CPP = Clean Power Plan
ACE = Affordable Clean Energy Rule
GHG = Greenhouse gas(es)
CAFE = Corporate Average Fuel Economy (fuel standards for cars)
SAFE = Safer Affordable Fuel Efficient vehicles rule

Talking Points on EPA/NHTSA Proposed SAFE Rule:

1. EPA has a legal obligation to adopt CO_2 emissions standards for new vehicles and engines, and freezing the standards for model year 2020 and beyond represents a failure to comply with EPA's obligations.

2. EPA's proposed CO_2 standards will result in a dramatic increase in CO_2 emissions. EPA and NHTSA project that vehicles subject to the proposed weakened standards will emit an additional **872 million metric tons** of CO_2 over the vehicles' lifetimes, as compared to the current standards.[1] EPA estimates that the proposed rule will result in an additional **3.8 billion tons** of CO_2 emissions compared to the existing standards.[2]

3. EPA's proposed rule will result in a dramatic increase in fuel consumption, which will offset many of the estimated cost savings associated with the weakened standards.

    a. EPA estimates that American drivers will consume an additional 500,000 barrels of oil a day under the proposed rule. Regulated truck and passenger car fleets are projected to consume an additional 79 billion gallons of gasoline over their lifetimes under the proposed rule.[3]

    b. EPA estimates that the proposed rule will reduce vehicle costs by approximately $2,300 per vehicle, and increase fuel costs by approximately $1,850 per vehicle.[4] If fuel costs increase over the next decade, the increased fuel costs will offset any cost savings associated with the rule.

4. EPA wrongly considered fuel prices and consumer preferences as justifications for weakening air pollutant emissions standards. EPA justified its decision to weaken the federal CAFE and CO_2 emissions standards on the unsupported assumption that because gas prices are currently relatively low, consumers are more concerned with other vehicle attributes than they are with fuel economy and CO_2 emissions.[5] EPA is essentially arguing that because it is relatively cheap and convenient for consumers to pollute, EPA is obligated to allow consumers to pollute, regardless of any resulting health and welfare impacts.

5. EPA's safety justifications for the proposed SAFE rule are flawed and ignore EPA's own data and analyses. EPA's estimated cost benefits for the proposed rule are largely based on its assumptions regarding reductions in traffic fatalities. If EPA wishes to

include cost benefit estimates based on reductions in vehicle miles traveled resulting from higher fuel costs, the Agency should also include societal costs resulting from reduced mobility, including employment, child care, and other economic impacts.

Talking Points on EPA's Proposed ACE Rule:

1. The Clean Power Plan had set clear emissions reductions targets for states to meet in order to bring the U.S. in compliance with goals committed under the Paris Agreement.
    a. However, the ACE Rule omits any clear benchmarks for states to meet and, instead, offers only that states choose from a list of proposed technologies
    b. The proposed rule provides even more leeway for states reading, " the states will use the information provided by EPA [on proposed technologies] as guidance."
2. The proposed ACE rule significantly limits the scope of required emissions reductions efforts taken by regulated sources. The CPP includes a range of emissions-reducing measures that included on-site efficiency, switching to cleaner fuels, and working on demand-side efficiency efforts. However, the ACE rule limits regulates sources solely to making on-site efficiency improvements.
    a. The EPA also admits that as units become more efficient, operating managers may be more inclined to use these units more, essentially negating any emissions-reductions benefits gained from efficiency. The proposed rule offers no solutions for addressing this issue.
3. The proposed rule also makes a change to when power plants making major changes should be regulated with additional emissions-reducing measures, making it easier for large modifications to avoid regulation. The proposed changes would affect all projects, not just those that concern greenhouse gases, lessening the power of the Clean Air Act to protect citizens from toxic pollution.
4. ACE will also dramatically slow U.S. progress toward reducing GHG emissions and will increase US GHG emissions compared to the CPP.
    a. EPA projects that ACE will reduce CO_2 emissions by 13 to 30 million short tons by 2025 compared to no GHG limits, but CPP would have reduced emissions by 730 million metric tons.[6]
    b. CPP would have reduced US emissions 30% over 2005 levels by 2050, but ACE will only reduce emissions 0.7–1.5% by 2030.

[1] NHTSA, Preliminary Regulatory Impact Assessment of Proposed SAFE Rule at 1,464 (July 2018), https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/ld-cafe-co2-nhtsa-2127-al76-epa-pria-180823.pdf.
[2] Presentation by Bill Charmley, Director, EPA Assessment and Standards Division, Office of Transportation and Air Quality, to the Clean Air Act Advisory Committee, Sept. 26, 2018, https://www.epa.gov/sites/production/files/2018-09/documents/caaac_presentation_on_safe_nprm_sept_26_2018_final.pdf.
[3] NHTSA, Preliminary Regulatory Impact Assessment of Proposed SAFE Rule at 1,465 (July 2018), https://www.nhtsa.gov/sites/nhtsa.dot.gov/files/documents/ld-cafe-co2-nhtsa-2127-al76-epa-pria-180823.pdf.
[4] Presentation by Bill Charmley, Director, EPA Assessment and Standards Division, Office of Transportation and Air Quality, to the Clean Air Act Advisory Committee, Sept. 26, 2018, https://www.epa.gov/sites/production/files/2018-09/documents/caaac_presentation_on_safe_nprm_sept_26_2018_final.pdf.
[5] SAFE NOPR at 42,993, https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-16820.pdf.
[6] Clean Power Plan Fact Sheet, EPA. https://archive.epa.gov/epa/cleanpowerplan/fact-sheet-clean-power-plan.html.