

ILLINOIS POLLUTION CONTROL BOARD
March 11, 2025

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

Hearing before the Illinois Pollution Control Board
Transcript of Proceedings

March 11, 2025

Reporter: Jude Arndt, CSR, CCR, RPR
CCR NO. 084-004847
CSR NO. 1450

1 The aforementioned proceedings were held
2 on March 11, 2025, at Illinois Pollution Control Board,
3 Springfield Office, 2520 West Iles Avenue, Springfield,
4 Illinois, before Jude Arndt, a certified shorthand
5 reporter and certified court reporter.

6 PRESENT:

7 ATTENDING BOARD MEMBERS:

8 Barbara Flynn Currie, Chair
9 Jennifer Van Wie
10 Michael Mankowski
11 Michelle Gibson
12 Angela Tin

13 BOARD STAFF:

14 Carlie Leoni, Hearing Officer
15 Vanessa Horton, Hearing Officer
16 Dr. Anand Rao
17 Essence Brown
18 Marie Tipsord
19 Anupama Paruchuri
20 Tim Fox
21 Chloe Salk

22 PROPONENTS - ATTORNEYS:

23 James Dennison
24 Robert Weinstock
 Albert Ettinger
 Nathaniel Shoaff
 Chase Deatrick

PARTICIPANTS - ATTORNEYS:

 Gina Roccaforte
 Dana Vetterhoffer
 Jason James
 Caitlin Kelly
 Melissa Brown
 Alec Messina
 Kara Principe
 Michael McNally
 Melissa Binetti

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(Exhibits are attached.)

1 [9:01 a.m.]

2 HEARING OFFICER LEONI: All
3 right, everyone. Good morning. It's now 9:01
4 AM. Welcome to this Illinois Pollution
5 Control Board hearing.

6 My name is Carlie Leoni, and I am the
7 one of the hearing officers for this
8 rulemaking proceeding, entitled In the Matter
9 of Proposed Clean Car and Truck Standards,
10 Proposed 35 Illinois Administrative Code 242.

11 The board docket number for this
12 rulemaking is R24-17.

13 This is our second day of hearing. We
14 concluded at 5:00 PM yesterday, and are
15 beginning at about 9:00 today.

16 Also present today from the Board are
17 board members Jennifer Van Wie, board member
18 Michelle Gibson, board member Michael
19 Mankowski, and board member Angela Tin, as
20 well as our other hearing officer Vanessa
21 Horton, board general counsel Marie Tipsord,
22 and attorney advisor Anupama Paruchuri.

23 In Chicago, board staff available via
24 video are the board's technical unit chief

1 environmental scientist Anand Rao and
2 environmental scientist Essence Brown, board
3 senior attorney Tim Fox, and attorney advisor
4 Chloe Salk.

5 Participants of the rulemaking here
6 today are the Alliance for Automotive
7 Innovation, the Illinois Automobile Dealers
8 Association, the Illinois Trucking
9 Association, the Midwest Truck Alliance, and
10 the Indiana Illinois Iowa Foundation for Fair
11 Contracting.

12 Our two witnesses today are Matt Wells
13 and Mary Tyler.

14 This hearing is governed by the Board's
15 procedural rules. All information that is
16 relevant and that is not repetitious or
17 privileged will be admitted into the record,
18 and along those lines, I have a few procedural
19 notes for everybody participating today.

20 First, I would like to thank the
21 proponents for quickly filing their exhibits
22 introduced yesterday with the Board. Those
23 are now available on the Board's Clerk's
24 Office On-line, on our website for public

1 access.

2 Next, just a little reminder for
3 everyone, this is a regulatory proceeding,
4 it's not an adjudicatory proceeding, no one is
5 on trial.

6 We all understand and know that as the
7 day goes on, it's harder to keep our heads,
8 but let's please do our best to remain civil
9 and respectful to the witnesses and those
10 posing questions.

11 Witnesses are allowed to answer beyond
12 yes-or-no to questions and to ask clarifying
13 questions, because, again, the goal of this
14 proceeding is to gather information to create
15 a full and comprehensive record for the Board
16 so that the Board can make its decision on
17 this proposal.

18 To that end, the Board may also ask
19 follow-up questions of witnesses, and please
20 remember that if you have any objections to a
21 response, to raise them under the Board's
22 rules.

23 Otherwise, a little grace goes a long
24 way, and it should be a shorter day today, so

1 I think that will help everyone.

2 All right. Before we get to the
3 witnesses, just a quick recap from yesterday.
4 As I mentioned, we ended at 5:00 PM with a few
5 questions left for Matt Wells.

6 We were scheduled to start today with
7 Mary Tyler's testimony, but as Mr. Wells has
8 informed me that he also has an engagement
9 this afternoon and counsel for the proponents
10 have said they don't have too many questions
11 left for him, we will start where we left off
12 with the questioning of Mr. Wells, and then
13 proceed to Ms. Tyler's testimony.

14 Whenever we wrap today, which at latest
15 will be 3:00 PM, I will go off the record to
16 discuss with the participants the schedule for
17 post-hearing briefing.

18 We are planned at the latest today to
19 stop at 3:00 PM and take a one-hour break
20 before we resume at 4:00 PM with the online
21 public comment portion of the hearing. As
22 yesterday, we'll have a 10-to-15-minute break
23 sometime in the morning around 10:30, and
24 break for lunch at noon.

1 All right. For the sake of our court
2 reporter, please speak clearly and avoid
3 speaking at the same time as another person so
4 that we can help produce a clear transcript.

5 And as mentioned, we will begin today
6 with the testimony of Matt Wells, and then
7 move on to Mary Tyler.

8 The court reporter will swear in all
9 witnesses when they begin, and if they so
10 choose, they may give a brief summary of their
11 testimony before we start the questions.

12 Typically we enter pre-filed testimony
13 as an exhibit as if read, and counsel are
14 allowed to give a short opening statement if
15 they so choose. Witnesses are allowed also
16 allowed a short opening summary of their
17 testimony, if they so chose.

18 And as we go along, as yesterday, I
19 will be entering testimony and answers as
20 exhibits.

21 Can we go off the record for one
22 second?

23 THE REPORTER: Off the record.
24 [Discussion off the record.]

1 HEARING OFFICER LEONI: All
2 right. Back on record.

3 THE REPORTER: Back on the
4 record.

5 HEARING OFFICER LEONI: And
6 following this hearing, I will issue a
7 complete exhibit list. So we'll start today
8 with the exhibits numbered two dash one.

9 HEARING OFFICER HORTON: I
10 misspoke.

11 HEARING OFFICER LEONI: Never
12 mind. We will start from 26. Exhibit Number
13 26 will be the first exhibit today.

14 And court reporter, please feel free to
15 stop me or anyone at any point if we are going
16 too fast, talking too softly, or if you need
17 anything repeated.

18 Again, for participants asking
19 questions today, please start your question by
20 stating your name and then organization you
21 are representing.

22 So we have already entered the
23 pre-filed questions for all witnesses, and we
24 have already entered the testimony and

1 pre-filed responses of Mr. Wells.

2 So are there any questions about the
3 order of today's proceedings?

4 If not, we will move on to swearing in
5 Mr. Wells.

6 [Matthew Wells sworn in
7 by the court reporter.]

8 HEARING OFFICER LEONI: As
9 mentioned earlier, the pre-filed testimony and
10 answers have been entered into the exhibit as
11 if read, so we will recap with questions now.

12 Counsel?

13 MR. NATHANIEL SHOAFF: Thank you,
14 Your Honor.

15

16 The witness, MATTHEW WELLS, first
17 having been duly sworn, testified as follows:

18 EXAMINATION

19 BY MR. NATHANIEL SHOAFF:

20 Q. I'm Nathaniel Shoaff on behalf of
21 Sierra Club, the Natural Resources Defense
22 Council, Environmental Defense Fund, and
23 Center for Neighborhood Technology.

24 Good morning, Mr. Wells. Welcome back.

1 A. Good morning.

2 Q. It is nice to see you again. We
3 got a little bit of a late start yesterday,
4 but there was nothing you or I could do about
5 that. So we almost wrapped up, but I just
6 have, as I mentioned to you yesterday after
7 the hearing, I just have a couple more
8 questions for you.

9 A. Okay.

10 Q. So we ended yesterday talking
11 about schools and school buses. Let's pick
12 back up there.

13 You testified yesterday that in your
14 opinion, the Board should consider public
15 health improvements as relevant to its
16 decision as to whether or not to adopt the
17 proposed rules.

18 My question to you is, do you think
19 that vehicle emissions cause children in
20 Illinois to miss days of school?

21 A. I'm not a qualified medical
22 doctor to give that opinion.

23 Q. Okay. Did you -- I don't know if
24 you were in the room for the part of the

1 public testimony yesterday.

2 Did you hear the testimony of the
3 pediatrician from Springfield who testified?

4 A. Yes.

5 Q. Did you hear the testimony of
6 Susan Mudd, who advocated in favor of school
7 bus ado -- or school bus electrification?

8 A. Yes.

9 Q. And how about the testimony of
10 Evan Brown, the Springfield educator? I think
11 he was last on the list, who talked about the
12 students that he works with in Springfield.

13 A. Yes.

14 Q. Oh, one other question. Did
15 you -- you participated in the December
16 hearing in Chicago? Or no?

17 A. I was in Springfield.

18 Q. You were in Springfield?

19 A. Right. Not for the entirety of
20 the hearing, but for the majority of it, yes.

21 Q. Yeah. At that -- during the
22 public comment period for that, for that day,
23 there was a high school student with asthma
24 who spoke.

1 Did you -- did you hear his testimony?

2 A. Possibly, but I don't recall it.

3 Q. Fair. Fair.

4 You -- I understand you are not an
5 expert in public health, but you are an expert
6 in medium and heavy-duty vehicles, is that
7 fair to say?

8 A. I would say that is accurate,
9 yes.

10 Q. Okay. And school buses qualify
11 as a medium or heavy-duty vehicle, most of the
12 time?

13 A. Yes.

14 Q. Okay. Are you aware that the
15 main -- one of the main concerns with diesel
16 school buses is not just the tailpipe
17 emissions that buses emit that pollute the
18 surrounding area -- so school buses,
19 playgrounds, school drop-off areas -- but that
20 the way these buses operate is that the air
21 inside those school buses is actually less
22 healthy, it's dirtier than the air in the
23 surrounding areas?

24 A. So what is your question for me

1 on that?

2 Q. Do you understand that that is
3 part of the concern with school bus -- with
4 diesel school buses and why they are damaging
5 to children's health?

6 A. That is some of the concerns that
7 have been expressed by the proponents of this
8 rulemaking, yes.

9 Q. Yeah. And we -- so the tailpipe
10 emissions that we are concerned with
11 primarily, and that we have spoken about at
12 this hearing, are nitrogen oxide through NOx
13 and particulate matter, which gets abbreviated
14 PM.

15 Those emissions, when they are out in
16 the atmosphere, we measure those in parts per
17 billion, correct?

18 A. Yes.

19 Q. So as a public health matter, we
20 measure those is in parts per billion.

21 The parts that concerns me is that most
22 of us then, lots of us -- maybe not most of
23 us -- then put our children inside of a school
24 bus in which those emissions of NOx and PM are

1 highly concentrated more than the surrounding
2 areas.

3 Is that a concern for you?

4 A. I'm not familiar with the data
5 you are referencing, so I can't express a
6 concern one way or the other if I can't verify
7 where that information is coming from that you
8 are stating.

9 Q. Fair. Yeah, I understand you're
10 not an air quality scientist.

11 A. Right.

12 Q. Neither am I.

13 A. Right.

14 Q. Totally fair. All right. I have
15 a question for you about the economic impact
16 of the proposed rules.

17 A. Okay.

18 Q. You have argued that the negative
19 implications of the rules outweigh the
20 benefits. We spoke about that yesterday.

21 A. Correct.

22 Q. We asked you, in question 23 of
23 our pre-filed questions, to provide estimates
24 of potential job loss or revenue decline for

1 Illinois-based transportation carriers, if the
2 proposed rules are promulgated, and to please
3 explain all such estimates and provide all
4 data or analysis used to generate them.

5 Mr. Wells, you don't need to look at
6 your paper for this one.

7 A. Okay.

8 Q. This particular question wasn't
9 even included in the recitation of questions
10 that you didn't answer.

11 A. Okay.

12 Q. So my question is the same that
13 we had asked in question 23, which is, do you
14 have any data to support any claims of
15 potential job loss or revenue decline from
16 Illinois companies if the rules are adopted?

