

September 23, 2013

SUBMITTED ELECTRONICALLY

Ali Mirzakhilili, Division Director  
Division of Air Quality  
Delaware Dept. of Natural Resources and Environmental Control  
655 South Bay Road, Suite 5N  
Dover, DE 19901

Re: Delaware Proposed Adoption of the Low Emission Vehicle Program

Dear Mr. Mirzakhilili:

The Association of Global Automakers, Inc. (Global Automakers)<sup>1</sup> appreciates the opportunity to provide comments to Delaware's Department of Natural Resources and Environmental Conservation (DNREC) regarding the proposed regulations to adopt the most recent California Low Emission Vehicle Program, known as LEV III.

Global Automakers supports harmonized national programs for improving fuel economy and reducing greenhouse gases (GHG) and criteria pollutant emissions. We have been actively engaged in promoting harmonization among the programs of the U.S. Environmental Protection Agency (EPA), National Highway Traffic Safety Administration (NHTSA), and California Air Resources Board (ARB). The result of this effort is that these agencies have agreed to a landmark program, providing significant GHG benefits to the entire nation starting with model year (MY) 2012 and achieving a projected new vehicle fleet average equivalent to 54.5 miles per gallon (mpg) in MY 2025. The overall benefits of this program are expected to save 5.8 billion barrels of oil and reduce GHG emissions by nearly three billion metric tons.<sup>2</sup> These benefits will be realized across the U.S., including Delaware.

Furthering the goal of harmonization, to facilitate the sale of a single fleet of vehicles across the United States, EPA proposed a rule to adopt Tier 3 emissions standards that closely mirror the LEV III standards. The Tier 3

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<sup>1</sup> The Association of Global Automakers, Inc. represents international motor vehicle manufacturers, original equipment suppliers, and other automotive-related trade associations. Our members' market share of both U.S. sales and production is 40 percent and growing. We work with industry leaders, legislators, regulators, and other stakeholders in the United States to create public policy that improves motor vehicle safety, encourages technological innovation and protects our planet. Our goal is to foster an open and competitive automotive marketplace that encourages investment, job growth, and development of vehicles that can enhance Americans' quality of life. For more information, please visit [www.globalautomakers.org](http://www.globalautomakers.org).

<sup>2</sup> Composite results from EPA's Fact Sheets for the MY 2012-2016 and the MY 2017-2025 GHG programs; "EPA and NHTSA Finalize First-Ever National Program to Reduce Greenhouse Gas Emissions and Improve Fuel Economy For Cars and Trucks" and "EPA and NHTSA Set Standards to Reduce Greenhouse Gases and Improve Fuel Economy for Model Years 2017-2025 Cars and Light Trucks." <http://www.epa.gov/otaq/climate/regs-light-duty.htm>.

emission standards will provide nationwide benefits, reducing non-methane organic gases (NMOG) and nitrogen oxides (NOx) by approximately 80% and particulate matter (PM) by 70% compared to today's standards.<sup>3</sup> Furthermore, ultra-low sulfur gasoline is necessary for achieving more stringent criteria pollutant emissions standards and immediate emissions reductions from the existing vehicle fleet. EPA's Tier 3 rule proposes to more closely align national fuel with California's cleaner fuels,<sup>4</sup> providing an environmental benefit to all states. In light of the harmonization between EPA's and California's programs for MY2012-2025 GHG standards, as well as the upcoming criteria pollutant harmonization between the LEV III and Tier 3 programs, we believe it is not necessary for Delaware to adopt the proposed regulations.

Finally, we provide one minor editorial comment in the following attachment, Appendix A.

Thank you for your consideration of our comments. If you have any questions regarding the comments, I can be contacted at (202) 650-5562 or [jcabaniss@globalautomakers.org](mailto:jcabaniss@globalautomakers.org).

Sincerely,



John M. Cabaniss, Jr.  
Director, Environment & Energy

CC: Collin O'Mara  
Valerie Gray  
Deanna Cuccinello

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<sup>3</sup> EPA Fact Sheet: "Regulatory Announcement: EPA Proposes Tier 3 Motor Vehicle Emission and Fuel Standards."  
<http://www.epa.gov/otaq/documents/tier3/420f13016a.pdf>.

<sup>4</sup> California's gasoline pool average sulfur content is about one-third of the current average sulfur content of gasoline in the other 49 States.

**Appendix A**

**Global Automakers' Comments on Delaware Proposed LEV Rule**

On page 5 of the PDF document for the *Delaware National Low Emission Vehicle Program*, Global Automakers recommends a minor edit, the addition of the letter "i", to the following text, as shown in red, underlined and bolded text:

No person, including a manufacturer or dealer, shall deliver for sale or lease, offer for sale or lease, sell or lease, import, acquire, receive, purchase or rent a new vehicle that is a 2014 or subsequent model-year passenger car, light-duty truck or medium-duty vehicle in Delaware unless the vehicle **is** California-certified and complies with the following criteria: