August 27, 2026

U.S. Environmental Protection Agency
EPA Docket Center
OAR Docket EPA-HQ-OAR-2026-0728
Mail Code 28221T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Docket ID No. EPA-HQ-OAR-2026-0728 Alaska Trade Association Comments

Dear Administrator Zeldin,

The Alaska trade associations signing this letter jointly submit the following comments on the proposed rule referenced above, published in the Federal Register on July 14, 2026, and specifically on Section V of the preamble, "Improvements for SCR Reliability and Changes to DEF Inducements for Highway Engines and Vehicles and for Nonroad Diesel Engines." The associations support EPA's proposed revisions to the emissions rules for Model Year 2027 and later heavy-duty engines and vehicles, and offer several suggestions that would help extend the rule's benefits.

The associations' members include the trucking companies that move freight across the state, the oil and gas operators that rely on heavy equipment, and the mining and construction contractors behind the resource development this administration has made a priority for Alaska. Together, they operate trucks and off-road diesel equipment, from generators and loaders to drill rigs, that this work depends on every day. Much of that work takes place in remote, extremely cold conditions, and the DEF and derate issues have been a concern for years.

The associations support EPA's decision to move away from engine derates in favor of operator notifications. This change will make the trucks and equipment Alaskans depend on safer and more reliable, and the associations appreciate EPA's response to concerns industry has raised for years. The associations also support the legislative efforts

underway to address these problems, while recognizing that this rulemaking is focused on what EPA can do under its existing Clean Air Act authority.

Operating in Alaska means dealing with some of the harshest cold-weather conditions anywhere in the country. DEF begins to freeze at around 12 degrees Fahrenheit, while temperatures here can remain well below that for months at a time and can drop to 40, 50, and sometimes 60 degrees below zero along the highways and haul roads industry depends on. Cold like that is hard on DEF systems. The fluid can freeze before it reaches the engine, a heater can fail, or a sensor can read partially thawed fluid as bad DEF. Any of those problems can trigger a fault on a truck whose engine is otherwise operating normally. Under today's rules, that fault can be enough to slow the truck to a crawl or eventually reduce it to idle.

Much of this work also takes place far from Alaska's road system, where a derate can become a serious risk to operator safety. A driver slowed to a walking pace, or stopped altogether, with no cell service and the nearest help potentially hundreds of miles away, faces real danger in that kind of cold.

The same concern applies to equipment operating off the highway. Off-road equipment has no road speed to give up, so a similar fault can instead force a power reduction or shutdown.

These systems are also less reliable in extreme cold to begin with. Frozen DEF, failed heaters, and false fault codes are a regular part of winter operations in Alaska, and every one of those failures comes at a cost. Getting a technician or tow vehicle to a remote site is slow and expensive, and in some locations, it simply is not an option. A single derated truck or piece of equipment can idle an entire crew, and that lost time adds to the already high cost of developing Alaska's resources.

First, EPA should provide a path for the existing in-use fleet, both on-road and off-road, as part of its final action.

The proposal addresses the problem for engines built in Model Year 2027 and later, but most of the equipment operating in Alaska today is older than that and will remain in service for years. That existing fleet is where the safety, reliability, and cost concerns described above are being felt today, so it is also where this change could make the greatest difference.

EPA has already taken an important first step. In August 2025, the agency issued guidance giving manufacturers a path to soften derates on in-use engines and allow more operating time before they take effect. This proposal goes further by asking for comment on whether manufacturers should be allowed to move in-use engines away from derates and toward notifications, as well as how that approach could account for extreme cold and Alaska operating conditions.

As proposed, EPA would allow the approach for Model Year 2027 and later engines while offering no additional relief from the derate requirement for the existing fleet. That leaves the operators who are already experiencing these problems without a solution.

EPA should establish an in-use pathway as part of its final action and on the same implementation timeline as the change for new production. Manufacturers should be allowed to reprogram in-use engines to use the new notification approach and encourage OEMs to make those updates available to their customers. If EPA has concluded that notifications can appropriately replace mandatory derates for new engines, operators of existing engines should have an opportunity to benefit from that approach.

Providing that relief would not prevent EPA from addressing intentional tampering. Moving away from mandatory derates for legitimate DEF-system and sensor failures would not legalize tampering, excuse required maintenance, or limit EPA's authority to enforce against defeat devices or intentional circumvention of emissions controls.

Second, EPA should rely on a visual alert and not require an audible one.

A warning the operator can see provides clear notice of a fault without creating another distraction in already difficult driving conditions. In Alaska, drivers regularly operate through blowing snow, blizzards, whiteouts, darkness, and icy roads. In those conditions, a repeating alarm can pull a driver's attention away at exactly the moment it needs to remain on the road. A constant tone can also quickly become background noise that an operator learns to tune out.

A clear and persistent visual indicator keeps the driver aware of the problem without competing for attention. EPA should require an effective visual notification while leaving manufacturers flexibility to determine whether an audible alert is appropriate for a particular vehicle or application.

Third, EPA should make the nonconformance penalties workable for the 2027 transition by extending them to Light Heavy-Duty engines and holding the penalty at zero for the first year of the new standard.

As proposed, the penalties would be available only for Medium and Heavy Heavy-Duty engines. The members rely on Light Heavy-Duty vehicles across their operations too, and leaving that class out would sharply narrow the vehicle options available in 2027, since relatively few models are expected to fully meet the new standard in time. That would concentrate demand on the few compliant options that remain and drive up their price, a cost consumers would ultimately bear. EPA should extend the penalties to Light Heavy-Duty engines on the same terms it proposes for Medium and Heavy Heavy-Duty.

Nonconformance penalties are intended to give manufacturers flexibility during the transition to a new standard, and preserving that flexibility makes sense. At the same time,

the cost of those penalties can ultimately be reflected in the price of the trucks Alaska businesses buy.

Setting the penalty at zero for the first model year, followed by a reasonable phase-in, would preserve flexibility for manufacturers while avoiding unnecessary costs for purchasers as manufacturers, dealers, and operators adjust to the new program. Alaska businesses already face substantially higher transportation and equipment costs than operators in most of the country, making it particularly important to avoid additional costs during that transition.

The associations appreciate EPA's willingness to take these concerns seriously and to craft a final rule that prioritizes clean air without losing sight of how the equipment is actually used in remote locations. For Alaska, reliability in extreme cold is not a matter of convenience; it can be a matter of safety.

The Alaska trade associations signing this letter would welcome the opportunity to meet with EPA or its staff to answer questions, describe what winter operations look like on the ground in Alaska, or provide any other information that would be helpful as EPA works toward a final rule.

Thank you for your continued work toward common-sense emissions solutions that work for Alaska.

Sincerely,

Kati Capozzi
President & CEO
Alaska Chamber

Deantha Skibinski
Executive Director
Alaska Miners Association

Rebecca Logan
CEO
Alaska Support Industry Alliance

Steve Wackowski
President & CEO
Alaska Oil and Gas Association



Alicia Kresl
Executive Director
AGC of Alaska



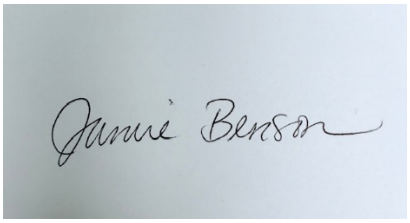
Alicia Maltby
President & CEO
Associated Builders and Contractors of Alaska



Connor Hajdukovich
Executive Director
Resource Development Council of Alaska



Julie Decker
Executive Director
Pacific Seafood Processors Association



Jamie Benson

President/CEO

Alaska Trucking Association