17 A. We have not conducted any direct
18 studies that would provide results on the
19 hypothetical implementation of these rules in
20 Illinois.

21 Q. Okay. Thank you, Mr. Wells.
22 We just have one more topic to cover.

23 A. Okay.

24 Q. We asked in question 27A what

1 your response was to the specific benefits
2 that Illinois residents will enjoy under the
3 proposed rules, and here I understand your
4 testimony is focused on ACT only.

5 Some of those benefits are \$3.8 in
6 cumulative net savings through 2050; annual
7 net societal benefits of \$466 million, 2050;
8 \$497 million in health savings to Illinois
9 citizens through 2050.

10 Your response was those are assumptions
11 that are not proven.

12 Is that still your opinion?

13 A. Yes.

14 Q. Okay. There is a point that I
15 think you and I will be able to agree on,
16 which is -- my view is that both modeling and
17 assumptions, both of those things can be
18 forward-looking forecasts of what will happen
19 in the future.

20 Do you agree with that?

21 A. Can you restate that again so
22 that I can --

23 Q. Both modeling and assumptions can
24 look into the future to predict what will

1 happen?

2 A. Based on a specific set of
3 variables that are used for those modeling and
4 assumptions, yes.

5 Q. Yeah. But so even though they
6 both can be forward-looking at what will
7 happen in the future, analysis and modeling is
8 different than assumptions.

9 Do you agree?

10 A. I believe there are variations
11 between the definitions of each of those
12 items, although there are a lot more
13 similarities.

14 Q. Okay. I take it back, maybe we
15 can't agree on the definition of assumptions
16 of modeling.

17 In all of our modeling that I just
18 referenced that was presented in the statement
19 of reasons and in the ERM report that
20 accompanied that statement of reasons, all of
21 those forecasted reductions in emissions and
22 the attendant public health benefits to people
23 in Illinois of adopting -- and here we'll just
24 focus on ACT.

1 A. Okay.

2 Q. You have our study. You have our
3 analysis. We put all of that in our statement
4 of reasons back in June. That was more than
5 eight months ago.

6 Do you have any study to conduct those
7 findings, which, again, are the result of
8 analysis, not assumptions?

9 A. No.

10 Q. Okay, Mr. Wells. We -- I promise
11 we are almost done.

12 You are arguing here and in your
13 testimony and your answers against adoption of
14 the proposed rules, correct?

15 A. Yes.

16 Q. As we have talked and as you have
17 confirmed over the last, well, 45 minutes or
18 so of speaking time, but yesterday and today,
19 I have got a list of assertions that you
20 raised in your testimony and in your answers
21 in support of that argument, for which you
22 have provided no study or no quantified data
23 to support that assertion.

24 Those are, number one, the negative

1 implications of the proposed rules, that was
2 question 5C;

3 Number two, the dispute of specific
4 analysis in the statement of reasons, that's
5 questions 5(f), 12, and 27(a), although I
6 think we can count those as one topic;

7 Question 11, no discernible drop in
8 emissions if the rules are adopted;

9 Number four, question 13, the number of
10 out-of-state carriers operating in Illinois if
11 the rules are adopted;

12 Number five, question 15, research done
13 by MTA into the effects of adopting these
14 rules in Illinois;

15 Number six, this was question 19,
16 agency staff necessary to implement ACT;

17 Number seven, this was question 22,
18 studies quantifying the supposed outsourcing
19 of transportation services at schools and
20 businesses if the rules are adopted to
21 entities out-of-state;

22 And number eight, question 23, which we
23 just covered this morning, which was job loss
24 or revenue decline to Illinois companies if

1 the rules are adopted.

2 Mr. Wells, that's quite a list for six
3 pages of testimony and a handful of pages of
4 answers.

5 My question is, do you think I have
6 left any out?

7 A. Yes. And the reason I state yes
8 is, the totality of my testimony also included
9 through the process which California created
10 the rules, and we are handpicking here in
11 Illinois which rule we want to follow, even
12 though those rules were not built as a
13 standalone process within California.

14 And in my testimony, I bring that
15 forward, and I tried to bring forward
16 variations of rules that California has that
17 makes these specific rules effective to
18 accomplishing whatever goals they have set in
19 California.

20 The assumptions that the ERM and the
21 proponents are running is that we are going to
22 see the same results that California is if we
23 put these in place on Illinois companies and
24 Illinois schools; yet there is nothing that

1 protects these companies from out-of-state
2 companies coming in who do not have these
3 restrictions, Low NOx and ACT.

4 That is all part of the totality of my
5 testimony that brings forward the reality,
6 we're not changing what everyone thinks we are
7 changing with ACT and Low NOx, because we're
8 not stopping the over five billion miles
9 traveled in this state every year from
10 out-of-state companies, that we can track.

11 Hence the whole point of my testimony
12 is that we're not stopping anybody from coming
13 into this state that doesn't have to comply
14 with these rules. No one. Nor are we
15 preventing schools and businesses to outsource
16 their purchase of vehicles in other states.

17 It's a very easy task to accomplish.
18 Start a leasing company in another state, you
19 purchase those vehicles in another state, you
20 register them in that state, and you operate
21 them here in the State of Illinois.

22 None of these rules stop this from
23 happening, at all. Nor do they stop them from
24 Indiana, Iowa, Wisconsin, Kentucky, Missouri,

1 from coming into our state and operating
2 vehicles that don't have to follow these set
3 of rules.

4 It creates a distinct competitive
5 disadvantage, especially when you talk about
6 Low NOx, because Low NOx regulations require a
7 different engine from the same manufacturer.

8 They provide Low NOx engines that could
9 possibly be compliant, which on average has
10 been shown to cost more than \$8,000 per
11 engine, just I believe with -- I believe that
12 is Deimler that has quoted that. I'll bring
13 the stats later.

14 But our businesses have to buy those
15 vehicles if they are purchasing new vehicles
16 here in the State of Illinois. That is the
17 totality of my testimony that has been missed
18 in this discussion.

19 Q. Mr. Wells, I assure you, I
20 haven't -- I haven't missed anything in your
21 testimony. I have read it thoroughly several
22 times. I appreciate that soliloquy
23 summarizing your position in this proceeding.

24 I just have one other question. I

1 apologize, I have to take us back to schools.
2 I forgot to ask this earlier this morning.

3 On page 33 of our statement of reasons,
4 we talked about the impact that air quality
5 has on children in Illinois, and presented a
6 study documenting more than 3,000 EMS trips to
7 Chicago schools over a five-year period,
8 specifically for asthma. Not all EMS trips to
9 children in the State of Illinois, not all EMS
10 trips to kids in Chicago; specifically just to
11 schools to treat kids for asthma.

12 And of those 3,000 visits, just three
13 percent of those were for white children. 97
14 percent of the EMS visits to schools to treat
15 kids with asthma in the State of Illinois --
16 or in Chicago, rather, were for children of
17 color.

18 Is there anything in your testimony or
19 your answers that refutes that study, or
20 disputes it, or suggests that it's not
21 relevant to the proceeding here?

22 A. The only statement in my
23 testimony that refutes the benefits of
24 adopting these rules is that those in the

1 communities you mentioned have to afford these
2 vehicles. And where is that money going to
3 come from?

4 MR. NATHANIEL SHOAFF: Okay, Mr.
5 Wells. Thank you for your time. I don't have
6 any other questions. It was nice to see you
7 again this morning.

8 A. You too.

9 HEARING OFFICER LEONI: Thank
10 you, Mr. Shoaff.

11 Are there any questions for the witness
12 from participants here in Springfield?

13 Yes, if you would please come up and
14 state your name and organization for the court
15 reporter. You can take the seat next to Mr.
16 Shoaff.

17 EXAMINATION

18 BY MS. GINA ROCCAFORTE:

19 Q. Good morning, I'm Gina
20 Roccaforte, on behalf of the Illinois
21 Environmental Protection Agency. I just have
22 one quick question.

23 A. Yes.

24 Q. Thank you for your response to

1 the agency's question number one regarding the
2 distance report from the Illinois Department
3 of Revenue.

4 Could you please provide a copy of this
5 report?

6 A. The entire distance report, or
7 just the section that I provided in my
8 testimony that was attached?

9 Q. Well, it looks like numbers were
10 from a distance report from the Department of
11 Revenue. We were just wondering if you could
12 provide that report, if possible.

13 A. Let's see. It was attached to my
14 original testimony. So this was part of my
15 original testimony that was attached, it was
16 an e-mail from the Illinois Department of
17 Revenue.

18 HEARING OFFICER LEONI: Thank
19 you, Mr. Wells. If you don't mind, if you
20 could please file with the Board and the
21 service list the full report that Ms.
22 Roccaforte is requesting, that would be
23 helpful in completing a full and complete
24 record for the Board's review.

1 BY MS. GINA ROCCAFORTE:

2 Q. Yeah, this just says "I
3 was able" -- "Hi Matt, I was able to extract
4 records from a distance report."

5 So we just have what was extracted, and
6 we were just wondering if we could get a copy
7 of the actual --

8 A. I can request that from the
9 Department of Revenue, but some of those
10 things that are in that report may or may not
11 be able to be shared, based on the agreement
12 the Illinois Department of Revenue has with
13 IFTA International, but I can make that
14 request for the Board, if that will appease.

15 HEARING OFFICER LEONI: If you
16 could please make that request, that would be
17 much appreciated.

18 MR. WELLS: Okay.

19 HEARING OFFICER LEONI: And
20 whatever they share with you, please file with
21 us.

22 MR. WELLS: Okay.

23 HEARING OFFICER LEONI: Thank you
24 very much.

1 MS. GINA ROCCA FORTE: That's it.
2 Thank you.

3 MR. WELLS: Thank you.

4 HEARING OFFICER LEONI: Thank
5 you.

6 Are there any additional questions for
7 Mr. Wells here in Springfield?

8 All right. Hearing none, I'll turn to
9 Chicago. Are there any questions from the
10 Board or participants for Mr. Wells in
11 Chicago?

12 Okay, sounds like none.

13 Thank you very much, Mr. Wells.

14 MR. WELLS: Thank you.

15 [Matthew Wells excused.]

16 HEARING OFFICER LEONI: Next, we
17 have the testimony of Mary Tyler for the
18 Indiana Illinois Iowa Foundation For Fair
19 Contracting.

20 My understanding was that Ms. Tyler
21 would be present here today, but is she in
22 Chicago?

23 MS. MARY TYLER: Yes, I am.

24 HEARING OFFICER LEONI: Oh, okay.

1 Good morning.

2 MS. MARY TYLER: Good morning.

3 HEARING OFFICER LEONI: Would the
4 court reporter please swear in the witness?

5 [Mary Tyler sworn in by
6 the court reporter.]

7 HEARING OFFICER LEONI: Thank
8 you. As mentioned earlier, the pre-filed
9 testimony in this proceeding is entered into
10 the record as if read.

11 Would the witness like to enter her
12 pre-filed testimony as if read?

13 MS. MARY TYLER: Yes.

14 HEARING OFFICER LEONI: Thank
15 you. That will be entered as Exhibit 26.

16 [Document marked as Exhibit No. 26
17 for identification.]

18 HEARING OFFICER LEONI: Now, does
19 the witness or participant counsel wish to
20 offer a brief introduction or summary?

21 MS. MARY TYLER: Yes.

22 All right. Good morning. I am Mary
23 Tyler. I am the policy director of the
24 Indiana Illinois Iowa Foundation For Fair

1 Contracting, and FSC, as I may call us from
2 now on. And I also work with the Illinois
3 Economic Policy Institute on transportation
4 policy issues. Also for an acronym I often
5 call that ILEPI, just to make it easier as we
6 are going through this.

7 I have 12 years of experience in the
8 fields of urban planning and transportation
9 infrastructure policy. I have a master of
10 urban planning and graduate certificate in
11 transportation planning from Texas A&M
12 University, and I have a bachelor of science
13 in mathematics and economics from the
14 University of Evansville.

15 I have worked for the FSC for a year,
16 and I worked for ILEPI for eight years prior
17 to that. I had served as the coordinator of
18 the Victoria, Texas, metropolitan planning
19 organization and senior transportation planner
20 for the city of Victoria, Texas.

21 In the nine years I've been working
22 here in Illinois, I have authored over a dozen
23 reports on transportation policy and funding,
24 and actively worked on major policy debates,

1 including Rebuild Illinois and the current
2 conversation going on regarding transit
3 funding in the Chicago region.

