

HIP HOP CAUCUS



MICHIGAN
GREEN MUSLIMS

greendoor
initiative



WEST END REVITALIZATION ASSOCIATION
CHERISH EVERY DROP OF WATER YOU DRINK, EVERY LEAF THAT'S GREEN, EVERY HAND KEEPING IT CLEAN

August 29, 2026

Administrator Lee Zeldin
Environmental Protection Agency,
1200 Pennsylvania Ave NW, Washington, DC 20004
Washington, DC

Submitted via: <https://www.regulations.gov/document/EPA-HQ-OAR-2026-0728-0114>

Re: Comments on the Amendments and Nonconformance Penalties for Model Year 2027 and Later Heavy-Duty Highway Engines and Amendments to Inducement Provisions for SCR-Equipped Diesel Engines (Doc ID: EPA-HQ-OAR-2026-0728-0114)

Dear Administrator Lee Zeldin,

Thank you for the opportunity for GreenLatinos, Hip Hop Caucus, WE ACT for Environmental Justice, and Clean Air for the Long Haul, and the undersigned organizations to submit the following comments in reference to the U.S. Environmental Protection Agency's ("EPA") proposed rule, "Amendments and Nonconformance Penalties for Model Year ("MY") 2027 and Later Heavy-Duty Highway Engines and Amendments to Inducement Provisions for SCR-Equipped Diesel Engines."

The Clean Air for the Long Haul ("the Cohort") is a nationwide coalition of environmental justice groups working collectively to advance environmental justice by seeking emissions reductions in the power and transportation sectors in the United States.¹ The Cohort leads campaigns to amplify the voices and positions of overburdened communities in federal rulemaking. The Cohort actively champions the adoption and enforcement of clean air and climate justice policies that prioritize emissions reductions of toxic air pollution and greenhouse gases and

¹ Dare to Breathe, Campaign of the Clean Air for the Long Haul, 2025. <https://daretobreathe.org/about/>

protects the health of Black, Brown, Tribal, Indigenous, and low-wealth communities across the United States. The Cohort is a subset of the national Environmental Justice Leadership Forum, comprising over 40 organizations in 23 states. These groups are actively working together to ensure that diverse grassroots perspectives shape federal, state, and local programs and policy decisions, while advancing key climate justice and environmental policies that protect and strengthen communities of color and low-income communities nationwide.²

Hip Hop Caucus (“the Caucus”) is a 21 year old national nonprofit organization that uses cultural expression to empower communities that are first and worst impacted by injustice.³ Through our Think 100% climate justice platform, we mobilize communities, advocate for strong environmental policies, and work to hold polluters accountable. The Caucus fights for clean transportation to stop the worst of climate change and protect clean air for all people.

We urge the US EPA to withdraw this proposed rule, as delaying the enforcement of tailpipe pollution limits from trucks will dramatically worsen air quality, deepen chronic disease crisis, and cause more people across the U.S. to get sick and die from exposure to harmful pollutants.

These concerns are most pertinent to environmental justice communities who are more likely to live in or near diesel death zones,⁴ areas that are located near transportation hubs with concentrated levels of diesel pollution. Diesel pollution is recognized as a Class 1 Carcinogen by the International Agency for Research on Cancer (IARC),⁵ and has been described by experts as “more carcinogenic than secondhand smoke.”⁶ For these reasons, our communities demand the EPA abandon this proposal and pursue stronger tailpipe standards that will protect those most vulnerable to toxic diesel pollution.

Background: Responses to the [2022 Heavy-Duty Engines and Vehicle Air Pollution Standards](#)

In 2022, [Clean Air for the Long Haul Cohort members](#) and [GreenLatinos commented](#) on the proposed rule at the public hearing and highlighted the well known fact that strong standards can prevent exposure to vehicle pollutants and protect against completely unnecessary deaths while saving energy and supporting economic growth. At the time, GreenLatinos in their verbal testimony called more stringent standards a simple win-win. Specifically, they called for the standards to help accomplish two things: 1) reduce deadly nitrogen oxides (NOx) pollution 90 percent by 2027, and 2) put our national bus and truck fleets on a clear path to 100 percent zero-emission vehicles by 2035.

