BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	R24-17
PROPOSED CLEAN CAR AND	)	(Rulemaking – Air)
TRUCK STANDARDS	)	
PROPOSED 35 ILL. ADM. CODE 242	)	

NOTICE OF FILING

TO: Persons on Attached Service List

PLEASE TAKE NOTICE THAT on the 28th day of October 2024, the undersigned electronically filed with the Clerk of the Illinois Pollution Control Bard, via the "COOL" System, Indiana, Illinois, Iowa Foundation For Fair Contracting's Questions for Participants Testifying at the First Hearing on behalf of the Indiana, Illinois, Iowa Foundation for Fair Contracting, true and correct copies of which are attached hereto and hereby served upon you.

INDIANA, ILLINOIS, IOWA FOUNDATION FOR FAIR CONTRACTING

DATE: October 28, 2024 By: /s/ *Kara M. Principe*

Kara M. Principe
Counsel
Indiana, Illinois, Iowa
Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
815-342-9140
kprincipe@iiiffc.org

SERVICE LIST

Don Brown
Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Don.Brown@illinois.gov
(Via Electronic Filing)

Vanessa Horton
Hearing Officer
Carlie Leoni
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Vanessa.Horton@illinois.gov
Carlie.Leoni@illinois.gov

Renee Snow
Illinois Department of Natural Resources
Office of General Counsel
One Natural Resources Way Springfield, IL 62702
Renee.Snow@illinois.gov

Albert Ettinger
Sierra Club
7100 N. Greenview
Chicago, IL 60626
ettinger.albert@gmail.com

Robert A. Weinstock
Northwestern Pritzker School of Law
Environmental Advocacy Center
357 E. Chicago Avenue
Chicago, IL 60611
robert.weinstock@law.northwestern.edu

Nathaniel Shoaff
Sierra Club Environmental Law Program
2101 Webster Street, Suite 1300
Oakland, CA 94612
Nathaniel.shoaff@sierraclub.org

Joe Halso
Jim Dennison
Sierra Club Environmental Law Program
1536 Wynkoop Street, Suite 200
Denver, Colorado 80202
Joe.halso@sierraclub.org
Jim.dennison@sierraclub.org

Dana Vetterhoffer
Deputy General Counsel
Gina Roccaforte
Assistant Counsel
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Dana.Vetterhoffer@illinois.gov
Gina.Roccaforte@illinois.gov

Jason E. James
Assistant Attorney General
Office of the Attorney General
201 West Point Drive, Suite 7
Belleville, Illinois 62226
Jason.James@ilag.gov

Caitlin Kelly
Assistant Attorney General
Office of the Attorney General
69 W. Washington St., Suite 1800
Chicago, IL 60602
Caitlin.Kelly@ilag.gov

Alec Messina
Hepler Broom LLC
4340 Acer Grove Drive
Springfield, IL 62711
Alec.Messina@heplerbroom.com

CERTIFICATE OF SERVICE

I, Kara M. Principe, Counsel for the Indiana, Illinois, Iowa Foundation for Fair Contracting, caused to be served on this 28th day of October 2024, a true and correct copy of the Indiana, Illinois, Iowa Foundation for Fair Contracting's Questions for Participants Testifying at the First Hearing upon the persons listed on the Service List via electronic mail or electronic filing, as indicated.

By: /s/ *Kara M. Principe*

Kara M. Principe
Counsel
Indiana, Illinois, Iowa
Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
815-342-9140
kprincipe@iiiffc.org

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Indiana, Illinois, Iowa Foundation for Fair Contracting's Questions for Participants Testifying at First Hearing

NOW COMES the Indiana, Illinois, Iowa Foundation for Fair Contracting ("IIIFFC"), by one of its attorneys and hereby files its Questions for Participants Testifying at First Hearing.

Questions for Kathy Harris and Muhammed Patel

1. As advocates, do you believe your role in the NRDC creates any bias in your testimony, particularly since your organization has a clear environmental agenda?

2. You state that the rules are "feasible" with a MY 2029 start date. What evidence do you have that the automotive industry in Illinois is prepared to meet the increased demand for zero-emission vehicles (ZEVs) within the specified timeframe?

3. Have you considered the potential for supply chain disruptions or technological challenges that could make the transition to ZEVs more difficult or costly than anticipated?

4. Illinois' most significant source of transportation funding is the motor fuel tax, which generates $2.8 billion annually. Understanding the adoption of ZEVs will result in a reduction in motor fuel taxes paid on gasoline and diesel fuel, can you elaborate on what funding source you propose would make-up for this revenue deficit in future years?