4 I am testifying today in opposition of
5 the adoption of the proposed rules, because
6 Illinois's primary source of transportation
7 infrastructure funding will be adversely
8 impacted by the increased use of electric
9 vehicles.

10 Illinois's most significant source of
11 transportation funding is the motor fuel tax,
12 or the MFT, as I may say it, call it.

13 Data has shown that revenue from the
14 MFT generated 57 percent of total
15 transportation revenue for the state in fiscal
16 year 2024, totaling \$2.8 billion.

17 The issue lies in the fact that EVs do
18 not contribute to the motor fuel tax. Thus,
19 as the number of EVs increase, we have
20 performed analyses indicating that motor fuel
21 tax revenue will decrease as less gallons of
22 gas are purchased.

23 ILEPI specifically performed an
24 analysis on the Climate and Equitable Jobs

1 Act, or CEJA, on that goal to achieve one
2 million EVs in Illinois by 2030, and found
3 that within 10 years, Illinois could lose \$765
4 million if we reach that one million EV goal.
5 This is the result of two billion gallons of
6 fuel no longer subject to the motor fuel tax.

7 While existing EV owners currently pay
8 an annual fee of \$100 to offset the lost
9 revenue, our calculations indicate it is not
10 enough. We calculated based on average miles
11 driven by a typical driver, average fuel
12 efficiency for light-duty vehicles, and the
13 current motor fuel tax to determine that an
14 average driver should be contributing at least
15 \$205 to transportation revenue from the motor
16 fuel tax -- or to make up for motor fuel
17 taxes.

18 As such, they are shorting
19 transportation funding already by at least
20 \$105, and this calculation would be higher if
21 the sales tax of motor fuels was also taken
22 into account.

23 The result of the proposed rules'
24 impact on transportation funding will effect

1 the viability of infrastructure investment,
2 with the potential to result in poorly
3 maintained infrastructure, unsafe roads,
4 bridges, and transit systems, and overall an
5 inefficient transportation system.

6 While Illinois's transportation system,
7 maintenance, and modernization needs were
8 given a boost under Rebuild Illinois,
9 partially addressing the backlog of
10 maintenance needs, the increased reliance on
11 EVs will present a longer-term fiscal
12 challenge for policymakers, and this will only
13 be exacerbated by the proposed rules without
14 any changes to address lost transportation
15 revenue.

16 Decreased revenue from the motor fuel
17 tax due to the proposed rules will have
18 wide-reaching impacts affecting funding not
19 only for the state but also transit systems
20 statewide and local governments.

21 Specifically, a portion of the motor
22 fuel tax revenue is distributed to transit
23 systems statewide. In fiscal year 2024, the
24 Chicago transit systems, including CTA, Metra

1 and Pace, received \$272 million from motor
2 fuel tax revenue, and downstate transit
3 systems received \$30 million.

4 Additionally, a portion of state motor
5 fuel tax revenue is distributed statewide to
6 municipalities, counties, and Illinois
7 townships. For fiscal year 2024, Illinois
8 counties in total received \$350 million,
9 municipalities received \$490 million, and
10 townships received \$159 million.

11 This vital revenue source for both
12 transit and local governments is expected to
13 reduce in the long term and will be
14 exacerbated by the proposed rules, all related
15 to the motor fuel tax.

16 Lastly, the impact of reduced
17 transportation revenue due to the proposed
18 rules has the potential to negatively impact
19 jobs.

20 ILEPI research has shown that improving
21 and expanding roads, bridges, highways, and
22 transit systems provide direct jobs to
23 construction workers over the short term, and
24 allows businesses to efficiently bring their

1 product to market in the long run; thus a
2 reduction in review will likely result in less
3 jobs, particularly for the construction of
4 these systems.

5 In conclusion, with no alternative to
6 the motor fuel tax offered, I cannot support
7 the proposed rule, as it will negatively
8 impact transportation revenue for the state,
9 transit agencies, and local governments
10 statewide. Thank you.

11 HEARING OFFICER LEONI: Thank
12 you.

13 If the witness is ready, we'll proceed
14 to questions now. And since the pre-filed
15 questions have been entered as if read, Ms.
16 Tyler, would you like to enter your pre-filed
17 answers as if read as well?

18 MS. MARY TYLER: Yes.

19 HEARING OFFICER LEONI: Thank
20 you. Mary Tyler's pre-filed answers are
21 entered into the record as if read as Exhibit
22 27.

23 [Document marked as Exhibit No. 27
24 for identification.]

1 HEARING OFFICER LEONI: All
2 right. Are there any questions for the
3 witness?

4 MR. NATHANIEL SHOAFF: Thank you,
5 Your Honor. I have questions for the witness.

6
7 The witness, MARY TYLER, first having
8 been duly sworn, testified as follows:

9 EXAMINATION

10 BY MR. NATHANIEL SHOAFF:

11 Q. Ms. Tyler, thank you for joining
12 us this morning.

13 Before we get going, can you hear me
14 okay?

15 A. Yes, I can. It's occasionally a
16 little muffled, so I might ask you to clarify
17 things here and there, but for the most part I
18 can hear you.

19 Q. Great. If there are times when
20 you can't hear me clearly, please just ask me
21 to repeat the question so you're not guessing
22 at what the question was.

23 All right. Ms. Tyler, you note that
24 you have -- you have two jobs. That must be

1 busy.

2 A. I am -- I am kept very busy. I
3 work for the FSC and also work with ILEPI on
4 related research on transportation topics.

5 Q. And are there any policy issues
6 relevant to your testimony we are talking
7 about today in which there is a difference of
8 agreement between III FFC and ILEPI?

9 A. I focus solely on transportation
10 topics, so that is what I can speak to. And I
11 can say that we are aligned on transportation
12 issues.

13 Q. Okay. Thank you. Let's get into
14 your testimony.

15 You don't have any reason to dispute
16 any of the public health or climate or jobs
17 benefits of adopting the proposed rules in
18 Illinois, do you?

19 A. That is outside the area of my
20 research, so I can't speak to them, but -- I
21 can only speak to the impact on transportation
22 revenue.

23 Q. Fair. And that would include the
24 24 thousand dollar (sic) jobs that ACC2 would

1 add in 2030, and the thousand jobs that ACT
2 would add in 2035? Is that accurate?

3 A. I am -- I'm sorry. Can you
4 repeat that?

5 Q. In our statement of reasons on
6 pages 35 to 37, we address the jobs benefits
7 of adopting ACC2 in Illinois.

8 And the ERM study accompanying the
9 statement of reasons found that ACC2 would add
10 24,000 jobs in 2030; and on pages 50 to 52 of
11 the statement of reasons, we note that ERM
12 found that the ACT would add 1,000 jobs in
13 2035.

14 You just told us you don't have any
15 reason to dispute those jobs benefits that
16 were set out in our rules -- in our
17 submissions to the Board. I just want to make
18 sure that that includes those job figures.

19 A. I have no reason to speak in
20 favor or against them, because I am not
21 familiar with the research there.

22 Q. Okay. Thank you, Ms. Tyler.

23 In response to the Board's staff
24 question 16 -- this is on page 2 of your

1 answers -- you state that none of the reports
2 that you attached to your testimony address,
3 quote, the health benefits related to
4 reduction in greenhouse gases.

5 Do you see that?

6 A. Yes.

7 Q. Okay. Is it also fair to say
8 that none of your studies address the public
9 health benefits related to reductions in local
10 air pollution, such as vehicle tailpipe
11 emissions of NOx or PM?

12 A. That's correct. My research does
13 not go into that topic.

14 Q. Okay. I think we can get closer
15 to home with our next set of questions.

16 Let's talk about the cause of the
17 revenue decline from the motor fuel tax in
18 Illinois. You have indicated that that's
19 where your research focuses.

20 And would you agree that Illinois's
21 motor fuel tax, as it's currently set up, is
22 not currently adequate to fund transportation
23 infrastructure in this state?

24 A. I would agree that in the long

1 term, we do view there to be issues and the
2 potential for problems with funding from the
3 motor fuel tax. That's correct.

4 Q. In your answers, you did say,
5 correct, that transportation infrastructure
6 funding has still proven to be inadequate?

7 A. Yes. Yeah, I could go into more
8 detail on that also.

9 Yes, I have said while Rebuild Illinois
10 doubled the gas tax, tied it to inflation, we
11 are still -- to this day, there are reports of
12 inadequate funding to address the maintenance
13 needs on the transportation system within
14 Illinois. That's correct.

15 Q. Okay. I would like to -- you
16 mentioned in your opening remarks this morning
17 that if Illinois reaches a million EVs on the
18 road by 2030, there will be a \$765 million
19 revenue impact to the state.

20 I would like to take you to page 8 of
21 your pre-filed testimony. And just because of
22 the way things get filed in these dockets,
23 where they're part of larger submissions --
24 and this happened with rule proponents also --

1 I'm talking about the underlying numbers at
2 the bottom of your testimony, rather than the
3 top numbers.

4 So the underlined page 8 of your
5 testimony.

6 A. Thank you. I believe I
7 understand where we are at.

8 Q. Got it. You note in the middle
9 of that top paragraph the statistics that you
10 just -- that you referenced in the beginning
11 of your remarks today, that \$765 million if
12 one million EVs are adopted between 2021 and
13 2030.

14 Right after that, you write, "Combined
15 with the estimated improved vehicle fuel
16 efficiency over the same time frame, the state
17 is estimated to lose a combined \$4 billion in
18 motor fuel tax revenue."

19 So is it safe to say then that at least
20 through 2030, the main cause of the loss of
21 transportation revenue is the increasing fuel
22 efficiency of internal combustion engines,
23 rather than EVs?

24 A. That is correct. That -- this is

1 looking specifically at the estimate --
2 reaching the estimated goal of one million EVs
3 by 2030. And doing all those calculations,
4 and also taking into account increased fuel
5 efficiency of vehicles, that's what those
6 numbers are reflecting.

7 In this time period, right now reaching
8 to one million EVs, we are seeing the larger
9 fiscal impact is due to the increased fuel
10 efficiency of vehicles.

11 However, as I have said in testimony,
12 we believe the proposed rules would exacerbate
13 the problem, would cause more EVs, so it would
14 have the potential to have a larger impact
15 from the EV component of that.

16 Q. Ms. Tyler, thank you. I would
17 like to take you to page 68 of your testimony.
18 And again, this is the lower underlined number
19 68 in your direct testimony.

20 This is from a January 2023 report that
21 you authored for ILEPI entitled, "The impact
22 of electric vehicles and increased fuel
23 efficiency in transportation funding."

24 Would you let me know when you are at

1 that part of your testimony?

2 A. To confirm, you said 68, right?

3 Q. Yes, in the lower underlined
4 numbers.

5 A. Okay. Yes, I believe I am there.
6 It is within the attachment of the report from
7 there, right? That is what I'm looking at?

8 Q. Yep.

9 Could you read us the first sentence at
10 the very top of the page? It begins "while
11 EVs."

12 A. Could you repeat that?

13 Q. Oh. Would you please read us the
14 first sentence at the top of that page that
15 begins "while EVs"?

16 A. Yes. "While EVs pose a threat to
17 state and federal transportation funding,
18 overall increased fuel efficiency will have a
19 larger impact."

20 Q. You agree that's still accurate?

21 A. It is. I would like to clarify
22 that that is specifically looking at the
23 reaching a goal of one million EVs.

24 So a larger number of EVs would result

1 in a larger impact. Another analysis would be
2 done to ensure that it was still accurate.

3 Q. Okay. Thank you, Ms. Tyler.
4 Let's move on to talk about the jobs impact.

5 So you have stated that adoption of the
6 proposed rules will reduce jobs, because it
7 will reduce funding for transportation
8 infrastructure.

9 Is that a fair characterization?

10 A. That is correct.

11 Q. Okay. But you have also said
12 that that calculus that determines there will
13 be a negative jobs impact doesn't account for
14 EV-related job correction -- I said
15 "correction" -- EV-related job creation? My
16 apologies.

17 A. That -- we are -- I'm looking
18 specifically at how transportation funding
19 revenue filters through to construction jobs
20 for like roads, bridges, transit systems. So
21 the reduction of that revenue I believe would
22 reduce (sic) in a reduction in jobs for the
23 construction of those facilities.

24 How that would compare to any creation

1 of jobs from EV infrastructure, I can't speak
2 to at this time of where that balance would
3 come out, whether it would even out or not.
4 But we are -- I would imagine -- or what I
5 included in my testimony and what I am
6 estimating is that reduction in transportation
7 revenue would result in less construction jobs
8 for roads, bridges, transit systems, et
9 cetera.