² Environmental Justice Leadership Forum. (n.d.). *Environmental Justice Leadership Forum*. <https://ejforum.org/about-us/>

³ Hip Hop Caucus, About Us. <https://hiphopcaucus.org/about-us/>

⁴ *Diesel pollution maps* | Union of Concerned Scientists. (n.d.). Retrieved August 6, 2026, from <https://www.ucs.org/resources/diesel-pollution-maps>

⁵ International Agency for Research on Cancer. (2012, June 12). *IARC Press Release: DIESEL ENGINE EXHAUST CARCINOGENIC*. https://www.iarc.who.int/wp-content/uploads/2018/07/pr213_E.pdf

⁶ Donald G. McNeil Jr. (2012, June 12). *Diesel Fumes Cause Lung Cancer, W.H.O. Says*. The New York Times. <https://www.nytimes.com/2012/06/13/health/diesel-fumes-cause-lung-cancer-who-says.html>

Similarly, another Cohort member, [WE ACT for Environmental Justice](#), made similar asks in their comments to the EPA's docket on the rule. WE ACT called for the most stringent option offered, as well as offered several improvements, including eliminating zero-emission vehicle crediting and not allowing early action credits as these flexibilities would undermine the emission reduction standards and incentivize continued purchasing of dirty fossil fuel trucks and buses. To adequately protect the millions of people in America who live near transportation hubs and tackle climate change, WE ACT urged the EPA to take strong action to reduce and ultimately eliminate sources of diesel pollution by incentivizing the electrification of medium and heavy duty vehicles fleets.

While not all these recommendations were integrated into the final rule, this rule represented an important first step to protecting our communities and mitigating some of the harm that transportation pollution places on communities. Ultimately, the 2022 final rule was in need of strengthening in future iterations, not the weakening that the 2026 proposed rule represents.

Health Effects and Disproportionate Impacts of Heavy-duty Vehicle Pollution

Heavy-duty vehicles are significant contributors of air pollutants, including smog- and ozone-forming NOx, fine particulate matter (PM_{2.5} or soot), and volatile organic compounds (VOCs). The harmful effects of which are unequally distributed, with Black, Latino, and low-income communities bearing the brunt of the harms. Communities of color are hit hardest by nearly every major pollution source, with heavy-duty diesel vehicles driving some of the largest exposure disparities.⁷ For our communities, mitigating the harms of tailpipe pollution is a literal life and death issue. By the EPA's own findings, vehicle emissions are a major contributor to premature deaths and a serious public health concern.⁸

Health Effects of Tailpipe Pollution

A 2026 report found that toxic vehicle pollution causes almost 42,000 premature deaths in the U.S. annually (equating to 4-5 people dying every hour) and more than 23,000 asthma cases every year.⁹ Heavy-duty vehicles represent 6 percent of the on-road fleet in 2020, but generate 59 percent percent of NOx and soot pollution.¹⁰ These tailpipe emissions are linked to adverse

⁷ Christopher W. Tessum et al. PM_{2.5} pollutants disproportionately and systemically affect people of color in the United States. *Sci. Adv.* 7, eabf4491 (2021). DOI: [10.1126/sciadv.abf4491](https://doi.org/10.1126/sciadv.abf4491)

⁸ Environmental Protection Agency (EPA). (Last updated August 7, 2025). Smog, soot, and other air pollution from transportation. <https://www.epa.gov/transportation-air-pollution-and-climate-change/smog-soot-and-other-air-pollution-transportation#:~:text=Urban%20air%20toxics-,Programs%20to%20Reduce%20Smog%2C%20Soot%2C%20and%20Other%20Air%20Pollution%20from,4.8%20million%20work%20days%20lost>

⁹ International Council on Clean Transportation. (2026). *Cleaner Vehicles, Healthier Communities*. <https://theicct.org/wp-content/uploads/2026/06/ICCT-Fact-Sheet-National.pdf>

¹⁰ American Lung Association, 2022. Zeroing in on Healthy Air, <https://www.lung.org/getmedia/13248145-06f0-4e35-b79b-6dfacfd29a71/zeroing-in-on-healthy-air-report-2022>

health impacts such as asthma,¹¹ other respiratory diseases¹², strokes, heart attacks,¹³ and premature death. Additionally, emerging research links long-term exposure to traffic-related pollution to a higher likelihood of preterm birth and low birth weight, neurodevelopmental disorders, worsened respiratory diseases, increased asthma incidence, reduced lung function development, and a greater risk of paediatric cancers and chronic diseases in adulthood, as well as cognitive decline and developmental issues in children.¹⁴

