

Factor 8: The Impact of Standards on Other Relevant Factors

The January 2017 Determination also identified regulatory certainty as an additional relevant factor that was considered as part of the determination. EPA understands that automakers and suppliers plan many years in advance.²⁷ Given such long lead times, regulatory certainty can increase the efficiency of business planning and investment cycles. The Administrator agrees that regulatory certainty is extremely important, but is reconsidering its conclusion that maintaining the current standards is the best way to provide such certainty.

Furthermore, industry cannot effectively plan for compliance with the current MY 2022–2025 GHG standards until it knows the outcome of the upcoming NHTSA rulemaking for MY 2022–2025 CAFE standards. Any regulatory certainty potentially provided by the January 2017 Determination is not supported by the fact that NHTSA had not yet begun their statutorily required rulemaking process, and EPA did not know at that time whether NHTSA would establish coordinated requirements. EPA now believes that the greatest potential regulatory certainty is provided in the long run by undertaking a new rulemaking, in partnership with NHTSA, and ensuring that the resulting standards are harmonized to the greatest degree possible.

IV. Revised Determination

Even with the wide range in perspectives, it is clear that many of the key assumptions EPA relied upon in its January 2017 Determination, including gas prices, and the consumer acceptance of advanced technology vehicles, were optimistic or have significantly changed. EPA has also both developed and received additional data and assessments since the January 2017 Determination regarding technology effectiveness and technology costs which warrant additional consideration. In addition, the reach and success of the program is significantly limited when consumers do not purchase new vehicles with low GHG emissions, either because they are priced out of them or are unwilling to spend additional money on advanced fuel-saving technologies.

²⁷ To note, some commenters raised concerns that reevaluating the standards increases uncertainty that might reduce investment in advanced technologies that could hurt jobs and United States competitiveness. As mentioned below, EPA disagrees with this concern as NHTSA must still complete a rulemaking for MY 2022–2025.

Based on our review and analysis of the comments and information submitted, the Administrator believes that the current GHG program for MY 2022–2025 vehicles presents difficult challenges for auto manufacturers and adverse impacts on consumers. On the whole, the Administrator believes the MY 2022–2025 GHG emission standards are not appropriate and, therefore, should be revised as appropriate. EPA, in partnership with NHTSA, will further explore the appropriate degree and form of changes to the program through a notice and comment rulemaking process.

As stated above, in this notice, the Administrator has determined that the standards are not appropriate in light of the record before EPA, and therefore, should be revised as appropriate. EPA is also withdrawing the January 2017 Determination with this notice. EPA, in partnership with NHTSA, will initiate a notice and comment rulemaking in a forthcoming **Federal Register** notice to further consider appropriate standards for MY 2022–2025 light-duty vehicles. This notice concludes EPA's MTE under 40 CFR 86.1818–12(h). Finally, EPA notes, as discussed above, that this revised determination is not a final agency action, as explained in the 2012 final rule. The effect of this action is rather to initiate a rulemaking process whose outcome will be a final agency action. Until that rulemaking has been completed, the current standards remain in effect and there is no change in the legal rights and obligations of any stakeholders.

Dated: April 2, 2018.

E. Scott Pruitt,
Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[**ER–FRL–9038–6**]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7156 or <https://www2.epa.gov/nepa>.

Weekly receipt of Environmental Impact Statements

Filed 04/02/2018 Through 04/06/2018 Pursuant to 40 CFR 1506.9.

Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other

Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-nepa-public/action/eis/search>.

EIS No. 20180058, Final, USFS, WI, Townsend Project, Review Period Ends: 05/14/2018, Contact: Marilee Houtler 715–276–6333

EIS No. 20180059, Final, WAPA, CO, Estes to Flatiron Transmission Lines Rebuild Project Larimer County, Colorado Final Environmental Impact Statement (DOE/EIS–0483), Review Period Ends: 05/14/2018, Contact: Mark Wieringa 720–962–7448

EIS No. 20180060, Draft, USFS, CA, Tahoe National Forest Over-snow Vehicle Use Designation, Comment Period Ends: 05/29/2018, Contact: Joe Chavez 530–478–6158

EIS No. 20180061, Final, USFS, OR, Trout Creek, Review Period Ends: 05/29/2018, Contact: Joan Schmidgall 541–367–3809

EIS No. 20180062, Draft, NPS, CO, Great Sand Dunes National Park and Preserve Draft Ungulate Management Plan and EIS, Comment Period Ends: 05/31/2018, Contact: Tucker Blythe 719–378–6311

EIS No. 20180063, Draft Supplement, BR, WA, Kachess Drought Relief Pumping Plant and Keechelus Reservoir-to-Kachess Reservoir Conveyance (KDRPP/KKC) Projects Supplemental Draft Environmental Impact Statement, Kittitas and Yakima Counties, Washington, Comment Period Ends: 07/11/2018, Contact: Candace McKinley 509–575–5848 ext. 603

Dated: April 9, 2018.

Kelly Knight,
Director, NEPA Compliance Division, Office of Federal Activities.

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ENVIRONMENTAL PROTECTION AGENCY

[**EPA–HQ–OPP–2017–0350; FRL–9975–55**]

Pesticide Maintenance Fee: Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit III., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).