10 Q. That is helpful.

11 So that calculation, if I have this
12 right, is related to jobs specifically for
13 construction of roads, bridges, and I think
14 you said there was another thing in there.

15 A. Transit systems.

16 Q. And transit systems. Thank you,
17 Ms. Tyler.

18 But if -- would you agree that if one
19 was to study, and I know that you haven't done
20 this, the overall jobs impact, you would also
21 want to understand, for example, investments
22 in charging infrastructure and whether that
23 created new jobs in the State of Illinois, in
24 addition to the negative impact on

1 construction of roads, bridges, and transit
2 systems that you mentioned?

3 A. I would suspect there is
4 potential for job creation, although I have
5 not studied that specifically.

6 Q. Okay. Ms. Tyler, would you agree
7 that most electric vehicle charging occurs at
8 home?

9 A. I can't speak to that. I have
10 not studied it specifically.

11 Q. It's up to 80 percent by some
12 estimates. It's okay if that's not a number
13 you can confirm.

14 Is it -- you aren't aware of how much
15 at least light-duty EV charging takes place at
16 home?

17 A. I am not familiar with that
18 breakdown of where charging occurs.

19 Q. Okay. Would you agree that at
20 least for most home EV charging, most drivers
21 are going to want to install a Level 2 charger
22 rather than just use a Level 1 drip charger?

23 A. I also cannot speak to that. I
24 do not know the intricacies of EV charging

1 infrastructure.

2 Q. Got it. Would you agree that
3 installation of a home electric vehicle
4 charger, at least for most of us, is going to
5 require use of an electrician rather than
6 something that you would do yourself?

7 A. I also cannot speak to how
8 infrastructure is installed.

9 Q. Okay. Let's get back to
10 something closer to numbers and math that I
11 think is more in your wheelhouse.

12 Right now, the state has a little over
13 more than 100,000 EVs registered in Illinois
14 today.

15 You agree with that?

16 A. Yes.

17 Q. And that the state goal -- and I
18 know that the proposed rules would even go
19 further than this, but for the sake of math,
20 let's go with the state's goal of one million
21 EVs on the road in 2030.

22 So that's roughly a 900,000 increase in
23 EVs between now and 2030, to meet the state's
24 goal? Is that correct, give or take?

1 A. It's slightly less than that,
2 because I believe EV registrations are at like
3 120,000 if I remember correctly from the last
4 look-up.

5 Q. Fair. Yes.

6 A. But yeah.

7 Q. Yeah, they are north of 100,000.

8 But as a ballpark figure, we are
9 looking at about 900,000. So if even half of
10 those, or say 60,000 -- 60 percent of those,
11 rather, newly registered EVs resulted in a
12 home EV charger, whether at an apartment
13 complex or a single-family home, that would be
14 roughly 450,000 chargers to install, right?

15 A. I -- these are all -- this is all
16 a topic of research that I am not an expert on
17 and I don't believe I can speak to.

18 Q. Okay. Okay. But so if we are
19 looking at 450,000, say, 500,000 home --
20 installation of home EV chargers in Illinois
21 over the next five years, just in simple math,
22 that's roughly 100,000 home installations a
23 year every year for the next five years,
24 correct?

1 A. Based on the scenario you are
2 presenting, that is correct, but I don't
3 believe this is anything that my research is
4 contributing to.

5 Q. Fair enough. I won't hold you to
6 these numbers.

7 Whatever those numbers end up being,
8 though, would you agree that if you are
9 looking at the benefits of adopting the rules,
10 that is the type of job creation that ought to
11 be considered?

12 A. I'm sorry. Can you repeat that?

13 Q. We are here asking the Board to
14 adopt these clean vehicle standards. Our
15 assertion is that one of the benefits of those
16 standards is jobs creation. And we have just
17 walked through a fairly significant, at least
18 in my characterization, number of electrician
19 jobs that it would take to install home EV
20 chargers.

21 I think that's relevant to any
22 discussion of the jobs impact of the Board's
23 decision.

24 Do you agree?

1 MR. MICHAEL MCNALLY: I'm going
2 to have to object. Mike McNally, counsel for
3 the III FFC.

4 I'm not sure where this data is coming
5 from. It seems very speculative.

6 HEARING OFFICER LEONI: Perhaps
7 counsel could inform us where he is getting
8 the data for these assertions?

9 MR. NATHANIEL SHOAFF: Well, the
10 vehicle registrations in Illinois come from
11 the Secretary of State's office.

12 The witness has indicated that she is
13 familiar with the number, at least in a
14 ballpark of 120,000 registered EVs today. The
15 one million comes from the state's goal to
16 adopt EVs by 2030 that the legislature enacted
17 in CEJA. And the rest is just, well,
18 subtraction.

19 MR. MICHAEL MCNALLY: I'm not
20 denying EVs in the State of Illinois. I'm
21 denying the speculation on EV chargers being
22 installed by electricians in homes in the
23 numbers that you are creating there.

24 HEARING OFFICER LEONI: I'm

1 sorry. Could you please repeat that, counsel?
2 It was hard to hear here.

3 MR. MICHAEL MCNALLY: Yeah, I'm
4 not denying the number of EVs that we are
5 speculating in the State of Illinois. I'm
6 objecting to the speculation of number of EV
7 chargers that will be installed in homes by
8 electricians, qualified electricians.

9 HEARING OFFICER LEONI: Okay.
10 Thank you.

11 MR. MICHAEL MCNALLY: Thank you.

12 HEARING OFFICER LEONI: While
13 we're not disputing the assertions made by
14 proponents' counsel, the witness has made it
15 clear that this is not her area of expertise,
16 and I would suggest that perhaps we move on
17 to --

18 MR. NATHANIEL SHOAFF: We have
19 other topics to discuss.

20 HEARING OFFICER LEONI: -- the
21 next questions.

22 MR. NATHANIEL SHOAFF: Thank you,
23 Your Honor.

24 BY MR. NATHANIEL SHOAFF:

1 Q. Ms. Tyler, I would like to talk
2 about the types of potential policies that the
3 state could implement to address revenues for
4 state roads, bridges, and transit systems from
5 EVs on its roads.

6 On page 59 of your testimony -- and
7 this is, again, in your January 2023 ILEPI
8 report -- there are three bullets at the
9 bottom of that page.

10 Those three bullets roughly outline the
11 three primary ways in which policymakers might
12 consider increasing revenues from EVs, is that
13 right?

14 A. That is correct.

15 Q. And just to summarize those very
16 briefly, they would be, one, increasing an EV
17 registration fee, which you have noted today
18 in your testimony; two, a vehicle miles
19 traveled fee, which would impose a per-mile
20 fee on every mile traveled by the EV in the
21 state; and then the third would be a
22 per-kilowatt fee on charging.

23 Is that correct?

24 A. That's correct.

1 Q. Okay. I would like to just
2 clarify a bit of terminology before we go any
3 further.

4 In that report that we just referenced,
5 you used the term "VMT" or vehicle miles
6 traveled.

7 In your pre-filed answers, you use a
8 different term. You use "road usage charge."

9 Is there any distinction that we should
10 be aware of between "VMT" and "road usage
11 charge," or are those more or less synonymous?

12 A. They are the same thing in the
13 transportation policy world. It has been --
14 there has been, you know, a change in how
15 people are referring to things over the years,
16 so it was simply just a difference in
17 identifying the same -- same thing, same
18 policy proposal.

19 Q. And am I correct in stating that
20 in your answers and in your testimony, you
21 have identified places where both IIF --
22 sorry -- IIFC and ILEPI have supported a
23 VMT or a road usage charge as a way to fix the
24 gas tax problem in Illinois?

1 A. That's correct.

2 Q. And that policy position, am I
3 correct in saying that that applies both to
4 electric vehicles and internal combustion
5 engine vehicles?

6 A. That's correct, it would apply to
7 all vehicles. An ultimate proposal would
8 include all vehicles.

9 Q. And am I right in saying that
10 Illinois already has a mileage-based fee for
11 certain types of trucks?

12 A. They do for certain types of
13 trucks, but it does not apply to any type of
14 passenger vehicle.

15 Q. Corr -- I agree with that 100
16 percent. You and I are on the same page, Ms.
17 Tyler.

18 All right. Let's go to an actual page
19 and address the factors that you think are
20 most important to capture in fixing the motor
21 fuel tax in Illinois.

22 In questions 12 and 13(a) of rule
23 proponents' questions to you, you set out
24 various factors -- but why don't I give you a

1 moment to get to that page. It's your answers
2 to 12 and 13(a).

3 A. Yes, I am -- I am at that page.

4 Q. Great. It looks like to me it's
5 page 8 and then -- for 12, and the answer to
6 13 is on page 9, correct?

7 A. Yes. Yes.

8 Q. Okay. Do you want to take a
9 moment to look at those two answers? I think
10 it might be helpful. They are only just a
11 short paragraph each.

12 A. I feel prepared to speak on them.

13 Q. Great. Would you agree that the
14 factors that you have identified for any
15 potential policy solution for EV revenues are,
16 one, the miles driven by an average driver;
17 two, taking into account the motor fuel tax to
18 calculate lost motor fuel tax revenue; three,
19 addressing sales tax on motor fuels; and four,
20 the index to inflation?

21 A. Yes, that is correct.

22 Q. And --

23 A. Oh, I'm sorry. Let me add one.

24 Did you take into account average fuel

1 efficiency of vehicles? Because that is
2 another component in that calculation.

3 Q. I believe that would be captured
4 by the current motor fuel tax, correct?

5 A. No, it would not.

6 Q. The motor fuel tax --

7 A. Those are two different variables
8 that need to be taken into that calculation.

9 Q. Okay. Was there some place in
10 those statements where you referenced that
11 additional factor?

12 A. It is in my testimony, on -- let
13 me confirm. Oh, on page -- in the testimony,
14 the bottom number as you've been referencing,
15 page 8.

16 The bottom paragraph references I take
17 into -- to account for lost revenue by EVs
18 compared to what a standard vehicle is paying
19 in motor fuel tax, you have to take into
20 account average driver traveling -- I have
21 this number -- 10,847 miles annually; take
22 into account average fuel efficiency for
23 light-duty vehicles, I'm using 24.8 miles per
24 gallon; and then you calculate using that

1 number of gallons lost per year, which is 437.

2 You then have to multiply that by the
3 existing motor fuel tax to make up for lost
4 revenue at that time.

5 Q. Right. I think that's captured
6 in your answers to those questions, isn't it?
7 That -- making sure that we account for any
8 lost --

9 A. Well, I agree --

10 Q. -- motor fuel tax revenue?

11 A. I agree that you just listed
12 variables to take into account, and I wanted
13 to make sure, the other variable that needs to
14 be taken into account is fuel efficiency, that
15 I didn't believe that you had actually stated
16 that, so I just wanted to confirm that that
17 needs to be taken into account.

18 Q. Ah. Understood. And I agree
19 that it should be taken into account.

20 I think that factor is captured in your
21 answers to 12 and 13. Is that correct?

22 A. Oh, yes, it -- it definitely is.
23 It just doesn't explicitly, I think, state
24 that variable.

1 Q. Okay. Got it. Got it. I agree
2 with that. We're on the same page. I just
3 wanted to make sure I wasn't misrepresent --
4 missummarizing your answers.

5 A. Sure.

6 Q. All right. So we have agreed on
7 those critical factors.

8 Now, on March 6th, the rule proponents
9 submitted a supplemental response to the Board
10 in response to a direct question that was
11 asked to us at the December hearing, and part
12 of that response analyzes transportation
13 revenues under a set of new potential motor
14 fuel tax policies.

15 Have you had a chance to review that
16 submission?

17 A. I do not believe that I have.

18 Q. Ah. Totally fair.

19 Let's talk about one of the major
20 sources that you cite in your studies, in your
21 reports, which is information from the
22 Illinois Department of Transportation.

23 The January report that we just spoke
24 about, you cite two of those in the recitation

1 of sources of that, which is on page 72. On
2 pages 45 and 46, which is a diff -- of your
3 testimony -- which is a different report, you
4 cite 17 different IDOT studies.

5 Is it fair to say you are familiar with
6 IDOT documents?

7 A. Yes, that is correct.

8 Q. And are you familiar with a
9 January 2024 IDOT memorandum entitled,
10 "Memorandum on Illinois sources of
11 transportation funding"?

12 A. I don't recall anything
13 specifically from that time.

14 Q. Okay. Ah, okay.

15 That report -- that memorandum is based
16 on a larger report. In the report, IDOT
17 refers to that as the EV revenue options study
18 that was completed in the spring of 2023.