NOx pollution specifically can significantly affect human health.¹⁵ NOx is a precursor to ground-level ozone, as well as a powerful lung irritant.¹⁶ Further, EPA's own findings conclude that there is very likely to be a causal relationship between even short-term NOx exposure and adverse respiratory outcomes, including increased incidence of asthma, infant mortality, cardiovascular disease, cancer, and premature death.¹⁷

Communities of Color Bear a Disproportionate Burden

These tailpipe pollution harms are not distributed equally. Due to a legacy of discriminatory policies, low-income communities and communities of color are far more likely to live near major highways,¹⁸ ports,¹⁹ and distribution centers,²⁰ increasing their exposure to harmful transportation pollution and associated health burdens. According to the American Lung

¹¹ Southerland, V. A., Brauer, M., Mohegh, A., Hammer, M. S., Donkelaar, A. van, Martin, R. V., Apte, J. S., & Anenberg, S. C. (2022). Global urban temporal trends in fine particulate matter (PM_{2.5}) and attributable health burdens: Estimates from global datasets. *The Lancet Planetary Health*, 6(2), e139–e146. [https://doi.org/10.1016/S2542-5196\(21\)00350-8](https://doi.org/10.1016/S2542-5196(21)00350-8)

¹² American Lung Association (2026) Health Impact of Air Pollution. <https://www.lung.org/research/sota/health-risks>

¹³ Moderato, L., Aschieri, D., Lazzeroni, D., Rossi, L., Biagi, A., Binno, S. M., Monello, A., Pelizzoni, V., Sticozzi, C., Zanni, A., Capucci, A., Nani, S., Ardisino, D., Nicolini, F., & Niccoli, G. (2023). Air pollution and out-of-hospital cardiac arrest risk: A 7-year study from a highly polluted area. *European Heart Journal. Acute Cardiovascular Care*, 12(12), 810–817. <https://doi.org/10.1093/ehjacc/zuad105>

¹⁴ Bromley, F., & Ellis, N. (2026). The potential impact of traffic-related air pollution on children's cognitive development; implications for educational psychologists. *Educational Psychology in Practice*, 42(1), 1–18. <https://doi.org/10.1080/02667363.2025.2545855>

¹⁵ National Institute of Environmental Health Sciences. (Last reviewed March 6, 2026, updated 2025). *Air Pollution and Your Health*.

<https://www.niehs.nih.gov/health/topics/agents/air-pollution#:~:text=and%20prostate%20cancers.-,Cardiovascular%20Disease,related%20changes%20in%20children%27s%20airways.>

¹⁶ American Lung Association (Last reviewed June 9, 2025). *Ozone*.

<https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/ozone>

¹⁷ EPA's Integrated Science Assessment (ISA) for Oxides of Nitrogen – Health Criteria, Final Report, January 2016 (EPA/600/R-15/068). Link: <https://assessments.epa.gov/isa/document/&deid=310879>

¹⁸ Antonczak, B., Thompson, T. M., DePaola, M. W., & Rowangould, G. (2023). 2020 Near-roadway population census, traffic exposure and equity in the United States. *Transportation Research Part D: Transport and Environment*, 125, 103965. <https://doi.org/10.1016/j.trd.2023.103965>

¹⁹ Gillingham, K., & Huang, P. (n.d.). *Racial Disparities in the Health Effects from Air Pollution: Evidence from Ports*. Gillingham, K., & Huang, P. (n.d.). *Racial Disparities in the Health Effects from Air Pollution: Evidence from Ports*. Retrieved

<https://resources.environment.yale.edu/gillingham/RacialDisparitiesAirPollution.pdf>

²⁰ Environmental Defense Fund. (2023, April 25). Air Pollution from Warehouse Trucks Places Unequal Burden on Communities of Color and Areas of Low Wealth.

<https://www.edf.org/media/edf-report-air-pollution-warehouse-trucks-places-unequal-burden-communities-color-and-areas>

Association's 2026 State of the Air Report, although communities of color make up 42 percent of the overall population of the U.S., they represent over 54 percent of the people living in a county with at least one failing grade for air quality. A person of color is almost three times as likely as a white individual to live in a community with a failing grade for all three measures of air pollution, including year-round, short-term soot pollution, and ozone.²¹ Additionally, due to disproportionate exposure to PM2.5 and NOx, low-income communities and communities of color endure pediatric asthma rates that are eight times higher than their high-income, white counterparts.²² This ongoing harm to our most vulnerable populations represents a clear environmental justice issue that can only be mitigated through effective policymaking.

The Data: Racial and Ethnic Disparities in Pollution Exposure

Nationally, Black, Latine, and multiracial populations are exposed to NOx levels 15-50 percent above the national average.²³ A statewide analysis in California found that Black Californians experience 43 percent higher PM2.5 from vehicles, including heavy-duty trucks, than white residents, while Latino Californians are exposed to 39 percent higher levels.²⁴ In California, Latines experienced nearly 3x as many high NOx exposure days as non-Hispanic white residents.²⁵

In Los Angeles, disadvantaged Hispanic and Asian communities face traffic-pollution consisting of benzene, NOx, and carbon monoxide at levels up to 60 percent higher than other areas.²⁶

In a 2021 satellite study conducted in Houston, neighborhoods with more Black and Latine residents had 37 percent higher NOx levels than majority non-Hispanic white neighborhoods.²⁷

Local Community Impacts

²¹American Lung Association. (2026, April 22). State of the Air 2026 Report.

<https://www.lung.org/getmedia/32f0646d-c5de-4501-b0ac-07cd63c974d4/State-of-the-Air-2026-Report.pdf>

²² Milken Institute School of Public Health, George Washington University. (March 6, 2024). Communities of color across the US suffer a growing burden from polluted air.

<https://publichealth.gwu.edu/communities-color-across-us-suffer-growing-burden-polluted-air#:~:text=Overall%2C%20an%20estimated%2049%2C400%20premature,disease%2C%20lung%20cancer%20and%20stroke.>

²³ Gaige Hunter Kerr, Daniel L. Goldberg, Maria H. Harris, Barron H. Henderson, Perry Hystad, Ananya Roy, Susan C. Anenberg; Ethnoracial Disparities in Nitrogen Dioxide Pollution in the United States: Comparing Data Sets from Satellites, Models, and Monitors. *Environ. Sci. Technol.* 5 December 2023; 57 (48): 19532–19544. <https://doi.org/10.1021/acs.est.3c03999>

²⁴ David Reichmuth. (2019, January 28). Inequitable Exposure to Air Pollution from Vehicles in California. Union of Concerned Scientists.

<https://www.ucs.org/resources/inequitable-exposure-air-pollution-vehicles-california-2019>

²⁵ Riyang Liu, Lingzhi Chu, Tormod Rogne, Xiaomei Ma, Kai Chen (2025). "Racial and ethnic disparities in exposure to short-term NO2 air pollution in California during 1980–2022." *Journal of Hazardous Materials*. <https://www.sciencedirect.com/science/article/abs/pii/S0304389425022253>

²⁶ Ofodile, J., Pfannerstill, E. Y., Arata, C., Pusede, S. E., Ivey, C. E., & Goldstein, A. H. (2025). Inequality in Hazardous Air Pollutant Emissions and Concentrations Measured Over Los Angeles. *Environmental Science & Technology*, 59(15), 7588–7599. <https://doi.org/10.1021/acs.est.5c00808>

²⁷ Katherine Bourzac (2021). "A local look at air pollution highlights inequalities within cities." *Chemical & Engineering News*.

<https://cen.acs.org/environment/pollution/local-air-quality-monitoring-inequalities/99/i23>

Like many environmental justice communities nationwide, the toll of this exposure is a stark reality of the communities our organizations represent. In 2016, asthma-related emergency room visits were over six times higher in New York City's low-income areas.²⁸ Children in the South Bronx, a neighborhood that is surrounded by expressways that include some of the nation's busiest truck routes and where the population is 64 percent Latino and 33 percent Black face a 17 percent asthma risk,²⁹ over double the national average. In Michigan, traffic from vehicles is a major driver of Detroit's PM2.5 burden; Black, low-income neighborhoods near highways face roughly 2-3 times higher soot exposure than whiter, higher-income areas with less traffic.^{30,31,32} Furthermore, a survey among households that are located near I-75 in Southwest Detroit demonstrated higher incidence rates of asthma and that air pollution is a top concern among residents.³³ In Seattle Washington, the vast majority of cargo operations are concentrated in the Duwamish Valley, disproportionately exposing communities of color to high levels of NO_x.³⁴ In Kansas City, asthma rates and acute care visits are highest in census tracts closest to rail yards, highways, and Toxic Release Inventory (TRI) facilities. Local research highlights that proximity to freight and industrial pollution sources continues to be a key indicator of cumulative health burdens in environmental justice communities.^{35,36} These examples illustrate a serious issue that repeats in communities across the U.S., harming vulnerable people and shortening lifespans.

Proposed Rule Changes from the 2022 Rule

The proposed rule changes do not roll back NO_x emissions limits; instead, it takes away the teeth that hold manufacturers accountable for the performance of a vehicle across its lifetime. The typical diesel semi truck has a 750,000-mile lifespan,³⁷ but a well-maintained truck can put

²⁸ Walters S, Wilson L, Konty K, Day S, Agerton T, Olson C. (September 2021). *Disparities among Children with Asthma in New York City*. New York City Department of Health and Mental Hygiene: Epi Data Brief (126) <https://www.nyc.gov/assets/doh/downloads/pdf/epi/databrief126.pdf>

²⁹ Sheldon Silver, Jeffrey Klein, Richard N. Gottfried, & Richard Brodsky. (n.d.). A Special Report on Asthma from the New York State Assembly. Committee on State-Federal Relations. Retrieved July 6, 2026, from https://assembly.state.ny.us/write/upload/comm/postings/2001/20010907_0002136/

³⁰ Shkempi, A., Smith, L. M., & Neitzel, R. L. (2024). Linking environmental injustices in Detroit, MI to institutional racial segregation through historical federal redlining. *Journal of Exposure Science & Environmental Epidemiology*, 34(3), 389–398. <https://doi.org/10.1038/s41370-022-00512-y>

³¹ Shkempi, A., Park, S. K., Zelner, J., & Neitzel, R. (2025). Racial and Ethnic Inequities to Cumulative Environmental and Occupational Impacts in Michigan. *GeoHealth*, 9(6), e2025GH001482. <https://doi.org/10.1029/2025GH001482>

³² Zhang, K., & Batterman, S. (2013). Air pollution and health risks due to vehicle traffic. *The Science of the Total Environment*, 0, 307–316. <https://doi.org/10.1016/j.scitotenv.2013.01.074>

³³ Southwest Detroit Community Benefits Coalition. (2026, May 19). *Health Impact Assessment (HIA) for the Gordie Howe International Bridge Project (GHIB)*. <https://swdetroitcbc.org/health-impact-assessment/>

³⁴ Meyer, M., Kira O'Hare, & Yoann Bernard. (2026, January 29). *Seattle drayage truck emissions and environmental justice analysis*. <https://trueinitiative.org/research/seattle-drayage-emissions/>

³⁵ Friedman E, Lee BR, Rahn D, Lugo Martinez B, Mena A. Assessing environmental injustice in Kansas City by linking paediatric asthma to local sources of pollution: a cross-sectional study. *BMJ Open*. 2024 Jul 17;14(7):e080915. doi: 10.1136/bmjopen-2023-080915. PMID: 39019634; PMCID: PMC11256072.

³⁶ Lugo Martinez, Beto (2026). Community Led Roadmap to Zero Emissions. figshare. Online resource. <https://doi.org/10.6084/m9.figshare.32399565.v1>

³⁷ Beltway Truck Parts. (2024, October 18). *How Many Miles Can a Semi-Truck Last*. <https://beltwaytruckparts.com/2024/10/18/how-many-miles-can-a-semi-truck-last/>

1,000,000 miles or more on the road. The proposed rule reduces the mileage that the warranty covers and the useful life of the engine to less than half of the actual operating lifetime of the truck. Additionally, the rule proposes pay-to-play tactics that allow manufacturers to sell trucks that are noncompliant, giving auto manufacturers more time to delay adoption for cleaner technologies with virtually no consequence to their bottomline. The requirements that are being weakened were put in place because clean, compliant emissions performance should be guaranteed by manufacturers over the lifetime of the vehicle. These rollbacks will have a severe impact on the health and wallets of communities near traffic corridors and fleet operators.