5. The modeling in your testimony indicates that the rules would reduce NOx, PM2.5, and greenhouse gas emissions, but the reductions are fairly modest between MY 2028 and MY 2029. Can you explain why the potential benefits are still worth implementing more quickly, given these marginal differences? 6. Your testimony discusses environmental and health benefits but provides little detail on the potential economic downsides. Have you analyzed the possible financial impacts on industries in Illinois that rely heavily on combustion-engine vehicles, such as logistics or construction?

6. Electric vehicles are typically more expensive than their gasoline counterparts. How do you respond to concerns that the proposed rules could increase the cost of living for middle- and lower-income Illinois residents who may not be able to afford ZEVs, even with state incentives?

7. You argue that the rules will lead to cost savings for consumers. How do you account for the possibility that upfront costs of ZEVs, infrastructure changes, and potential maintenance issues could offset any long-term savings?

8. Could you provide specific examples of how the proposed rules will ensure equitable access to the benefits of ZEVs, especially for populations that may already struggle with transportation costs or access?

9. You acknowledge that ERM's analysis supports the benefits of the rules starting in MY 2029. Wouldn't it be more prudent to allow for more comprehensive stakeholder input and planning rather than rushing the rules for a MY 2028 start date?

Questions for Tom Cackette

1. Can you explain how your experience in California's regulatory environment directly translates to Illinois, which may have different economic and infrastructure challenges?

2. You state that ZEVs are reliable and can meet the majority of driving needs. However, isn't it true that rural areas and colder climates, like parts of Illinois, may face unique challenges with ZEV infrastructure and performance compared to more urban or temperate regions like California?

3. You emphasize the growth of ZEV models and sales. Do you have data on whether the increased availability of ZEVs has corresponded to lower costs for consumers in Illinois specifically, or is your analysis based on national or California trends?

4. Your testimony cites studies showing that ZEVs will achieve price parity with combustion vehicles by 2027. How confident are you that this timeline will hold, given potential supply chain disruptions, inflation, or fluctuating costs of raw materials like lithium for batteries?

5. While your analysis points to long-term savings from ZEVs, have you accounted for the upfront cost burdens on lower-income consumers or small businesses, who may struggle to afford even subsidized ZEVs or the associated charging infrastructure?

6. You mention that the feasibility of ZEV adoption depends largely on the availability of charging and refueling infrastructure. What evidence do you have that Illinois is currently prepared to scale up this infrastructure quickly enough to meet the increased demand under these regulations?

7. What specific challenges do you anticipate Illinois facing in building out this infrastructure, particularly in less densely populated areas, and how would these challenges be addressed before the implementation deadlines?

8. You assert that the ACT rule's ZEV sales requirements are achievable because the market trends show increasing ZEV availability for medium- and heavy-duty vehicles. However, many truck operators rely on long-haul capabilities that ZEVs currently struggle to meet. Can

you clarify how this issue will be addressed, particularly for industries that require long-haul trucking in Illinois?

9. You mention that ZEVs for trucks will soon reach total cost of ownership parity with diesel vehicles. How do you account for the significant upfront costs that fleet operators will still face, and do you have evidence showing that these costs won't deter ZEV adoption, especially for smaller operators?

10. The Low-NOx rule sets ambitious targets for heavy-duty vehicle emissions. Are you confident that the technology required to meet these standards is ready for widespread commercial use, or will manufacturers face difficulties in scaling up production of compliant vehicles?

11. You mention that adopting the Low-NOx rule would only result in a 5.8% increase in the cost of new trucks. Can you explain how this cost increase, in conjunction with other potential regulatory costs, won't disproportionately affect smaller trucking companies or consumers who rely on affordable shipping?

12. The ACT rule allows for credit banking and trading, offering manufacturers flexibility in meeting the sales requirements. Is there a risk that this flexibility could be exploited by larger manufacturers, thereby delaying the actual adoption of ZEVs by smaller, more resource-constrained companies?

13. How do you ensure that the compliance flexibilities in the ACT rule won't lead to uneven progress in ZEV adoption across different sectors, such as local delivery trucks versus long-haul trucking?

14. You draw on the success of ZEV programs in California and other jurisdictions. Can you provide specific examples of how lessons from these states apply to Illinois, particularly in terms of the economic and geographic differences that may affect the success of similar regulations here?

15. In your opinion, how much of Illinois' regulatory success will depend on federal or other tax incentives or policies, and what risks do you foresee if those incentives were to decrease or change in the coming years?

Questions for Dr. Peter Orris

1. Dr. Orris, your testimony draws heavily on your experience in occupational and environmental medicine. Could you clarify how your work with air pollution directly relates to vehicle emissions, as opposed to other forms of pollution?

