

Testimony of Laura Kate Bender
Vice President, Nationwide Advocacy and Public Policy
American Lung Association
As prepared for delivery

EPA Public Hearing on “Proposed Rule: Amendments and Nonconformance Penalties
for Model Year 2027 and Later Heavy-Duty Highway Engines and Amendments to
Inducement Provisions for SCR-Equipped Diesel Engines”
Docket ID EPA-HQ-OAR-2026-0728

Good morning. My name is Laura Kate Bender (L-A-U-R-A K-A-T-E B-E-N-D-E-R) and I’m the vice president for nationwide advocacy and public policy for the American Lung Association. I appreciate the opportunity to share comments today.

As I expect you’ll hear repeated throughout the next two days by others in the public health community and beyond, we urge EPA to withdraw this proposal. Keeping the current standards in place without weakening or delaying its protections is important for achieving Administrator Zeldin’s first pillar of achieving clean air, land and water for every American. My colleagues today will highlight different aspects of the proposal; I’m going to focus on the health community’s strong support for keeping the existing standards as-is.

Emissions from diesel trucks cause a host of harms to the lungs, including asthma attacks, COPD exacerbations and lung cancer onset, with additional impacts across nearly every system of the human body. NOx causes lung harm on its own and also reacts to form ground-level ozone pollution.

Every year, the American Lung Association uses EPA’s own air quality data to release our “State of the Air” report, which looks at the quality of the air people breathe nationwide, including levels of ozone. The past 25 years of reports show that thanks to the Clean Air Act, the nation has made enormous strides toward fulfilling the law’s vision of a future with healthy air for all to breathe.

EPA’s standards to clean up heavy-duty vehicles have been a big part of that success story. Trucks have gotten dramatically cleaner over the decades. And that’s not just because of EPA’s strong limits on emissions that harm health, but also because of the implementation and enforcement of those limits.

That’s why the health and medical community have repeatedly called on EPA not just to make the standards themselves strong, but also to ensure that these lifesaving benefits of strong emissions controls were realized for as long as possible throughout the life of the vehicle. For example, in a separate comment period in 2023, 13 leading national health groups said in comments, “We also continue to urge EPA to reflect the full useful

life of heavy-duty vehicles in their testing and warranty requirements. Warranty provisions must match the full useful life of the vehicle, and we encourage EPA to consider this as one million miles,” even beyond what’s currently on the books.

Because health professionals understand that it’s not enough to require a new truck to be cleaner and less polluting. If the components fail, if they aren’t maintained properly, if they’re illegally tampered with – all of that means that compared to the benefits to health on paper, the real-world health improvements will fall short.

For all those reasons, we are gravely concerned with several parts of this proposal, including:

- Reducing the warranty periods from 450,000 miles or 10 years down to 100,000 miles or 5 years
- Delaying the extended regulatory useful life requirements until Model Year 2030
- Eliminating derating. This provides an important incentive to ensure that both newer vehicles and older, more polluting vehicles maintain their emissions controls. Simply put, the more time heavy duty vehicles operate with malfunctioning emissions controls, the more dangerous emissions end up in the air we breathe.

We urge EPA to withdraw these proposed changes. Everyone is impacted by pollution from trucks, but some people are at greater risk – and that includes kids. We work with physicians and nurses nationwide who treat kids who’ve had asthma attacks on smoggy days. Our “State of the Air” report found that nearly half of America’s kids live in places with unhealthy levels of air pollution.

We urge EPA, rescind this proposal. Keep the current measures fully in place to ensure that the benefits promised in the strong cleaner trucks standards are fully realized. Thank you.