Warranty Component

This proposed rule reverses the warranty time periods established by the 2023 Final Rule -- which lengthened emission-related warranty periods for MY 2027 and later engines from 100,000 miles/5 years (MY 2026 and earlier) to 450,000 miles/10 years/22,000 hours for MY 2027 and later. This rule proposes to keep the shorter MY 2026-and-earlier warranty periods in place for MY 2027 and later engines, rather than letting the longer periods take effect. The EPA projects the proposed removal of lengthened emission-related warranty would increase NOx emissions by 36,673 tons in 2055.³⁸ According to a simple linear regression of the EPA's data, with a coefficient of determination of .968, the cumulative increase in NOx emissions would equal 942,728 short tons by 2055 from the changes proposed in this rule.

Useful Life Component

The proposed rule would delay implementing the longer useful life requirement set by Biden's EPA from 2027 to 2030. This means that for 2027-2030, the 435,000 miles or 10 year useful life requirement will be upheld rather than the 650,000 or 11 year requirement for heavy duty engines. Semi trucks travel an average of 58,890 miles a year,³⁹ meaning after 7 years of use most trucks will have reached the 435,000 mile requirement. Driving data shows that most heavy duty trucks stay on the road for 15 years.⁴⁰ This means that NOx emissions controls and engine efficiency isn't guaranteed for half of the life of the vehicle. Without NOx emissions controls, there is no way to quantify the pollution these trucks are causing, preventing us from understanding impacts to climate and community.

Pay to pollute loophole

The proposal introduces nonconformance penalties for certain MY 2027 and later heavy-duty engines. These penalties are proposed via a formula determined by how much the engine exceeds the 2027 NOx standard. The examples provided are as low as \$851 to \$5,875 per

³⁸ U.S. Environmental Protection Agency. (2026, July). *Amendments and Nonconformance Penalties for Model Year 2027 and Later Heavy-Duty Highway Engines and Amendments to Inducement Provisions for SCR-Equipped Diesel Engines Draft Regulatory Impact Analysis*.

³⁹ US Department of Energy. (2026, March). *Alternative Fuels Data Center: Average Annual Vehicle Miles Traveled by Major Vehicle Category*. <https://afdc.energy.gov/data/widgets/10309>

⁴⁰ Kelly, J. C., Elgowainy, A., Vijayagopal, R., Muratori, M., Sutherland, I., Borhan, H., Kim, H. C., & Alexander, M. (2026). Cradle-to-Grave Lifecycle Analysis of U.S. Medium- and Heavy-Duty Vehicle-Fuel Pathways: A Greenhouse Gas Emissions Assessment of Current (2021) and Future (2035) Technologies. *Environmental Science & Technology*, 60(7), 5404–5415. <https://doi.org/10.1021/acs.est.5c10480>

engine. We compare the penalties to major U.S. company revenue in 2025. Cummins, U.S. and Canada net sales were \$20.165 billion.⁴¹ The penalty is equivalent to 0.000004% to 0.000029% of Cummins annual U.S./Canada sales. PACCAR's U.S. and Canada truck revenue was \$11.354 billion.⁴² The penalty is equivalent to 0.000007% to 0.000052% of PACCAR's U.S. and Canada truck revenue. PACCAR also reported 77,300 U.S. and Canada truck deliveries, which is about \$147,000 in revenue per truck. The proposed penalty range is about 0.6% to 4% of average truck revenue.³³ While major manufacturers report annual revenue in the tens of billions, this "pay to pollute" penalty structure is not a serious deterrent to noncompliance and treated as the cost of doing business. Communities near highways, ports, warehouses, and freight corridors would pay via the costs of living with polluted air.

Derate Technology

Under the 2023 Final Rule, manufacturers were required to use derate technology to reduce power and vehicle speed limitations. This is a more surefire way to limit emissions while also improving vehicle safety and efficiency. The current proposed rule replaces mandatory engine derates with non-mandatory notifications in new engines, which are not sufficient incentive to prevent unnecessary additional emissions outputs.

