evidence and attempts to create controversy where virtually none exists.

The CWG report, and by extension Section V.B.1 of the EPA proposal, seeks to place minimal uncertainties within narrowly selected topics of climate science at center stage. Simultaneously, EPA seeks to dismiss the numerous aspects of climate science, including the impacts of anthropogenic GHG emissions, on which the vast majority of climate scientists agree are moderately to highly certain.²² To support the proposal's scientific arguments, EPA heavily references the deeply flawed DOE Climate Working Group report.²³ The vast majority of additional

²⁰ 90 Fed. Reg. 36288-365 (Aug. 1, 2025)

²¹ Climate Working Group (2025) A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate. Washington DC: Department of Energy, July 23, 2025

²² The overwhelming scientific consensus on the state of climate science is reviewed in AR6: *Intergovernmental Panel on Climate Change Sixth Assessment Report (2022) Synthesis Report*. <https://www.ipcc.ch/assessment-report/ar6/> and NCA5: Fifth National Climate Assessment (2023). https://toolkit.climate.gov/sites/default/files/2025-07/NCA5_2023_FullReport.pdf. Also, a recent independent assessment of the science underpinning the Endangerment Finding found that "EPA's 2009 finding that the human-caused emissions of greenhouse gases threaten human health and welfare was accurate, has stood the test of time, and is now reinforced by even stronger evidence." See National Academies of Sciences, Engineering, and Medicine. 2025. *Effects of Human-Caused Greenhouse Gas Emissions on U.S. Climate, Health, and Welfare*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/29239>. (1)

²³ EPA should respond to the flaws contained in the CWG report which are pointed out in the following scientific reviews: Tandon, A, L. Hickman, C. Keating and R. McSweeney. [Factcheck: Trump's climate report includes more than 100 false or misleading claims](#). CarbonBrief. (Aug. 13, 2025).; Dessler, A.E et al. [Re: A Critical Review of Impacts of Greenhouse Gas Emissions on the U.S. Climate, Docket ID No. DOE-HQ-2025-0207](#). (Aug. 30, 2025).

studies referenced in Section V.B.1 of EPA’s proposal are also referenced in the CWG report.²⁴ This indicates that EPA relied nearly exclusively on the CWG report as evidence to back up the claims in the proposal even though the report was intentionally one-sided and designed to “cut against the prevailing narrative that climate change is an existential threat.”²⁵

Attached and submitted with our comments on the EPA proposal are comments that Oregon DEQ submitted on the DOE CWG report earlier this month.²⁶ Those previous comments outline why the report is not scientifically defensible and why EPA must not rely on that report for its decision-making. Due to the clear linkages between the report and the EPA proposal, we ask EPA to consider our previous DOE CWG report comments, in which we (1) express strong opposition to the process used to develop the report, (2) criticize the report’s level of scientific rigor, (3) provide information on the current harms to human health and the general welfare in Oregon that are associated with climate change, and (4) object to the use of the report as justification for EPA’s current proposed rule.

EPA’s alternative separate basis arguments

In Section V. of the proposed rule EPA advances three alternative arguments for rescinding new motor vehicle GHG emission standards. We address each of these in turn.

No requisite technology can address the global climate change concerns identified in the GHG Endangerment Finding without risking greater harms to public health and welfare.

EPA states that it now believes that “GHG emission standards for new motor vehicles and engines may harm public health and welfare without having any measurable impact on the global climate change concerns identified in the Endangerment Finding.”²⁷ EPA provides sparse evidence to support its claims. Advanced vehicle technology is available to meet current GHG emission standards. That technology is rapidly improving and such that it is expected to meet the standards in future model years. In prior rulemakings, EPA described advanced internal combustion engine technologies that manufacturers are implementing that could or will play a major role in manufacturer compliance, including improvements such as cylinder deactivation, turbocharged engines, and gasoline direct injection.²⁸ EPA was also clear that hybrid electric and plug-in electric

²⁴ 26 of 28 scientific references in section V.B.1 of the EPA proposal are directly referenced in the CWG report. EPA is attempting to create the appearance of referencing a wider spectrum of the existing climate science literature by including these 26 references in the proposal footnotes rather than exclusively referencing the CWG report.

²⁵ Fisher, Travis “Why I helped organize the Department of Energy’s climate report” Cato Institute (Aug. 6, 2025) <https://www.cato.org/blog/why-i-helped-organize-department-energys-climate-report>

²⁶ See attached Oregon DEQ comments on Docket ID No. DOE-HQ-2025-0207

²⁷ 90 Fed. Reg. 36298 (Aug. 1, 2025)

²⁸ See, for example, Section 1.4 (GHG-Reducing Technologies for ICE-Powered Vehicles) of GHG Emissions Standards for Heavy-Duty Vehicles: Phase 3 Regulatory Impact Analysis and Section 3.1.1.1 (Advanced ICE technologies) of Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles Regulatory Impact Analysis.

technologies would play a role in manufacturers' compliance with the 2027 light- and medium-duty vehicle standards. According to the EPA, there is a "growing global consensus that battery electric and plug-in hybrid vehicle technologies are broadly feasible as emissions-reducing technologies."²⁹

Clearly, U.S. vehicle and engine GHG emission standards alone will not be enough to reduce the global risks posed by climate change. Larger GHG emission reductions are often achieved with a suite of policies, not stand-alone actions.³⁰ International cooperative efforts, such as the Paris Agreement, are another method typically used to coordinate and amplify policy effectiveness across national borders. EPA seems to be arguing that because current GHG standards cannot eliminate global, human-caused emissions of GHGs in isolation or because vehicles are not currently capable of removing excess ambient CO₂ during vehicle operation, the standards must be rescinded. However, neither of these were stated goals of the original vehicle and engine GHG standard rulemakings and they should not be used retroactively as arguments for rescinding multiple previously adopted rules.

In addition, EPA's argument that implementation of the GHG emission standards poses greater risks to public health and welfare is not clearly established in the record included in the proposal or the Draft RIA. Any proposal to rescind previously adopted vehicle and engine emission standards should bear an equal, if not greater, burden of evidence and analysis than the originally adopted rules. EPA's current proposal does not meet that burden, and therefore the arguments regarding requisite technology and risk of greater harm to public health and welfare must be rejected. Deference should be given to the analysis and evidence presented in each of the original rulemakings when a repeal or rescission of a rule or finding is proposed, especially when the proposal to repeal or rescind lacks substance or logic.

Eliminating GHG emissions from all motor vehicles would be futile

The claims made in Section V.C. of the proposal are not evidence-based. In addition, EPA neither clearly defines futility in this context nor clearly describes which vehicles it is referring to. For the most part, when EPA refers to vehicles in Section V.C., it appears to refer to the futility of reducing GHG emissions from "new motor vehicles and engines," whereas the heading of the section refers to the futility of reducing GHG emissions from "all motor vehicles". Because EPA does not specify which population of vehicles it is referring to and because it offers no detail, analysis, or supporting evidence in the draft RIA, it appears that EPA is simply presenting the claim as a statement of fact. That statement is not a legitimate rationale for rescinding any motor vehicle GHG emission standard. If EPA is basing its claims regarding futility exclusively on new motor vehicles and

²⁹ Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles Regulatory Impact Analysis. Page 3-15.

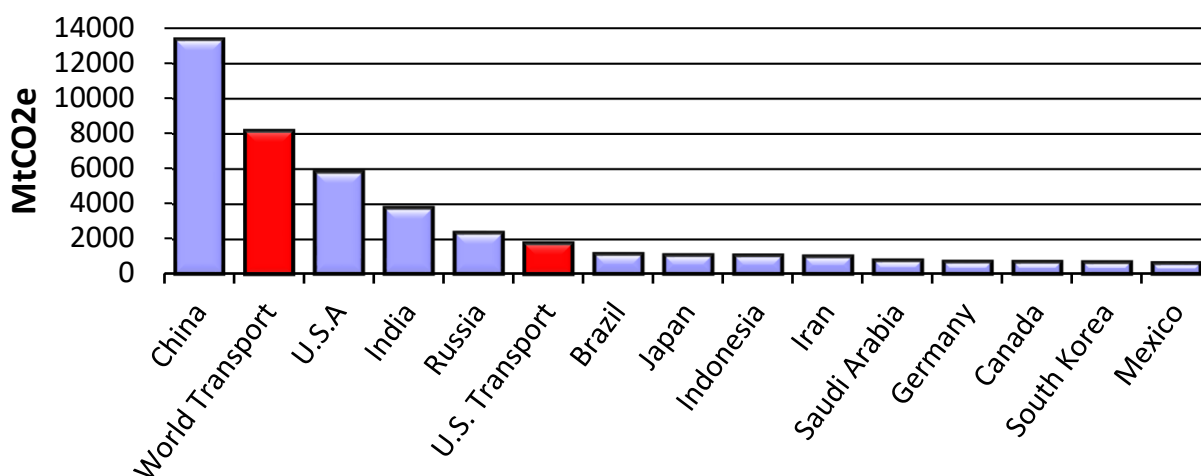
³⁰ Stechmesser et al., "Climate policies that achieved major emission reductions: Global evidence from two decades" Science 385 (884-892), 2024

