



Chet Thompson
President and CEO

**American
Fuel & Petrochemical
Manufacturers**

1800 M Street, NW
Suite 900 North
Washington, DC
20036

202.457.0480 office
202.457.0486 fax
afpm.org

July 5, 2023

Administrator Michael Regan
Environmental Protection Agency
EPA Docket Center, OAR Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

Attention: Docket ID No EPA-HQ-OAR-2022-0829

Dear Administrator Regan,

Attached are the American Fuel & Petrochemical Manufacturers' (AFPM) comments on the Environmental Protection Agency's (EPA) proposed model years 2027-2032 tailpipe standards for light- and medium-duty vehicles. AFPM supports efforts to reduce the carbon intensity of transportation and believes that any successful strategy must encourage competition among all technologies. What we cannot endorse is regulatory overreach promoting a single technology that completely disregards the benefits of liquid transportation fuels. EPA's proposal is infeasible and should be withdrawn to allow the Agency to work in good faith with all stakeholders to craft smarter policy.

For starters, we are disappointed with the 60-day comment period you allocated for this major rulemaking. Given the enormous stakes of this proposal, which effectively bans new internal combustion engine vehicles, the length of the proposal (262 *Federal Register* pages), the size of the docket (10,000 plus pages of supporting documents), and the other, related rulemakings with concurrent comment deadlines, there is no reasonable justification for such an abbreviated comment period. No doubt this proposal took EPA many months, if not years, to prepare. Yet, you're asking the public to make the herculean effort to read, analyze, and provide constructive, detailed comments in just a matter of eight weeks (and on July 5th no less). The question this begs is, why? Why would you stifle public feedback on such an important rule?

There is no doubt that if promulgated in its current form, the proposal would have major implications for consumers, our economy, and our national security. The Supreme Court made clear in a string of recent rulings that regulations of such magnitude require unambiguous Congressional authority. Congress has never come anywhere close to providing EPA with the authority it asserts here – the power to effectively ban internal combustion engine vehicles by setting emission standards that only battery electric vehicles can achieve. To comply with the Clean Air Act, EPA must set emission standards that individual, well-controlled ICEV can attain.

We are also troubled by EPA's failure to evaluate the lifecycle emissions of various powertrains and the national security implications of the proposal. Focusing exclusively on "tailpipe"



emissions paints a distorted picture and perpetuates the false notion that electric vehicles are “zero emitters.” EPA must present the public with a complete picture, one that shows how the various powertrains stack up against each other cradle-to-grave and the major carbon reductions that vehicle manufacturers and fuel producers have made over the last few decades, and continue to make. EPA’s failure to do so would render any final rule arbitrary and capricious.

EPA’s proposal also ignores the national security implications of its proposed electric vehicle mandate. The proposal would trade our energy security for energy dependence on countries like China. Currently, China controls the vast majority the EV battery supply chain and most of the related critical mineral mining and processing. Contrast that with the fact that 85 percent of the crude that ran through U.S. refineries last year was sourced from North America. Forcing Americans to buy EVs makes us less secure, not more.

For the reasons articulated in the attached comments, we urge you to rescind the proposal and to reissue a proposal consistent with your authority under Clean Air Act section 202.

We welcome an opportunity to discuss our concerns and ways we can work together to accomplish our shared goals of making future generations of passenger vehicles cleaner and safer.

Regards,

Chet Thompson
President and CEO
American Fuel & Petrochemical Manufacturers