2. You argue that low-income and minority communities suffer more from vehicle emissions due to proximity to highways and truck traffic. Can you provide specific data showing how these areas have higher pollution levels solely from vehicles, and not from industrial or other sources?

3. Regarding the increase in heat-related illnesses, is it possible that other interventions, such as better urban planning or heat management strategies, could mitigate these effects more effectively than adopting the proposed vehicle standards?

4. You emphasize the health benefits of the proposed regulations but do not mention the potential economic costs. Do you have any data or studies that weigh the public health benefits of these rules against the potential economic harm, such as job losses or increased consumer costs in the automotive industry?

5. Some experts argue that the current air quality standards already adequately protect public health. How would you respond to the claim that more stringent regulations may not yield proportional health improvements?

Questions for Daniel Horton

1. In your testimony, you acknowledge that ozone (O3) levels could increase in urban areas as a result of the vehicle electrification transition. Can you explain why the model predicts this and how you believe this potential negative outcome should be mitigated in the implementation of these regulations?

2. You project that increases in ozone levels would contribute to an additional 50 premature deaths annually. How does this outcome reconcile with the projected overall health benefits of the proposal, and why should this trade-off be considered acceptable?

3. Given the complexity of factors influencing health outcomes in marginalized communities, can you elaborate on how you isolated the specific impact of vehicle emissions from other environmental or social factors that contribute to these communities' health burdens?

4. Your model focused on the Chicago metropolitan area, but the proposed regulations would apply statewide. Given that Illinois has a mix of urban, suburban, and rural areas with vastly different traffic patterns and emission sources, how reliable is it to generalize the findings from Chicago to the entire state?

5. Your analysis assumes a significant shift to electric heavy-duty vehicles (HDVs). Did your model account for the current state of electric vehicle (EV) infrastructure in Illinois, such as charging station availability, and how such infrastructure gaps might affect the success of the vehicle electrification transition?

6. Given the time needed for infrastructure development, especially in rural and underserved areas, how did your model adjust for potential delays in EV adoption, and how would this affect the expected health benefits?

7. In your testimony, you highlight the potential reduction in greenhouse gas emissions through electrification. However, does your model take into account the environmental costs associated with manufacturing, maintaining, and disposing of electric vehicle batteries, particularly regarding rare-earth materials?

8. Electric vehicles require significant energy inputs for production and charging, especially if Illinois's energy grid relies on fossil fuels, how did you factor in the potential environmental impact of increased electricity demand in your analysis?

9. You estimate that reductions in NO2 and PM2.5 would prevent hundreds of premature deaths annually. Can you explain the assumptions behind these calculations and whether they account for variables such as population growth, changes in healthcare access, or advancements in medical treatments for pollution-related diseases?

10. Were the projections for premature deaths based solely on air pollution reductions, or were other health determinants, such as socioeconomic status or pre-existing conditions in affected populations, considered in your analysis?

11. Your model predicts benefits from a hypothetical 30% transition to electric heavy-duty vehicles. If the actual transition rate turns out to be lower due to economic, infrastructure, or political challenges, how would that affect your projections of reduced emissions and premature deaths?

Questions for Juliana Pino

1. In your testimony, you highlight the high volumes of truck traffic in Environmental Justice (EJ) communities such as Little Village and McKinley Park. Did your organization conduct any studies to evaluate how much of this traffic is due to necessary local commerce versus through traffic that could be redirected?

2. You mention that over 400 trucks per hour move through some intersections in EJ communities like McKinley Park and Archer Heights. How do you account for potential variables, such as time of day or day of the week, that could impact the accuracy of these truck traffic counts?

3. You mention that a 2023 study, which Little Village Environmental Justice Organization (LVEJO) helped lead, identified high truck traffic near schools and retirement homes in Little Village. Was there any research conducted to compare the health outcomes of residents in these areas to those in similar neighborhoods without such heavy traffic, to isolate the specific impact of vehicle emissions?

4. In your testimony, you advocate for adopting the Advanced Clean Cars II (ACC II) and Advanced Clean Truck (ACT) standards to reduce pollution in EJ communities. How do you account for the potential economic impact on low-income residents in these areas who may not be able to afford electric vehicles, despite environmental justice vehicle credits?

5. You state that EJ communities experience disproportionately higher rates of asthma and other health issues due to vehicle emissions. Were there any other contributing factors, such as housing quality or industrial pollution, that were controlled for in studies linking vehicle emissions to health disparities?

6. You highlight the need for prompt adoption of the clean vehicle standards to avoid another model year of higher-polluting vehicle sales. However, considering the existing infrastructure challenges for electric vehicles, particularly in low-income areas, how realistic is it to expect a rapid shift to cleaner vehicle technology in these communities?