19 Have you seen that underlying study?

20 A. I have, but I will say I cannot
21 recall it from memory at this time, but I have
22 read it in the past.

23 Q. Oh. I have not seen that study.
24 We asked IDOT for it, and they refused to give

1 it to us.

2 A. Oh. Hold on -- well, I'm -- this
3 is one of those things where like I knew there
4 was a study, there has been information that's
5 come out. I -- it was from two years ago. I
6 was thinking I read the study.

7 If it's not readily published, I will
8 be honest, like I don't have it on hand, ready
9 to talk about. I was assuming that I had read
10 it, because as I of -- as you said, I read a
11 lot of IDOT reports. I knew that that data
12 was coming out.

13 So there is a chance, if you're saying
14 you confirmed and you have not seen it, then
15 maybe I'm misremembering.

16 Q. Fair. Yes, it was -- yeah, it
17 came out spring of 2023, and the memo that's
18 based on it came out a little over a year ago.

19 A. Okay.

20 Q. So I don't expect you to remember
21 every IDOT report you have ever read, given
22 how many it seems like you have read.

23 In any event, let's go back -- well, if
24 you haven't read the -- or can't recall the

1 IDOT memorandum, the January 2024 report,
2 let's move on.

3 That report -- well, let's leave that
4 report aside.

5 As we have talked about, there are
6 existing problems with the way transportation
7 is -- transportation infrastructure, so roads,
8 bridges, transit systems, are funded in
9 Illinois, and you agree that changes ought to
10 be made, and that those changes should come,
11 need to come, from the General Assembly,
12 correct?

13 A. That's correct.

14 Q. And in your view, the most
15 appropriate way to change them is to implement
16 some kind of a road usage charge or vehicle
17 miles traveled system to capture revenue from
18 EV drivers, is that correct?

19 A. That's correct. I mean, just to
20 give you some background on a VMT, it's
21 capturing revenue based on the number of miles
22 you are driving, as opposed to gallons of gas
23 that you are purchasing, which is just a more
24 sustainable accurate reflection of

1 transportation revenue --

2 [Interruption by the reporter.]

3 A. We agree that a vehicle miles
4 traveled fee is a -- is the solution that
5 should be implemented to address lost revenue
6 from EVs.

7 I wanted to note that it also addresses
8 other sustainability issues with
9 transportation funding for all vehicles,
10 because it's charging based on a number of
11 miles driven as opposed to the number of
12 gallons of fuel purchased.

13 I apologize. Clearly I have spoken
14 about this a lot, and I can just like, you
15 know, blurt it out when needed.

16 BY MR. NATHANIEL SHOAFF:

17 Q. It's okay, Ms. Tyler. You were
18 not speaking too fast for those of us in the
19 room, but perhaps for the court reporter, and
20 I assure you you were not the first person
21 here to be admonished to slow down, please, so
22 not a problem.

23 All right. Ms. Tyler, I only have a
24 couple of questions left for you. We are

1 nearly done.

2 You would agree that EV adoption has
3 many benefits for the people of Illinois,
4 correct?

5 A. Yes. I believe in our report
6 that we actually reference that I'm not
7 disputing there are potential benefits to EVs.

8 Q. I would like to take you to page
9 72 of your testimony, if you don't mind.
10 That's, again, this January 2023 ILEPI study.

11 Would you let me know when you are on
12 the page?

13 A. I am there.

14 Q. Okay. You see above the word
15 "references," which is in the large font,
16 there is that last full paragraph.

17 Do you see that? It begins "EVs and"?

18 A. Yes.

19 Q. Would you read the first sentence
20 of that paragraph?

21 A. "EVs and improved vehicle fuel
22 efficiency are both great advancements that
23 lead to many benefits for the state."

24 Q. And you still believe that to be

1 true?

2 A. Yes. As I just said, I
3 referenced -- I remember writing it in the
4 report that we acknowledge there are benefits,
5 despite the impact to transportation revenue
6 that we still agree needs to be addressed.

7 But yes, I still do agree with what I
8 wrote in my report.

9 MR. NATHANIEL SHOAFF: Okay. Ms.
10 Tyler, I have kept you longer than I intended
11 to, but we are finished. I don't have any
12 other questions for you.

13 I really appreciate your time, and I
14 think things worked -- despite the physical
15 distance, I think the technology worked for
16 you to testify today from Chicago. So thank
17 you for joining us.

18 A. Thank you.

19 HEARING OFFICER LEONI: Thank
20 you, Mr. Shoaff.

21 Are there any additional questions here
22 in Springfield for the witness?

23 MR. ROBERT WEINSTOCK: Yes.
24 Thank you. I just have one point I want to

1 clarify.

2 Hi, Ms. Tyler -- if I may? Sorry.

3 HEARING OFFICER LEONI: Oh, yeah,
4 of course. Just state your name for the court
5 reporter.

6 MR. ROBERT WEINSTOCK: Of course.

7 EXAMINATION

8 BY MR. ROBERT WEINSTOCK:

9 Q. Good morning, Ms. Tyler. My name
10 is Robert Weinstock. I represent the rule
11 proponents, Chicago Environmental Justice
12 Network, and the Respiratory Health
13 Association. I just have -- want to get a
14 de -- one detail I want to circle back on.

15 Mr. Shoaff asked you about different
16 revenue approaches. One of those was a
17 per-kilowatt fee.

18 Do you remember mentioning that?

19 A. Yes.

20 Q. Great. And just so I'm clear,
21 would that be a per-kilowatt fee on EV
22 charging at public chargers, or would that
23 include at home charging?

24 A. I mean, the policy could be

1 proposed in any way. I think what we were
2 referring to in the report and what has
3 typically been done in other states at this
4 point has been charging that kilowatt-per
5 fee -- or kilowatt-per-hour fee on public
6 charging stations. And there is actually a
7 bill that's being proposed in Illinois right
8 now, suggesting that.

9 Q. Okay. And so that -- so that
10 wouldn't impact the cost of charging at home
11 chargers?

12 A. Yeah. If the policy was written
13 that way, that is correct, that wouldn't
14 impact private charging.

15 Q. And so then would you agree with
16 me that that sort of policy would put more of
17 a burden on people who don't have the option
18 to charge at home?

19 A. That is correct.

20 MR. ROBERT WEINSTOCK: Okay.
21 That was all. Thank you.

22 HEARING OFFICER LEONI: Thank
23 you, Mr. Weinstock.

24 Are there any additional questions for

1 the witness here in Springfield?

2 MR. MICHAEL MANKOWSKI: I would
3 like to ask just a couple questions, maybe.

4 EXAMINATION

5 BY MR. MICHAEL MANKOWSKI:

6 Q. Ms. Tyler, the VMT that you spoke
7 about, do you know, are there any current
8 proposals in Illinois for that right now? Are
9 you aware of any?

10 A. Currently the bill that was
11 supported proposed -- well, let me look at the
12 bill number. There is -- it is Senate bill
13 1938, which is the -- another transit proposal
14 that is currently being discussed, includes
15 the creation of a -- in that bill, it's called
16 a road usage charge pilot program.

17 So it's not like fully implementing a
18 vehicle miles traveled fee or -- well, it's
19 being called in that legislation as a road
20 usage charge.

21 It's not fully implementing it. It's
22 instructing IDOT to create a pilot program to
23 just like study how it could work in this
24 state.

1 So that's the current proposal that's
2 out there at this moment.

3 Q. And do you know, what's the --
4 what has kind of been the public opinion of
5 VMTs and RUCs? Has that changed at all
6 lately?

7 Because I know a few years ago, when I
8 was looking into it, a lot of people were kind
9 of against the whole idea, so I just wondered
10 if that had picked up any popularity, or --

11 A. I like to think -- as a
12 transportation policy person, I like to think
13 it's becoming more favorably thought of.

14 I will say there are -- like over 20
15 states have adopted pilots, or have completed
16 pilots. There are like five or six states
17 that actually have RUC programs or VMT
18 programs in operation. None of them are
19 mandatory; they are all optional.

20 But I think it's laying the groundwork
21 for making it, you know, just kind of like
22 getting it out there as a feasible option. I
23 think we all acknowledge it's going to take a
24 long time to fully implement and to get off --

1 get off the ground.

2 But I like to think, compared to 10 to
3 15 years ago, we are maybe like slightly more
4 positive. But that may be like, you know,
5 overly optimistic thinking on my part. It's
6 still -- there is public perception issues
7 there also.

8 Q. Okay. Thank you. And my
9 follow-up question was going to be how many
10 other states have tried adopting it, so thank
11 you for adding that information.

12 A. Yeah. Yeah.

13 And I can just add, if you would -- are
14 interested in information, that it's -- a lot
15 of them are like tying them actually to EV
16 registration.

17 So it's -- it's where you could either
18 choose to pay a higher annual EV fee or you
19 could choose to be a part of a VMT program.
20 That's one way that a couple other states have
21 adopted it. Oregon has just a voluntary
22 program like across the board.

23 So there are a couple of different
24 options that are actually out there in

1 implementation.

2 MR. MICHAEL MANKOWSKI: Thank you
3 very much.

4 HEARING OFFICER LEONI: Thank
5 you, Member Mankowski.

6 Member Tin?

7 EXAMINATION

8 BY MS. ANGELA TIN:

9 Q. Hello. My name is Angela Tin,
10 and I am a board member. I have a question
11 for you.

12 I understand that you work for several
13 states in the Midwest, and I wasn't sure if
14 Iowa was one of them?

15 A. We -- while our organization does
16 cover Iowa, I will say, from a transportation
17 perspective, I haven't done a lot of work in
18 Iowa on transportation topics. I have done
19 more -- a lot in Illinois, and some in
20 Indiana.

21 Q. Okay. There is a -- I heard a
22 conversation where there was a tax placed on
23 electric vehicle charging units at places
24 that, you know, voluntarily provide EV

1 charging to their customers as an incentive
2 for shopping, you know, whether it's a -- it's
3 a Target or a Walmart. And I understood that
4 the state of Iowa is imposing a tax on those
5 voluntary charging locations.

6 Have you heard anything about that, or
7 the success of that, or the problems with
8 that?

9 A. I'm familiar with Iowa's
10 kilowatt-per-hour fee on EV charging stations.
11 I'm not familiar with like the perception, or
12 how things have gone over, or any problems
13 that have come up, though.

14 MS. ANGELA TIN: Thank you.

15 HEARING OFFICER LEONI: Thank
16 you, Member Tin.

17 Are there any additional questions from
18 the Board here in Springfield?

19 Are there any additional questions from
20 the Board or participants in Chicago?

21 Okay. Hearing none, I think that can
22 conclude Ms. Tyler's testimony. Thank you,
23 Ms. Tyler.

24 MS. MARY TYLER: Thank you.

1 [Mary Tyler excused.]

2 HEARING OFFICER LEONI: Thank
3 you.

4 At this point, we have concluded the
5 testimony that has been pre-filed.

6 But for the record, is there anyone
7 present here or in Chicago today who did not
8 pre-filed testimony for this hearing but who
9 does wish to offer testimony today?

10 Okay. Hearing none, then we can
11 conclude the witness testimony for this
12 hearing, and that is all we have today before
13 the online public comment portion.

14 So today at 4:00 PM, we will resume
15 this hearing with the online public comment
16 portion. That will be conducted over Webex,
17 and the link for that Webex can be found in
18 the Board's January 16th, 2025, hearing
19 officer order, which is publicly available on
20 the Board's website, on the Clerk's Office
21 On-Line.

22 Please note that while we have closed
23 signup for offering online public comments, at
24 that time, anyone may still view the Webex

1 using the link in that January 16th hearing
2 officer order.

3 This room will remain open in
4 Springfield, and also the room in Bilandic
5 will remain open for the online public comment
6 portion, but we ask that anyone viewing on
7 their personal laptops, in here or in Chicago,
8 please keep the sound off and use the sound
9 that is available on the Board's
10 videoconferencing equipment.

11 Do we have any questions about today's
12 online public comment portion?

13 No? Okay. Then that concludes the
14 testimony portion of the hearing. And now
15 let's go off the record to discuss the
16 post-hearing briefing schedule. Thank you,
17 everyone.

18 [Discussion off the record.]

19 THE REPORTER: Back on.

20 HEARING OFFICER LEONI: So for
21 the record, participants and the Board have
22 discussed the post-hearing public comments
23 schedule for the proceeding.

24 We decided that the deadline for the

1 post-hearing public comment will be Monday,
2 April 28th. Any members of the public may
3 submit public comments at that time, but that
4 will be the close of the open public comment
5 period.