engines, then it should recognize that immediately after purchase, new motor vehicles and engines become used motor vehicles and engines. Motor vehicle emissions standards affect the vehicle fleet gradually as older vehicles are removed from the fleet and newer vehicles are added.

EPA's argument in Section V.C. is unclear for the reasons previously stated. However, if EPA's argument is that GHG emissions from motor vehicles and engines are an insignificant proportion of total global GHG emissions, that statement does not hold up to scrutiny. Figure 2.3 in the 2009 GHG Endangerment Finding technical support document provides context for the magnitude of 2005 U.S. Section 202(a) GHG emissions and shows that those emissions "would rank behind only China, the United States as a whole, Russia, and India".³¹ We updated that Figure 2.3 with 2022 data from ClimateWatch. In 2022, total U.S. transportation emissions were only outranked by China, the U.S. as a whole, India and Russia (Figure 1). Although Section 202(a) emissions would be a subset of total U.S. transportation emissions, the ranks likely would not change. Therefore, if only four countries' *total* GHG emissions continue to exceed 2022 U.S. Section 202(a) GHG emissions, reducing GHG emissions from these sources does not seem futile. In addition, in 2022, U.S. GHG emissions from transportation were the highest among all nations, and were nearly double the transportation emissions of the next highest country (China). These facts underscore that addressing transportation-related GHG emissions remains both necessary and impactful.

³¹ See Technical Support Document for Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act. USEPA. Dec. 7, 2009 (15).

Figure 1: Total GHG Emissions for 2022 by Country and for U.S. and World Transportation



Source: ClimateWatch (2025). Available at climatewatchdata.org. Excludes Land Use Change and Forestry. Data Accessed August 29, 2025. Compare to 2005 data in Figure 2.3 from 2009 EPA GHG Endangerment Finding Technical Support Document.

EPA also references the 2009 Endangerment Finding, stating that U.S. Section 202(a) GHG emissions “accounted for 4.3 percent of global GHG emissions at the time,” but does not provide proper context for the arguably trivial 4.3 percent.³² However, the original Endangerment Finding stated that “[s]ection 202(a) GHG emissions are a significantly larger share of global transport GHG emissions (28.0%) than the corresponding share of all U.S. GHG emissions to the global total (18.4%), reflecting the relative size of the transport sector in the United States compared to the global average. Section 202(a) GHG emissions were 4.3% of total global emissions in 2005. The global transport sector was 15.3% of all global emissions in 2005.”³³ This explanation clarifies why 4.3% is actually a considerable percentage of GHG emissions and why U.S. Section 202(a) GHG emissions were subsequently addressed in rule.

EPA acknowledges “the possibility that this proposal could marginally impact emissions of criteria pollutants and air toxics,” but it also “anticipates that the impacts of repealing GHG emission regulations would have only marginal and incidental impacts on the emission of non-GHG air pollutants.”³⁴ These statements stand in stark contrast to prior analysis conducted under previous

³² 90 Fed. Reg. 36295, 36290 (Aug. 1, 2025)

³³ See Technical Support Document for Endangerment and Cause or Contribute Findings for Greenhouse Gases under Section 202(a) of the Clean Air Act. USEPA. Dec. 7, 2009 (184).

³⁴ 90 Fed. Reg. 36328 (Aug. 1, 2025)

rulemakings.³⁵ EPA has not adequately addressed, either in its proposal or in the Draft RIA, the loss of the co-benefits that would be associated with rescinding all Section 202(a) vehicle and engine GHG emission standards. The analysis of potential co-benefits lost with any rescission of standards should be at least as rigorous as the analysis performed under the prior rule adoptions. The content of the Draft RIA does not meet the standards of analysis required to overturn such a longstanding precedent and sequence of rulemakings.