7. You emphasize the importance of environmental justice vehicle credits to ensure access to zero-emission vehicles for EJ communities. How do you propose ensuring these credits reach the most vulnerable populations, and what safeguards are in place to prevent wealthier individuals from taking advantage of such programs?

8. You advocate for vehicle electrification as a solution for air pollution in EJ communities, but have you considered the environmental and health impacts of mining and manufacturing the materials needed for electric vehicles? How does your proposal address these concerns?

9. You mentioned a study where students documented truck traffic near their school. Was any data collected on the types of trucks or their emissions standards to verify that the pollution levels in the area were directly attributable to older, more polluting vehicles, or could some of the trucks have been newer, cleaner models?

10. Have you considered the economic impact of this transition on businesses in EJ communities that rely on diesel trucks, and how to you propose mitigating those effects?

11. How do you reconcile the potential economic burden of electric vehicle adoption on working-class families in EJ communities? Is there a plan in place to ensure an equitable transition?

Questions for Brian Urbazewski

1. You referenced multiple studies throughout your testimony. Were any of these studies funded or produced by organizations with vested interests in the proposed rules, and how do you address potential biases in the sources of the data you relied on?

2. You mentioned that 71% of Illinois' population live in areas failing to meet EPA's health-based standards for ozone pollution. Would reducing emissions solely from vehicles be enough to bring these areas into compliance?

3. You emphasized the harmful effects of NO2 and PM2.5 emissions. Given that these pollutants are already regulated under national standards, do the proposed rules address pollutants that current regulations fail to mitigate? Or are existing regulations sufficient if properly enforced?

4. You assert that Illinois has committed significant funding to EV infrastructure development. However, are there any independent analyses that demonstrate Illinois will have sufficient charging infrastructure to support the anticipated growth in electric vehicle sales within the timeframe set by these rules?

5. Can you provide specific examples of how EV infrastructure will be equitably distributed across both affluent and low-income communities, particularly those already suffering from environmental injustices?

6. You mentioned that vehicle electrification could reduce electricity rates for all utility customers, citing optimized charging scenarios. However, does this analysis account for the costs of upgrading the grid infrastructure to handle increased demand, and if so, could these costs offset the projected benefits?

7. Your testimony suggests that these regulations will address environmental justice issues by reducing air pollution in low-income and minority communities. How do you ensure that these communities won't be disproportionately affected by the higher costs of electric vehicles or any economic dislocation resulting from changes in vehicle manufacturing and fuel infrastructure?

8. The Clean Car and Truck Standards aim to promote ZEV adoption. How do you ensure that low-income communities, where vehicle ownership rates are generally lower, will benefit from these policies?

9. You argue that the rules align with the Climate and Equitable Jobs Act (CEJA) and Illinois' long-term goals. Can you clarify if Illinois has conducted a cost-benefit analysis to measure the economic impact of these regulations in achieving CEJA targets, compared to other possible solutions?

10. Given that vehicle turnover rates are slow, how do you address the argument that the proposed regulations may not result in significant emissions reductions in the short term?

Questions for Myrna V. Salgado-Romo

1. Are you aware of the current federal and state regulations that already exist to limit vehicular emissions? How do you believe the proposed standards will significantly improve conditions beyond the existing regulations?

2. As someone involved in the Chicago Environmental Justice Network (CEJN), have you considered the potential economic impacts of these regulations on local businesses that rely on heavy-duty vehicles for transportation whereby these regulations could lead to economic displacement or job losses in your community?

3. You referenced CEJN's air quality monitoring efforts. Could you provide more information on the accuracy and reliability of these monitors compared to government data sources? Have these community monitors provided data that differs from government air quality assessments?

4. You state your community is in close proximity to industrial corridors and railyards. Besides the proposed Clean Car and Truck standards, are there specific initiatives targeting industrial pollution, other local sources, or alternative solutions that you think would be equally or more effective?

Questions for Justin Flores

1. While you express concern for air quality and noise pollution, have you considered the economic impact that the proposed standards might have on the local trucking or shipping industries, particularly in neighborhoods like Pilsen where transportation is a major industry?

2. Much of your testimony focuses on vehicle pollution as a source of health risks. Given the industrial nature of the surrounding area, how confident are you that vehicle emissions are the primary contributor to poor air quality in Pilsen, rather than emissions from nearby factories or other stationary sources?

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By: /s/ *Kara M. Principe*

Kara M. Principe
Counsel
Indiana, Illinois, Iowa
Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
815-342-9140
kprincipe@iiiffc.org