6 Two weeks from that date, responsive
7 comments will be due, so that will be Monday,
8 May 12th. That is the deadline for responsive
9 comments to the post-hearing public comments.

10 All right? Thank you all again. This
11 concludes our hearing today.

12 [10:19 a.m.]

13 [A recess was taken.]

14 [3:59 p.m.]

15 HEARING OFFICER LEONI: Good
16 afternoon, everyone, and welcome to this
17 public comment portion of the Illinois
18 Pollution Control Board's rulemaking hearing,
19 R24-17, Proposed Clean Car and Truck
20 Standards, Proposed 35 Illinois Administrative
21 Code Section -- Part 242.

22 My name is Carlie Leoni. I am one of
23 the hearing officers in this matter. And with
24 me today is my co-hearing officer Vanessa

1 Horton, who will be leading us through the
2 public comment portion.

3 We already have everyone pre-signed up
4 to give their public comments, so we will go
5 in the order that was listed in the hearing
6 officer order of March 5th.

7 Vanessa will be reading that to us --
8 to you all as we proceed, and please remember
9 that public comments are limited to three
10 minutes per comment.

11 And also, please keep yourselves muted
12 when you are not giving your comment, and
13 unmute yourselves when you would like to
14 speak.

15 And with that, I will turn it over to
16 Vanessa.

17 HEARING OFFICER HORTON: Hi,
18 everyone. We got a little --

19 HEARING OFFICER LEONI: You know
20 what, we have lag. We'll keep it on. Okay.

21 HEARING OFFICER HORTON: All
22 right. Hi, everyone. This is Vanessa Horton.
23 I'm one of the hearing officers for this
24 rulemaking. We'll begin right away.

1 Our first commenter is Christian
2 Robinson. If you could unmute yourself, you
3 have three minutes for your public comment.

4 CHRISTIAN ROBINSON: Excellent.
5 Thank you. Can you hear me?

6 HEARING OFFICER HORTON: Yes.

7 CHRISTIAN ROBINSON: Excellent.
8 Well, I want to thank the members of the Board
9 for the opportunity to testify today and
10 provide public comment.

11 My name is Christian Robinson. I'm the
12 senior director of state government affairs
13 for the Specialty Equipment Market
14 Association, or SEMA.

15 SEMA represents 222 member businesses
16 in Illinois, 95 percent of which are small
17 businesses, and over 7,000 businesses
18 nationwide that manufacture, distribute, and
19 sell parts and accessories that enhance the
20 performance, efficiency, and style of motor
21 vehicles.

22 Our industry supports over 62,000 jobs
23 in Illinois, contributing over \$5 billion in
24 wages, and generating over \$2 billion in taxes

1 for the state.

2 I'm here today to respectfully oppose
3 the adoption of California's Advanced Clean
4 Cars 2 regulations, which would mandate that
5 all new vehicles sold in the state be
6 zero-emissions by 2035.

7 SEMA supports innovation, including EVs
8 and other zero-emission technologies, but a
9 one-size-fits-all mandate like ACC2 is the
10 wrong approach.

11 Illinois must remain in control of its
12 own automotive and economic policies rather
13 than ceding authority to California regulators
14 who do not represent the needs of Illinois
15 businesses or consumers.

16 The impact of ACC2 would be devastating
17 for small businesses in the specialty
18 automotive market. One third of consumer
19 spending on performance and accessories
20 products goes towards upgrading and making
21 more efficient internal combustion engines and
22 drivetrains, representing a \$112 billion
23 economic impact nationwide, a large share of
24 which is generated by Illinois's thriving

1 automotive after-market industry.

2 Unlike large automotive manufacturers
3 that receive billions of dollars in federal
4 subsidies for EV development, small
5 businesses -- and when I say 95 percent of our
6 businesses are less -- or 95 percent are small
7 businesses, that's less than 100 employees --
8 they lack the resources to retool at this
9 forced pace.

10 Illinois faces significant
11 infrastructure challenges as well. The state
12 does not yet have the charging network or grid
13 capacity required to support an accelerated
14 transition to electric vehicles.

15 Mandating EVs before the necessary
16 support systems are in place will increase
17 vehicle costs, reduce consumer choice, and
18 disproportionately hurt working-class families
19 who rely on affordable, reliable
20 transportation.

21 Illinois has the opportunity to lead
22 with innovative balanced policies that embrace
23 all available technologies, whether it's EV,
24 hydrogen combustion, biofuels, and cleaner

1 internal combustion engines.

2 We urge the Board to reject
3 California's ACC2 regulations, and instead
4 support Illinois-based solutions that work for
5 all residents and industries.

6 I thank you for your time.

7 HEARING OFFICER HORTON: Thanks
8 so much.

9 Next, we have Catherine Horine.

10 CATHERINE HORINE: Yes. Hi.

11 Members of the Board, my name is
12 Catherine Horine, and I am a volunteer for the
13 Respiratory Health Association of the Chicago.

14 I am here today to express my concern
15 about the need for Illinois to adopt clean
16 vehicle rules that would improve emission
17 standards.

18 To be specific, I strongly support
19 Illinois adopting the Advanced Clean Truck
20 Act, Heavy-Duty Omnibus NOx, HDO, and the
21 Advanced Clean Cars ACC2 rules.

22 This is a very important issue for me,
23 as I am a lung transplant recipient, and clean
24 air is so very important to me, as the air I

1 breathe touches my lungs, and the pollution
2 could cause my transplant to reject. So this
3 is life-and-death for me.

4 When I have to drive in and around my
5 community to go to doctor appointments or run
6 errands, the air pollution impacts me
7 directly. Vehicle emissions all come into my
8 car, and force me to reach for a mask to
9 protect me while driving.

10 Auto and truck emissions are
11 responsible for many types of air pollution,
12 and all forms of air pollution are concerning,
13 but vehicle emissions are particularly harmful
14 for the health of communities, and impacts me
15 directly, as I have stated.

16 Because I have to be so careful about
17 breathing outside air, I have signed up to
18 receive EPA notifications when the air quality
19 is in the danger zone. When this is the case,
20 my transplant team has instructed me to stay
21 indoors as much as possible, and if going out,
22 I am instructed to wear a mask.

23 I spent most of last summer indoors, as
24 my phone was blowing up with alerts about the

1 poor air quality as a result of vehicle
2 emissions. On the rare occasions I have to go
3 out, I often need to resort to using my rescue
4 inhaler. This is no way to live.

5 But it's not only people like me.
6 Recent data suggests some of Illinois's most
7 populous communities are disproportionately
8 harmed by vehicle pollution. People with
9 asthma, heart disease, respiratory infections,
10 and other health-related issues.

11 I am here today asking that Illinois
12 adopt better vehicle standards, like the
13 Advanced Clean Car 2, Advanced Clean Truck
14 Act, and Heavy-Duty Omnibus Nitrogen Oxide
15 rules in California.

16 This would go a long way toward making
17 the air we breathe cleaner, and safer for
18 everyone in Illinois, and would allow me to
19 have -- to spend more time outside enjoying
20 fresh, clean air and not have to worry about
21 how vehicle emissions will impact my lung
22 health.

23 I thank you for your time.

24 HEARING OFFICER HORTON: Thank

1 you so much.

2 Next is Susan Mudd.

3 So if someone is not on the call, maybe
4 they are having technical difficulties, I'll
5 circle back to anyone that I call that doesn't
6 answer. I believe Ms. Mudd gave in-person
7 public comment, but I'll circle back at the
8 end.

9 Next is Robert Needleman.

10 ROBERT NEEDLEMAN: Hey. Thank
11 you, Carlie and Vanessa, for the opportunity.

12 My name is Robert Needleman. I'm an
13 emergency physician in Chicago, and also
14 president of the Illinois Clinicians For
15 Climate Action.

16 I'm here to advocate for my patients.
17 It's simple enough. Some of the sickest
18 people that come into my emergency department
19 are from the west side and south side of
20 Chicag, and are dealing with very horrible
21 respiratory illness.

22 I have seen people require breathing
23 tubes. I have people -- I have seen people's
24 hearts stop because their asthma and lung

1 disease is so advanced and they can't get a
2 good breath in. And as you look at the data
3 and the science, it's pretty clear as to why.

4 Disease doesn't happen in a vacuum.
5 Many of these patients are suffering from
6 respiratory disease secondary to the
7 environments they live in, and this includes
8 the small particulate matter that is released
9 by trucks.

10 And when looking at the literature
11 about Illinois and Cook County, and seeing
12 that we are, you know, leading the nation in
13 small particulate matter from diesel trucks,
14 it's embarrassing to me as somebody who lives
15 in Cook County in Illinois, and something that
16 motivates me, particularly when it comes to my
17 community and the health of my patients.

18 So I'm here to advocate for pretty
19 drastic and immediate change so that we can
20 really make our fellow community members, my
21 patients, you know, all Illinoisans healthier.

22 So thank you for your time.

23 HEARING OFFICER HORTON: Thank
24 you so much.

1 Next is Regina de Leon Gomez.

2 REGINA DE LEON GOMEZ: My name is
3 Regina de Leon Gomez, and though speaking
4 today as an individual, I am a board-certified
5 obstetrician-gynecologist, and an assistant
6 professor at Rosalind Franklin University of
7 Medicine and Science, Chicago Medical School.

8 My teaching includes the adverse health
9 effects of exposure to pollution, and, and how
10 environmental degradation impacts human
11 health.

12 I trained at MedStar in Washington,
13 D.C., then practiced as a public health
14 service doctor at the Phoenix Indian Medical
15 Center.

16 My last 20-plus years was spent as a
17 frontline bedside OB/GYN hospitalist, taking
18 care of the acute and emergent medical issues
19 of pregnant people presenting to our community
20 hospital in Arlington Heights, Illinois.

21 I only mention my background to impress
22 upon you that I have witnessed severe illness
23 in pregnant people. On a daily basis, this
24 looks like scared people needing interventions

1 for stroke range blood pressures, a risk
2 factor for future cardiovascular disease, and
3 newborns needing intensive care.

4 The increase in sick people was easily
5 detectable over my 20 years on labor and
6 delivery. Last year, Northwestern published
7 findings showing the rise in severe maternal
8 health issues affecting Illinois births from
9 2016 to 2023, and this is exactly my
10 experience: More chronic health conditions
11 affecting all ages, including high blood
12 pressure, mental health disorders, gestational
13 diabetes, and obesity.

14 Illinois has too many babies born
15 preterm, which requires a lot of health care
16 in the short and long term. Illness is
17 sometimes caused by bad luck, but more than
18 likely a result of structural, institutional,
19 social, and environmental injustices, or lack
20 of basic necessities, including clean air.

21 For Illinois, we know that the state of
22 our air is compromised. We know that diesel
23 pollution from trucks and buses is the leading
24 cause of that air pollution.

1 We know that diesel pollution puts
2 pregnant people at risk for preterm birth and
3 low birth weight newborns. We know the
4 interplay of pollution and heat, and how this
5 exacerbates heart disease, and heart disease
6 is the leading cause of death in our state.

7 And additionally, for perspective,
8 there were 128,493 births in 2022, so here
9 lies the nexus that exists with vehicular
10 pollutants, especially diesel toxins, and the
11 state of perinatal and women's health in
12 Illinois.

13 Zero-emission vehicles are
14 technologically feasible and have already been
15 adopted by major companies. Accelerating the
16 transition to zero-emission transport is both
17 economically reasonable, especially when we
18 include the cost of sick mothers and babies.

19 I call upon you to act on your mission
20 to restore, protect, enhance the quality of
21 the air we breathe in Illinois, and
22 respectfully remind you of the constitutional
23 right we all have to a clean environment.

24 I support the adoption of the Advanced

1 Clean Trucks and Heavy-Duty Omnibus rules and
2 clean vehicle standards.

3 Thank you for giving me this time.

4 HEARING OFFICER HORTON: Thank
5 you so much.

6 We'll now move on to the next group of
7 commenters. Just a reminder for anybody who
8 has just joined just recently, we are limited
9 to three minutes each per comment.

10 So next up is Tracey McFadden.

11 TRACEY MCFADDEN: Hi. I'm Tracey
12 McFadden, vice president of the Fox Valley
13 Electric Auto Association. We are a chapter
14 of the National Electric Auto Association,
15 where I am a certified electric vehicle
16 educator.

17 I give seminars and talks around the
18 Chicagoland area on EV adoption. I'm a
19 retired airline captain as well a veteran in
20 the U.S. Air Force.