More expensive new vehicles reduce vehicle efficiency and safety while increasing GHG emissions

EPA claims that the current GHG vehicle and engine emission standards necessarily reduce safety across the fleet because the standards slow the replacement of older vehicles that are less safe. However, another part of the proposal states that the standards “*may* harm, rather than advance, public welfare as defined in the CAA by reducing fleet turnover that improves air quality, *safety*, consumer choice and economic certainty”³⁶ and “that greater availability of new vehicles at lower prices furthers public welfare by *promoting* vehicle safety” or “*could* lead to a higher risk to drivers and passengers and delay the safety benefits provided by new vehicles” (emphasis added).³⁷

The Draft RIA does not provide any information regarding the proposal’s impact on safety. It does not provide detail, evidence or analysis on the safety costs reduced by the proposal. It does not compare those cost reductions to the costs associated with increased GHG, criteria pollutant and air toxics emissions associated with the proposal. EPA should not make claims regarding safety without providing adequate supporting evidence either in the proposal itself or in the Draft RIA.

The proposal discusses safety only vaguely: “NHTSA has found that newer vehicles offer improved safety features and designs, leading to reduced fatalities and injuries in crashes relative to older vehicles.”³⁸ The reference for this general statement is a NHTSA website that briefly highlights safety features of vehicles. However, the vast majority of required safety equipment listed, including seat belts, air bags, and electronic stability control, is already installed in nearly all U.S. vehicles. Other safety features mentioned on the NHTSA website, such as blind spot warning and driver assistance are not federally mandated for all vehicles. EPA appears to be arguing that slower fleet turnover associated with the current standards somehow reduces safety because new vehicles may include the *optional* safety features. If that is the case, the EPA should perform a detailed comparative cost-benefit analysis of these optional safety features between a no action scenario and the proposed rule. If EPA is referring to future federally mandated safety systems such as automatic emergency braking, which is installed in 90% of new passenger vehicles, it again

³⁵ See for example Chapter 7.2 of the Phase 3 GHG Standards RIA that shows clear criteria pollutant co-benefits associated with GHG emission standards. Other rulemakings include significant co-benefits as well but are more of a challenge to cleanly reference given the combined nature of those rulemakings (EPA and NHTSA combined GHG emission and fuel efficiency standards, for example)

³⁶ 90 Fed. Reg. 36311 (Aug. 1, 2025)

³⁷ 90 Fed. Reg. 36313 (Aug. 1, 2025)

³⁸ Ibid.

should provide a detailed comparative cost-benefit analysis of different adoption rates of these safety systems under both a no action scenario and the proposed rule to evaluate the impact of EPA's claimed prediction of slower fleet turnover. EPA's claims of reduced safety stemming from Section 202(a) GHG emission standards must be rejected unless a detailed analysis is provided that adequately supports those claims.

EPA's proposed rule has not been adequately justified

There is no rigorous, evidence-based scientific rationale for EPA's current proposal to repeal all GHG emission standards for light-, medium- and heavy-duty vehicles and engines or to rescind the 2009 GHG Endangerment Finding. The limited analysis that EPA provided in the proposed rule, Draft Regulatory Impact Assessment, and DOE Climate Working Group report does not justify the actions that EPA proposes to implement. Comparing EPA's current proposal to the original vehicle and engine GHG emission standard rulemaking documents or to the 2009 GHG Endangerment Finding itself reveals that the volume of effort, complexity of analysis and evidence provided to justify the original actions met or exceeded expectations, whereas the current proposal does not.

Therefore, EPA should rescind this proposed rule. If EPA is unwilling to rescind the entire proposed rule, then it should leave the previously adopted GHG emission standards in place for all light-, medium- and heavy- duty vehicles and engines while it follows legitimate legal and scientific processes to re-evaluate the 2009 GHG Endangerment Finding. Legitimate processes include following EPAs own guidance documents on information quality, scientific committee meetings and rigorous peer review of documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Leah K. Feldon". The signature is fluid and cursive, with the first name "Leah" being more prominent.

Leah Feldon
Director
Oregon Department of Environmental Quality