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Via Electronic Mail and Regulations.gov

September 4, 2019

Christopher Lieske
Office of Transportation and Air Quality
Assessment and Standards Division
U.S. Environmental Protection Agency
2000 Traverwood Drive Ann Arbor, MI 48105

James Tamm
Office of Rulemaking
Fuel Economy Division
National Highway Traffic Safety Administration
1200 New Jersey Avenue, SE Washington, DC 20590

Re: The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026
Passenger Cars and Light Trucks (Docket ID Nos. EPA-HQ-OAR-2018-0283;
NHTSA-2018-0067)

Dear Mr. Lieske and Mr. Tamm:

The California Air Resources Board (“CARB”) recently submitted a supplemental comment¹ on the subject rulemaking regarding the “Stata.do” files provided to the U.S. Environmental Protection Agency and National Highway Traffic Safety Administration (the “Agencies”) by the Alliance of Automobile Manufacturers.² In their comment, CARB asserts that four input files are missing and that without those files, CARB cannot run or evaluate the NERA Economic Consulting model provided by the Alliance of Automobile Manufacturers.

The Alliance previously provided to the docket all necessary files for the operation of the model, except those that contained public information (e.g., EPA MOVES data) or data purchased from third-parties that were used under a license agreement (as noted in our submission of April 10, 2019).³ We assume that the data purchased from third-parties that is contained in the input files referred to by CARB is available to the Agencies and third-parties on a commercial basis.

¹ Letter from Steven Cliff (California Air Resources Board) to Christopher Lieske (U.S. Environmental Protection Agency) and James Tamm (National Highway Traffic Safety Administration), Re: Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021–2026 Passenger Cars and Light Trucks, August 15, 2019.

² Docket Nos. EPA-HQ-OAR-2018-0283-7472, NHTSA-2018-0067-12386, NHTSA-2018-0067-12392.

³ Docket No. NHTSA-2018-0067-12386, Attachment 02 NERA Summary of Additional Materials Provided and Docket No. EPA-HQ-OAR-2018-0283-7472, Attachment 1 NERA memo April 10, 2019.

Alliance of Automobile Manufacturers

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As noted in our previous submission, the Alliance stands ready to accommodate any reasonable request by the Agencies for NERA Economic Consulting and or Trinity Consultants to further explain their analysis.

This letter is responsive to a third-party's submission to the subject rulemaking dockets. We would appreciate your placement of this letter in docket nos. NHTSA-2018-0067 and EPA-HQ-OAR-2018-0283. Thank you for your consideration.

If you have any questions, please feel free to contact me.

Sincerely,



Michael Hartrick
Director of Fuel Economy & Climate
Alliance of Automobile Manufacturers

Cc Steven Cliff, Ph.D.
Deputy Executive Officer
California Air Resources Board

Michael McCarthy
Emissions Compliance, Automotive Regulations, and Science Division
California Air Resources Board