21 I am here to urge the Illinois
22 Pollution Control Board to adopt ACT, ACC2,
23 and NDO rules for Illinois, just as dozens of
24 other states have done.

1 While many testimonies here today focus
2 on the critical need to adopt these rules to
3 fight climate change and improve public
4 health, I'm going to focus on my area of
5 expertise, which is the electrification of our
6 transportation system.

7 The main point I want to emphasize is
8 that electric cars and trucks are available
9 now, and new ones are continually being
10 developed, to rid our state of the toxins
11 affecting our health and contributing to
12 climate change.

13 Amazon, FedEx, UPS, PepsiCo, Walmart,
14 Ryder Systems, are examples of major
15 corporations that are already reaping the
16 benefits of using electric trucks to transport
17 goods.

18 Furthermore, factories in Illinois are
19 already producing electric package delivery
20 vehicles. And I point this out only to
21 illustrate that this is not some
22 pie-in-the-sky idea, but it's a reality right
23 now, which only needs to be expanded with
24 dates to ensure we move in the right

1 direction.

2 Transitioning from diesel to electric
3 trucks has compelling benefits for the
4 environment, for businesses, and for
5 individuals.

6 In addition to zero emissions, reduced
7 carbon pollution, and improved air quality,
8 electric trucks also have lower operating
9 costs, reduced maintenance expenditures, and
10 abundant torque.

11 Fact MR, a provider of market research,
12 states that, quote, the global electric truck
13 market is predicted to expand at a compound
14 annual growth rate of 14.5 percent, to reach a
15 valuation of \$78 billion by the end of 2033.

16 Major electric semi truck and last-mile
17 truck producers include Tesla, Volvo,
18 Freightliner, Rivian, Ford, General Motors,
19 Mercedes, Nissan, and BYD.

20 Furthermore, the Illinois supply chain
21 is vast and quickly pivoting to meet the needs
22 of the EV industry in Illinois. Rivian,
23 Navistar, EVBox, and Komatsu are companies
24 which are all located right here in Illinois.

1 In summarize, I strongly encourage the
2 Illinois Pollution Control Board to adopt the
3 standards of ACC, ACC2, and NDO, as other
4 states around the nation are doing. We depend
5 on you to protect us and make us safe.

6 Thank you.

7 HEARING OFFICER HORTON: Thank
8 you so much.

9 Next up is Sativa Volbrecht.

10 Sativa Volbrecht?

11 And just so everybody knows, if someone
12 is not on when I call them, I'll circle back
13 at the end and I'll call them again. Maybe
14 they are having technical problems.

15 So we'll move on to the next, Kathleen
16 McFadden.

17 HEARING OFFICER LEONI: Oh.
18 Sorry. Sorry. One moment, Kathleen. You are
19 muted.

20 Okay, you are unmuted now. Please
21 proceed, Kathleen.

22 No. Um --

23 HEARING OFFICER HORTON: Oh, I'm
24 so sorry. We're not hearing you, Ms.

1 McFadden.

2 No.

3 HEARING OFFICER LEONI: Is your
4 computer audio on? Is your computer muted?

5 We still can't hear you, Ms. McFadden.

6 HEARING OFFICER HORTON: You
7 know, I'm just going to go to the next person,
8 and then I'll circle back to you at 4:30, if
9 that's okay?

10 Okay. Okay. No need to rush. Okay.

11 So I'll move on to Christopher Johnson.

12 CHRISTOPHER JOHNSON: Hi. Can
13 you hear me?

14 HEARING OFFICER HORTON: Yes.

15 CHRISTOPHER JOHNSON: Oh, great.

16 Thank you for the opportunity. My name
17 is Chris Johnson, and I live in Highland Park.
18 Thank you for the opportunity to address the
19 Illinois Pollution Control Board.

20 And I'm speaking to urge you to adopt
21 three clean vehicle standards for Illinois:
22 The Advanced Clean Trucks Act, or ACT, the
23 Heavy-Duty Omnibus Act, and the Advanced Clean
24 Cars rule.

1 Together these rules will reduce
2 pollutants in the air, bring health benefits
3 to communities living in areas concentrated
4 with diesel pollution, and bring more clean
5 vehicles to the state.

6 In Illinois, the transportation sector
7 accounts for 33 percent of carbon emissions in
8 the State. Medium and heavy-duty vehicles are
9 responsible for a disproportionate share of
10 carbon emissions.

11 While these vehicles represent only
12 seven percent of the on-road fleet in
13 Illinois, they contribute 36 percent of
14 greenhouse gases, 67 percent of nitrogen
15 oxide, and 59 percent of particulates.

16 Low levels of nitrogen oxides in the
17 air can cause or exacerbate asthma, as I know
18 too well, as I suffer from asthma myself.
19 They also irritate eyes, nose, throat, and
20 lungs, possibly causing people to cough and
21 experience shortness of breath, tiredness, and
22 nausea. Exposure to low levels can also
23 result in fluid buildup in the lungs one or
24 two days after exposure.

1 Adopting the clean vehicles rules,
2 which have been adopted in several states,
3 will help greatly to help improve the health
4 of Illinoisans.

5 The rules reduce the emissions of
6 nitrogen oxide and greenhouse gases, and it is
7 estimated that eliminating the pollution for
8 medium and heavy-duty vehicles would prevent
9 500 deaths and 600 fewer cases of asthma in
10 the Chicago metro area.

11 As a longtime asthma sufferer myself, I
12 can attest to the importance of reducing the
13 pollution that causes a virulent disease.

14 Furthermore, by adopting these rules,
15 the Illinois Pollution Control Board can
16 increase zero-emission vehicles in Illinois,
17 reduce diesel pollution, stimulate automobile
18 manufacturing in the state, and grow
19 high-paying jobs in the manufacturing sector.

20 For all these reasons, I strongly urge
21 the Board to adopt the three rules that I've
22 been talking about.

23 And thank you very much for the
24 opportunity to address the Board.

1 HEARING OFFICER HORTON: Thank
2 you so much.

3 Next, Ava Cohen.

4 AVA COHEN: Hello. My name is
5 Ava Cohen. I live in Elmhurst, and I'm a
6 member of the Sierra Club Citizens Climate
7 Lobby and the Climate Reality Project.

8 As a recent graduate who studied
9 environmental policy, social justice, and
10 sustainability, I understand how greenhouse
11 gas emissions can drive climate change, but
12 more importantly, I can understand the human
13 costs of inaction.

14 I'm here today because the State of
15 Illinois has a clear choice to make: Protect
16 our air, our communities, and our future by
17 adopting three motor vehicle emission rules,
18 or continue down a path of pollution and harm.

19 As a young person, I care very deeply
20 about climate change and the world I will grow
21 old in, but pollution doesn't just accelerate
22 global warming, sea level rise, and natural
23 disasters; it poisons the air we breathe,
24 posing a severe threat to public health,

1 particularly in low-income communities and
2 communities of color.

3 I have asthma myself, and even brief
4 exposure to smog and pollution can make it
5 harder for me to breathe.

6 For me, pollution is an inconvenience,
7 but for people living in highly-polluted areas
8 with severe respiratory conditions, for the
9 elderly and for children, pollution is
10 dangerous.

11 So since transportation has been the
12 dirtiest sector in the state. Though trucks,
13 buses, and delivery vans make up just seven
14 percent of vehicles on the road, they produce
15 67 percent of nitrogen oxide pollution, 59
16 percent of particulate matter pollution, and
17 36 percent of greenhouse gases emissions.

18 Cook County currently has failing
19 grades for particulate matter pollution. No
20 child should have to grow up in an environment
21 where the air they breathe is toxic.

22 Every inhale delivers toxins into their
23 lungs, increasing their risks of asthma,
24 developmental delays, and lifelong health

1 issues beyond their control. This Pollution
2 Control Board has the power to change that.

3 By adopting Clean Car, Clean Truck, and
4 Heavy-Duty Low NOx rules, we can cut harmful
5 emissions, improve air quality, and combat
6 climate change; but most importantly, we can
7 protect the health of Illinoisans.

8 Illinois has the opportunity to take
9 the lead, to show that we value people over
10 pollution, and that we are willing to make
11 bold choices for a more sustainable future.

12 18 other states have already
13 implemented these rules. Please do not let
14 Illinois fall behind. Every day that passes
15 without action, more people are exposed to
16 harmful pollutants that compromise their
17 health and their futures.

18 We cannot afford to wait any longer.
19 The evidence is clear, and the need is urgent.
20 This board holds the power to shape the future
21 of our state. Please adopt these rules, not
22 just for the environment, but for the health
23 and well-being of all Illinoisans. Our
24 communities deserve nothing less.

1 Thank you for the opportunity to
2 address the Board.

3 HEARING OFFICER HORTON: Thank
4 you so much.

5 And I'll circle back to Kathleen
6 McFadden.

7 KATHLEEN MCFADDEN: Can you hear
8 me now?

9 HEARING OFFICER HORTON: Yes, we
10 can hear you.

11 HEARING OFFICER LEONI: Yes.

12 Oh, no. Kathleen, you have gone away.

13 KATHLEEN MCFADDEN: How did I --
14 am I there now?

15 HEARING OFFICER HORTON: Yes.
16 Yes, yes, yes.

17 HEARING OFFICER LEONI: Don't
18 touch anything.

19 KATHLEEN MCFADDEN: Okay. All
20 right. Let's try this. Let me know if you
21 can't hear me again.

22 HEARING OFFICER HORTON: Okay.
23 Okay.

24 KATHLEEN MCFADDEN: Good

1 afternoon. I'm Dr. Kathleen McFadden. I'm a
2 board of trustee professor and dean's
3 distinguished professor of operations
4 management at Northern Illinois University,
5 emeritus professor.

6 Thank you for giving me this
7 opportunity to offer my comments on the clean
8 vehicle standards.

9 I have an undergraduate degree in
10 economics, an MBA and a PhD in business, with
11 an emphasis in operations management. For
12 over 35 years, I have taught business classes,
13 including finance, economics, marketing,
14 management, and operations.

15 Based on my expertise, I urge the
16 Illinois Pollution Board to adopt the Advanced
17 Clean Cars, Advanced Clean Trucks, and
18 Heavy-Duty Low Oxide Nitrogen Omnibus rules
19 for Illinois.

20 Why do I care about this issue? Well,
21 I have spent my entire career researching and
22 recommending ways to reduce bad public health
23 and safety outcomes, while approaching
24 problems from a business perspective.

1 I have published over 40 academic
2 articles in this area. I also care deeply
3 about our environment. That's why I drive an
4 electric car and I have solar panels on my
5 home.

6 If we learn of ways to prevent or
7 lessen the impact of bad outcomes, I believe
8 we are obligated to act. I have looked over
9 the research and facts and statistics on the
10 rule, and I understand that beyond the
11 benefits related to the environment and public
12 health, it also makes good economic sense,
13 especially in the long run.

14 Several states have already adopted
15 these standards, and major corporations such
16 as Amazon, PepsiCo, and Walmart are already
17 using electric trucks to transport products.

18 I can assure you that these companies
19 have run the numbers, and they know that the
20 total operating cost of zero-emission
21 heavy-duty vehicles will be significantly
22 lower than their diesel counterparts, thus
23 enabling them to increase their profits and
24 pass savings onto their customers.

1 Adopting clean vehicle standards is
2 projected to lead to major economic benefits
3 of approximately \$170 billion by 2040. In
4 addition, the rules are expected to add over
5 18,000 new jobs by 2030, with wages about 50
6 percent higher than the jobs they would
7 replace.

8 The overall direct cost savings to
9 consumers from the use of electric vehicles
10 will be significant, because of the savings in
11 fuel costs, maintenance costs, and longevity
12 improvements.

13 The rule will result in less vehicle
14 downtime, savings on operation costs, and
15 reduced out-of-pocket costs for vehicle
16 repair.

17 Sticker prices are also coming down on
18 EVs. Almost all models of electric trucks are
19 expected to cost no more than their diesel
20 equivalents. For all these reasons, I
21 strongly urge you to adopt the clean vehicle
22 standards for Illinois.

23 Thank you for your time.

24 HEARING OFFICER HORTON: Thank

1 you so much.

2 I'll circle back to Sativa Volbrecht.

3 Okay. I'll circle back to her at the
4 end.

5 Next is Linda Wegrzyn.

6 LINDA WEGRZYN: Thank you to the
7 Board for the opportunity to comment.

8 My name is Linda Wegrzyn, and I live in
9 St. Clair County, and I'm speaking today as an
10 individual.

11 When I get exposed to air pollution, I
12 get irritation in my bronchial tubes and
13 throat, and then that always develops into a
14 respiratory tract infection, and then getting
15 those types of infections leads to reduced
16 lung function.

