



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

May 19, 2020

THE ADMINISTRATOR

Michael Honeycutt, Ph.D.
Chair
Science Advisory Board
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Dr. Honeycutt:

Thank you for your recent letters summarizing the U.S. Environmental Protection Agency Science Advisory Board review of the scientific basis of two actions that have been recently finalized. The first, received on February 27, 2020, pertained to the *Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule*, proposed jointly by the EPA and the National Highway Traffic Safety Administration. The second, received April 9, 2020, pertained to the proposed EPA reconsideration of the supplemental “appropriate and necessary” finding for the Mercury and Air Toxics Standards and the associated Residual Risk and Technology Review for coal- and oil-fired electric utility steam generating units.

In the final rulemakings we generally addressed several of the concerns raised in the SAB letters. Though we were not able to respond specifically to all of the comments in the two SAB letters given how far along the EPA was in the final rule process, many of the SAB comments were similar to those received in public comments and that were considered by the EPA in developing the final rules and are addressed in the EPA’s response to comments in the final rulemakings.

With respect to the SAFE vehicles rule, on March 31, 2020, the EPA and the NHTSA jointly released the SAFE final rule, revising carbon dioxide emissions standards and setting corporate average fuel economy standards for passenger cars and light trucks for model years 2021-2026. The SAFE vehicles rule reflects the realities of today’s markets, including substantially lower fuel prices than in the original 2012 projection, significant increases in U.S. oil production and growing consumer demand for larger vehicles. The rule increases U.S. competitiveness by reducing regulatory costs by as much as \$100 billion, and it is projected to boost new vehicle sales by up to 2.7 million vehicles, through model year 2029. At a time of sudden economic uncertainty, the SAFE rule provides help for millions of American workers and thousands of businesses in the auto sector and related industries by cutting costs and increasing sales of safe new vehicles.

With respect to the MATS rule, on April 16, 2020, the EPA completed its thorough reconsideration of the appropriate and necessary finding for MATS, correcting flaws in the 2016 supplemental cost finding while ensuring that power plants will emit no more mercury to the air than before. After primarily considering compliance costs relative to the benefits of reducing hazardous air pollutants from MATS, the EPA concluded that it is not “appropriate and necessary” to regulate electric utility steam generating units under section 112 of the *Clean Air Act*. With its final action on MATS, the agency is maintaining its standards for hazardous air pollutants, including mercury, meeting our statutory obligation to review the adequacy of those standards and taking action to correct the prior administration’s flawed cost finding consistent with Supreme Court direction.

The EPA appreciates the ongoing efforts of the SAB to provide scientific and technical input to help guide agency actions toward reaching public health and environmental goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew R. Wheeler", with a long horizontal flourish extending to the right.

Andrew R. Wheeler