Derates work precisely because they tie vehicle performance to pollution control: a truck losing power forces immediate repair. A dashboard notification does not create the same incentive. Nearly half of drivers report continuing to operate with a check-engine light on for as long as 18 months to delay repair costs. Truckers, who face sharp cost pressures, have little reason to respond to a DEF warning alone. The math is unforgiving, trucks with failed emissions systems pollute at roughly decade-old rates. The consequences of this are stark, as modeling shows that if just 1 percent of trucks operate without a functioning SCR system, they can generate as much NOx as the remaining 99 percent combined.⁴³

This proposal also removes obstacles for bad faith operators that tamper with these systems. EPA estimates controls were removed from more than 550,000 diesel pickups between 2009 and 2020, when mandatory derates were in place.⁴⁴ If tampering was widespread when disabling a truck's emissions controls carried real performance consequences, removing that consequence gives operators even more reason to disable a failing system rather than pay to fix it. This further erodes the rules effectiveness in reducing emissions; EPA's own testing shows diesel trucks with removed emission controls can emit 30 to 300 times more NOx than trucks with working controls.⁴⁵ The currently proposed rule additionally reflects the broader rollback of enforcement tools meant to deter tampering. In July 2026, President Trump pardoned nine

⁴¹ Cummins Inc. 2025 Annual Report.

<https://investor.cummins.com/sec-filings/annual-reports/content/0001104659-26-039182/0001104659-26-039182.pdf>

⁴² PACCAR 2025 Annual Report.

https://www.sec.gov/Archives/edgar/data/75362/000119312526113873/2025_annual_report_-_ars.pdf

⁴³ Dave Cooke, "Diesel Emission Controls Work...Which Is Why They Are Under Attack," *Union of Concerned Scientists (The Equation)*, Aug. 12, 2026,

<https://blog.ucs.org/dave-cooke/diesel-emission-controls-workwhich-is-why-they-are-under-attack/>

⁴⁴ Margo T. Oge, "EPA's Latest Assault On Clean Air: Diesel Truck Emissions," *Forbes*, Aug. 13, 2026

⁴⁵ See citation 44

people convicted of violating the Clean Air Act by disabling or selling devices to disable diesel emissions-control systems, including operators who the Justice Department said ran businesses where the large majority of their operations involved removing emissions-controls.⁴⁶

Weakening Manufacturers Incentives & Shifting Burdens to Communities

The proposal overall weakens manufacturer incentives by: 1) Cutting emissions warranties from roughly 450,000 miles to just 100,000 miles,⁴⁷ about 10% of a truck's 1-million-mile operating life; 2) shifting the cost of maintaining pollution controls onto truck owners, who will be more likely to defer expensive repairs; and 3) introducing nonconformance penalties which let manufacturers pay a fee to keep selling engines that don't meet the 2027 NOx standard rather than actually meeting standards. Lastly, it reduces the effectiveness of the derate technologies, diminishing their overall effectiveness to reduce emissions and encouraging tampering.

The 2027 standards, that this proposed rule weakens, were projected to prevent up to 2,900 premature deaths a year and 18,000 childhood asthma cases annually by 2045, valued at roughly \$200 billion in public health benefits, against the \$12 billion in industry savings EPA cites to justify the rollback.⁴⁸ The harms of these proposals fall hardest on communities already bearing disproportionate pollution burdens.

Public Health Costs

NOx contributes to ozone and fine particle pollution. Harmful pollutants such as these are linked to asthma attacks, respiratory illness and cardiovascular harm.⁴⁹ They contribute to the overburdening of emergency room visits, missed school and work days. All of these atrocities end in premature death.

EPA's analysis of the 2023 heavy-duty vehicle standards illustrates the scale of the public health benefits at stake. The Agency estimated that the standards could prevent up to 2,900 premature deaths, 6,700 hospital admissions and emergency department visits, 18,000 cases of childhood asthma, 78,000 lost workdays, and 1.1 million lost school days annually by 2045.⁵⁰ These figures represent the benefits of the broader 2023 standards and should not be interpreted as the precise number of harms caused by the present proposal. They demonstrate that

⁴⁶ "Diesel Tuners Convicted In Emission Cases Pardoned By President," *CarPro*, July 14, 2026, <https://www.carpro.com/blog/diesel-tuners-convicted-in-emission-cases-pardoned-by-president>

⁴⁷ Commercial Carrier Journal, "EPA eliminating DEF derates and Biden-era emissions warranty rules," July 2026, <https://www.ccdigital.com/regulations/emissions/article/15829170/epa-eliminating-def-derates-and-biden-era-emissions-warranty-rules>

