



## EPA Head Says Vehicle Emissions Standards Set by Obama Should Be Revised Downward

A news release posted on the EPA website on April 2 said that the agency's administrator, Scott Pruitt, announced the completion of the Midterm Evaluation (MTE) process for the greenhouse gas (GHG) emissions standards for cars and light trucks for model years 2022-2025. Pruitt's final determination is that, in light of recent data, the current standards are not appropriate and should be revised. The current standards were set by the Obama administration.



"The Obama Administration's determination was wrong," said Pruitt. "Obama's EPA cut the Midterm Evaluation process short with politically charged expediency, made assumptions about the standards that didn't comport with reality, and set the standards too high."

The release also addressed the fact that under the Clean Air Act (CAA), EPA sets national standards for vehicle tailpipe emissions of certain pollutants, but through a CAA waiver granted by EPA, California can impose stricter standards for vehicle emissions of certain pollutants than federal requirements.

However, the California waiver is still being reexamined by the EPA under Pruitt's leadership.

The release noted that back in 2012, when the EPA established emissions standards for the 2017-2025 model years, the agency made a regulatory commitment to conduct an MTE of the standards for MY 2022-2025 no later than April 1, 2018. This evaluation would determine whether the standards remain appropriate or should be made more, or less stringent.

The EPA has just complied with that requirement, and from Pruitt's statement, it is apparent that the agency intends to make the standards less stringent.

A report in the *Washington Post* observed that the Obama-era standards require that cars and light trucks sold in the United States average more than 50 miles per gallon by 2025.

The *Post* also noted the special allowance made for California under the Clean Air Act and said that the state has threatened to sue if it is blocked from imposing stricter targets than set for the rest of the nation. While the EPA release did not state that that was necessarily the case, it did say: "The California waiver is still being reexamined by EPA under Administrator Pruitt's leadership."

The *Post* noted that such a legal battle would have widespread implications because 12 other states, representing more than a third of the country's auto market, follow California's emissions standards. The report said California officials wasted no time in criticizing the EPA's decision and quoted a statement from Mary Nichols, head of the California Air Resources Board (CARB), saying: "This is a politically motivated effort to weaken clean vehicle standards with no documentation, evidence or law to back up that decision." Nichols asserted that the agency's move would "demolish" the nation's shift toward cleaner cars and that "EPA's action, if implemented, will worsen people's health with degraded



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air quality and undermine regulatory certainty for automakers.”

Nichols also said about the potential legal fight to come:

This decision takes the U.S. auto industry backward, and we will vigorously defend the existing clean vehicle standards and fight to preserve one national clean vehicle program.... [The EPA’s decision] changes nothing in California and the 12 other states with clean-car rules that reduce emissions and improve gas mileage — those rules remain in place.

The *Post* also quoted a positive statement about the administration’s proposed relaxation of emission standards from Gloria Bergquist, a vice president at the Alliance of Automobile Manufacturers, who said that her members “support the administration for pursuing a data-driven effort and a single national program as it works to finalize future standards. We appreciate that the Administration is working to find a way to both increase fuel economy standards and keep new vehicles affordable to more Americans.”

The administration’s planned changes also received support from the steel industry. An April 2 news release from the American Iron and Steel Institute (AISI) quoted a statement made by AISI’s president, Thomas J. Gibson, who said:

Today’s announcement by Administrator Pruitt is a positive development for the steel industry and our partners in the auto sector. In the past, we expressed concern the good faith efforts by our industry and our customers were short-circuited by the previous administration in an attempt to push through a final determination before all of the public comments were thoroughly considered. We have been working with the EPA toward revisiting this measure, and applaud today’s decision to pause and look at ways the light duty vehicle program can be addressed to allow assessment of other factors affecting the environment and economy. Sole focus on tailpipe emissions has the potential to produce unintended consequences - both increased cost and negative effects on the environment. We would urge consideration of the full life cycle environmental impact of vehicles, from production through end of life, during this reconsideration process.

In an article last October, we reported that the EPA would propose repealing the Obama administration’s Clean Power Plan. We observed that EPA Administrator Pruitt had issued a number of *Federal Register* notices, including one headed “Review of the Clean Power Plan,” which noted, in part:

On March 28, 2017, President Trump issued an Executive Order establishing a national policy in favor of energy independence, economic growth, and the rule of law.

Pruitt also sent a letter to Kentucky Governor Matt Bevin on March 30, 2017, which was made available to all of the nation’s governors, informing him that on February 9, 2016, the Supreme Court stayed implementation of the Clean Power Plan (CPP). Because of that stay, noted Pruitt, “States and other interested parties have neither been required nor expected to work towards meeting the compliance dates set in the CPP. It is the policy of the Environmental Protection Agency (EPA) that States have no obligation to spend resources to comply with a Rule that has been stayed by the Supreme Court of the United States.”

That change in policy by the EPA, along with the latest announcement about less-stringent emissions standards, indicate that the administration is serious about rolling back the regulatory burdens that have stifled the growth of the U.S. economy for decades.



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