

Testimony of Will Barrett
Senior Director Nationwide Clean Air Advocacy
American Lung Association

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

My name is Will Barrett, and I am the Assistant Vice President for Nationwide Clean Air Policy with the American Lung Association.

We call on EPA to rescind this proposal and return to its mission of protecting the health of all communities against pollution.

For decades, EPA truck rules have offered clear relief to communities across the United States. Still, nearly half of US children face unhealthy air quality, and at a minimum deserve the full protection offered by the existing standards.

More than 70 million people live in close enough proximity to US trucking routes to make them more likely to experience the deadly consequences of diesel pollution. This proposal allows for more pollution to increase this risk.

We oppose this proposal by EPA to reduce the protective elements of the program related to warranty, useful life, operational controls and others that will increase risk to many communities. The proposal risks regional air quality, community health, and technology innovation while adding regulatory uncertainty.

The existing rules recognize and were designed to protect against component failure, maintenance and tampering issues, to reduce operator frustration and to ensure that standards were met throughout a more representative useful life period.

By contrast, EPA is now proposing to eliminate more comprehensive warranty protections on emission controls, which EPA estimates will cause tens of thousands of tons of excess smog- and particle-forming emissions. EPA has not quantified any broader pollution impacts, or the health consequences of this proposal.

We are also opposed to EPA’s elimination of derating engines for operating with faulty emission controls caused by mal-maintenance, tampering or other equipment faults. Beyond the elimination of derate inducements for new engines, we are also deeply concerned and opposed to proposals to eliminate derates for older, higher-polluting legacy engines.

By allowing operation without strict assurances that emission controls are maintained and functional to achieve standards in the real world, EPA’s proposal could lead to significantly higher emissions and to broader engine failures.

Because of the risk mal-maintenance poses to vehicles, EPA is championing the end of derates on one hand while also proposing to allow manufacturers to keep using derates “to protect the engine or aftertreatment systems from catastrophic damage” on the other.

Collectively, these and additional proposals undermine the stringency of emission standards, foster uncertainty, non-compliance and pose grave risks to nation’s air quality progress.

We call on EPA to rescind these proposals and implement the full suite of lifesaving protections offered by the existing standards.