⁴⁸ Margo T. Oge, "EPA's Latest Assault On Clean Air: Diesel Truck Emissions," *Forbes*, Aug. 13, 2026, <https://www.forbes.com/sites/margooge/2026/08/13/epas-latest-assault-on-clean-air/>

⁴⁹ U.S. EPA. Basic Information about NO2. <https://www.epa.gov/no2-pollution/basic-information-about-no2>

⁵⁰ US EPA. Final EPA Standards for Heavy-Duty Vehicles to Slash Dangerous Pollution and Take Key Step Toward Accelerating Zero-Emissions Future. December 20 2022. <https://www.epa.gov/newsreleases/final-epa-standards-heavy-duty-vehicles-slash-dangerous-pollution-and-take-key-step>

weakening the warranty, useful-life, and compliance provisions would forfeit a portion of measurable public health protections.

EPA projects between \$9.4 billion and \$12 billion in cost savings from the proposed amendments, yet the Agency has declined to quantify or monetize the resulting health harms.⁴⁰ EPA's stated monetized net benefits therefore consist only of projected cost savings and omit the financial value of additional illness, medical treatment, missed work and school, and premature mortality.⁵¹ This omission produces an incomplete assessment of the proposal's economic consequences and obscures costs that will be borne by families, workers, schools, healthcare systems, employers, and communities located near freight activity.

The public health costs, especially for our environmental justice communities must be taken into account while the EPA proposes weakening this rule. With these costs in mind, we urge you to consider how the proposed rule will negatively impact communities, truck drivers, and truck makers, and we urge you to withdraw it.

We appreciate the opportunity to provide comments on the proposed rule and look forward to EPA's response.

Sincerely,

Clean Air for the Long Haul cohort organizations:

WE ACT for Environmental Justice

GreenLatinos

Duwamish River Community Coalition

Greendoor Initiative

Michigan Green Muslims

PODER

RISE

South Bronx Unite

West End Revitalization Association

Other signatories:

Hip Hop Caucus

7 Directions of Service

A2 (Anthropocene Alliance)

Alliance of Nurses for Healthy Environments

Alternatives for Community & Environment (ACE)

⁵¹ Federal Register. Amendments and Nonconformance Penalties for Model Year 2027 and Later Heavy-Duty Highway Engines and Amendments to Inducement Provisions for SCR-Equipped Diesel Engines. July 14 2026.

<https://www.federalregister.gov/documents/2026/07/14/2026-14112/amendments-and-nonconformance-penalties-for-model-year-2027-and-later-heavy-duty-highway-engines-and>

American Sustainable Business Network
Atchafalaya Basinkeeper
Center for Biological Diversity
Clean Air Council
Clean Power Lake County
Climate Reality Project - NJ
Coming Clean network
Community Members for Environmental Justice
Conservation Law Foundation
Ecology Africa Foundation
Ecology Center
Elders Climate Action
Electric Vehicle Association of Ohio
Environmental Justice Health Alliance for Chemical Policy Reform (EJHA)
Environmental Law & Policy Center
Equity in Health Advisors Network
Flint Rising
Harambee House / Citizens for Environmental Justice
Harambee House Inc.
Kentucky Interfaith Power & Light
League of Conservation Voters (LCV)
Memphis APRI
Movement Strategy Center
Moving Forward Network
National Charging Access Coalition
Native Sun Community Power Development
Natural Resources Defense Council
New Jersey Environmental Justice Alliance
North American Climate, Conservation and Environment(NACCE)
Oncology Advocates United for Climate and Health - International
Operation Grow Inc.
Plaine Products
Plug In America
Project Green Home
Public Citizen
Recycle and Reinvest
Sierra Club
Southern Environmental Law Center
Southwest Energy Efficiency Project
Sowing Justice
Texas Environmental Justice Advocacy Services
The Deep South Center for Environmental Justice (DSCEJ)

The National Black Environmental Justice Network (NBEJN)

The Tallahassee Food Network

U.S. Climate Action Network

Union of Concerned Scientists

Unity In The Family Ministry

Until Justice Data Partners

Virginia Clean Cities

Water You Fighting For?

Wisconsin Electric Vehicle Association