17 Think about all the people in Illinois
18 that are affected by some type of lung
19 condition. All the pollution around us
20 affects people with lung conditions and heart
21 disease, and leads to more missed school days,
22 missed work, and an increase in health care
23 costs that people can't afford.

24 Instituting clean vehicle standards is

1 an easy way for Illinois to reduce pollution.

2 This type of pollution doesn't just
3 affect people in big cities. Even though the
4 ambient air quality may look fine for most
5 counties, this type of pollution is generated
6 right where people are breathing.

7 For people who are frequently around a
8 school bus, delivery truck, or other vehicle
9 pollution, they are going to suffer, even if
10 they live downstate.

11 This is too important to just be left
12 to chance. Illinois has the opportunity to
13 improve the health of our citizens by adopting
14 clean vehicle standards.

15 Thank you for your consideration.

16 HEARING OFFICER HORTON: Thank
17 you so much.

18 Next is Karen Glennemeier.

19 HEARING OFFICER LEONI: I don't
20 see her here.

21 HEARING OFFICER HORTON: Okay.

22 Karen Glennemeier?

23 And just so everyone knows, I'll circle
24 back to people who I call on and don't respond

1 at the end.

2 Next is Lawrence Pfafflin.

3 LAWRENCE PFAFFLIN: Hello. Thank
4 you. My name is Lawrence Pfafflin. I live in
5 Elmhurst, Illinois. I'm originally from
6 Bellwood, so --

7 HEARING OFFICER LEONI: Oh, no.
8 Mr. Pfafflin, I believe your mic has dropped
9 out. We can't hear you anymore.

10 We still can't hear you. Is your -- is
11 your computer muted?

12 No.

13 HEARING OFFICER HORTON: No.

14 How about this. I'll move on to the
15 next person if you wanted to figure something
16 out, and then always -- you can always call in
17 from the number as well. But I'll move on to
18 the next person, and I'll circle back to you.

19 Sorry about that. We heard you right
20 at the beginning, but I'm not sure what cut
21 out.

22 Next is Angela Berglund.

23 HEARING OFFICER LEONI: I don't
24 see Angela.

1 HEARING OFFICER HORTON: Okay.

2 Angela Berglund?

3 All right. And then after that is
4 Gloria Barrera.

5 Gloria Barrera?

6 All right. Mr. Pfafflin, we are back
7 to you.

8 LAWRENCE PFAFFLIN: Is it --

9 HEARING OFFICER HORTON: We hear
10 you. We hear you.

11 HEARING OFFICER LEONI: Oh, no.
12 Now we don't hear you.

13 HEARING OFFICER HORTON: We lost
14 you again. I'm sorry.

15 HEARING OFFICER LEONI: Let me --
16 let me try muting and unmuting you.

17 Okay, Mr. Pfafflin, go ahead.

18 We still can't hear you. I'm sorry.

19 HEARING OFFICER HORTON: If you
20 wanted to log out and then log back in, I'll
21 call on you after the next set -- next group
22 of people.

23 LAWRENCE PFAFFLIN: Thank you.

24 HEARING OFFICER HORTON: Oh, we

1 just heard you.

2 LAWRENCE PFAFFLIN: Oh, I'm
3 active again?

4 HEARING OFFICER HORTON: Yes. Go
5 for it.

6 HEARING OFFICER LEONI: Don't
7 touch anything.

8 Oh, no.

9 HEARING OFFICER HORTON: We lost
10 you again. I'm sorry.

11 Okay. Okay. Thank you so much.

12 Next is Zach Harris.

13 HEARING OFFICER LEONI: I do not
14 see Zach Harris.

15 HEARING OFFICER HORTON: Okay.

16 Next is Dorelle Ackermann.

17 DORELLE ACKERMANN: Hello. Can
18 you hear me?

19 HEARING OFFICER HORTON: Yes.

20 DORELLE ACKERMANN: My name is
21 Dorelle Ackermann. I live in Mokena,
22 Illinois.

23 I have the convenience of living near
24 intersections I-80, I-57, and I-30, 355, but

1 that means I also have a serious health risk.

2 As a resident of Will County and
3 someone who frequently travels to Cook and
4 DuPage County, I have the misfortune to
5 breathe the worst air quality of the "dirty
6 dozen" counties in Illinois, according to the
7 2022 report from the Respiratory Health
8 Association.

9 I remember being concerned for my
10 brother, who lives in Palo Alto, California,
11 during the height of the California forest
12 fires. So I checked my iPhone weather app
13 that morning, and to my surprise, the air
14 quality, or lack thereof, I was breathing was
15 by far more dangerous than the air my brother
16 was breathing.

17 I'm old enough to remember the smog and
18 air quality of the Chicago area prior to the
19 passage of the Clean Air Act of 1970. We
20 should be proud of how we have succeeded in
21 improving our air quality since that time.
22 Still, we need to do more.

23 I am especially concerned with the 2.5
24 parts per million particulate matter I'm

1 breathing, because it can't be seen and our
2 lungs can't filter it out of our respiratory
3 tract.

4 So here's the fact where you, the
5 Pollution Board, can take action. Diesel
6 exhaust contributes almost 60 percent of this
7 particulate matter while making up only seven
8 percent of vehicles on Illinois roads.

9 A 2022 Clean Air Task Force projected
10 that diesel engine exhaust would result 416
11 deaths in Illinois just from the 2.5 parts per
12 million particulate matter. So you have an
13 opportunity to save lives.

14 Therefore, it is with urgency that I
15 ask this board to pass clean vehicle standards
16 that protect Illinois citizens.

17 Besides the health benefit and lives
18 saved, these standards would also include
19 18,000 new jobs by 2030, more than \$150
20 billion in state economic benefits by 2040,
21 and the standards can be similar to those
22 standards outlined in the legislation that's
23 been mentioned before: The Advanced Clean
24 Trucks rules, where electric vehicles have

1 zero pipe emissions, the Heavy-Duty Omnibus
2 rule, which strengthens the standards for
3 trucks already on the road, and the Advanced
4 Clean Cars 2 rules.

5 I myself am an owner of two electric
6 vehicles, so I can personally attest to the
7 cost savings of owning electric vehicles.

8 By strengthening clean vehicle
9 standards, you can uphold the goals from the
10 passage of the clean -- the Climate and
11 Equitable Jobs Act, and ensure that Illinois
12 is a leader in the transition to clean energy
13 transportation.

14 Thank you for giving me this time.

15 HEARING OFFICER HORTON: Thank
16 you so much.

17 Next is Andrew Sloan.

18 Andrew Sloan?

19 Just so everyone knows, I'll circle
20 back to anyone I have called on, in case they
21 are having technical issues.

22 Next is Sharon White.

23 HEARING OFFICER LEONI: Oh. Ms.
24 White, you are unmuted now.

1 HEARING OFFICER HORTON: Yeah.

2 SHARON WHITE: Can you hear --
3 can you hear me?

4 HEARING OFFICER HORTON: Yes.

5 SHARON WHITE: You can hear me?

6 HEARING OFFICER HORTON: Yes.

7 SHARON WHITE: Yes?

8 HEARING OFFICER HORTON: Yes.

9 SHARON WHITE: I'm a retired --
10 I'm a retired science teacher, mother of four,
11 and grandmother of 10. Not only do I care
12 about my family, but our earth, and its people
13 who need to breathe clean air, a human right.

14 Illinois is a great state that fights
15 for people's health rights -- abortion,
16 vaccines, Medicaid -- but we are failing in
17 the air that we breathe. We are the seventh
18 worst in the nation.

19 It's a proven fact that diesel exhaust
20 contributes to heart and lung disease, and
21 some cancers. We need vehicle standards now.

22 Humans tend to wait until there's a
23 crisis. People, we are in a crisis. A --
24 ACT, HDO, and ACC have been adopted in other

1 states; they have done the work.

2 Yes, we are an agricultural,
3 industrial, business, and transportation hub.
4 That's what makes Illinois great, and we can
5 be all that and good health for our people
6 with these standards or rules.

7 Please adopt these standards before
8 Trump does something to prevent it.

9 HEARING OFFICER HORTON: Thank
10 you so much.

11 Next is Michael Ondek, Ondek?

12 Michael Ondek?

13 Okay. I'll circle back to you, Mr.
14 Pfafflin.

15 I'm so sorry, we can't hear you.

16 I'll suggest one other thing. On that
17 hearing officer order, there is a phone number
18 that you can also call. You could try calling
19 in, and I'll call on you at the end of the
20 next group of people.

21 Otherwise, you are certainly welcome to
22 submit a written public comment. The Board
23 weighs oral and written public comments
24 equally.

1 I'll circle back to Andrew Sloan.

2 Zach Harris?

3 Okay. Moving on to Andy Daglas.

4 Karen Fort?

5 Karen Glennemeier?

6 KAREN GLENNEMEIER: Can you hear
7 me?

8 HEARING OFFICER HORTON: Yes.

9 KAREN GLENNEMEIER: Great.

10 Thanks for the opportunity to comment. I'll
11 keep it brief.

12 I just want to say that I support the
13 adoption of Advanced Clean Cars 2, Advanced
14 Clean Trucks, and Heavy-Duty Omnibus emissions
15 regulations.

16 These higher standards will save lives
17 and reduce illness. They'll save Illinois
18 money, as well as improving the health and
19 quality of life for all of us. And many other
20 states have already adopted these standards,
21 so it's not like we are inventing something
22 new, and it's time for Illinois to do the
23 same.

24 Thank you.

1 HEARING OFFICER HORTON: Thank
2 you so much.

3 Angela Berglund?

4 Gloria Barrera?

5 Zach Harris?

6 Andrew Sloan?

7 Andy Daglas?

8 Karen Fort?

9 Anthony Marinelli?

10 ANTHONY MARINELLI: I want to
11 thank the Illinois Pollution Control Board for
12 allowing me to comment on the proposed clean
13 vehicle rules.

14 My name is Dr. Anthony Marinelli. I
15 completed my training as a pulmonologist at
16 the University of Illinois in 1978.

17 My pulmonary medicine practice
18 encompassed office and hospital patient care
19 in Chicago, Oak Park, and other suburban
20 locations.

21 I have been on the board of directors
22 of the Respiratory Health Association for 30
23 years.

24 I am here to speak about the health

1 effects on humans from car and truck vehicle
2 emissions on Illinois roads.

3 I have firsthand experience with the
4 consequences of air pollution, on my patients
5 with asthma, chronic obstructive lung disease,
6 and other lung conditions.

7 Air pollution due to the products of
8 tailpipe emissions is a documented increasing
9 threat, impacting all ages from the very young
10 to older adults, individuals of color and
11 those in proximity to busy highways being
12 disproportionately adversely affected.

13 Individuals often complain of
14 difficulty breathing, cough, wheezing,
15 exacerbation of asthma and COPD on air -- on
16 poor air quality days.

17 The impact of air pollution on humans
18 can include missing work or school, especially
19 for those working outside, increased emergency
20 department visits, hospitalizations, and
21 premature deaths.

22 Five Illinois counties, including Cook,
23 received a pollution F grade from the American
24 Lung Association in 2024.

1 Residents of those counties and others
2 without A grades are at increased risk of the
3 negative health, societal, and economic
4 impacts caused by soot pollution from diesel
5 trucks and buses.

6 Many residents in Illinois live in
7 communities impacted by unhealthy levels of
8 air pollution.

9 Patients are often counseled by health
10 care professionals to monitor air quality,
11 consider wearing a mask, or using a
12 prophylactic inhaler when outside on poor air
13 quality days.

14 Other patients choose to stay indoors,
15 and this altogether will impact their quality
16 of life.

17 Non-electric vehicles have a
18 significant negative impact on air pollution.

19 I am asking the IPCB to advance the
20 Advanced Clean Cars 2, the Advanced Clean
21 Trucks, and the Heavy-Duty Low NOx Omnibus
22 rules.

23 The swift adoption of these rules will
24 reduce harmful vehicle pollution, prevent

1 numerous pollution-related emergency
2 departments visits and hospitalization, and
3 save hundreds of lives. Please act to improve
4 the air quality for the citizens of Illinois.

5 Thank you for your time. Thank you.

6 HEARING OFFICER HORTON: Thank
7 you so much.

8 I'm going to circle back to the last
9 batch.

10 Zach Harris?

11 ZACH HARRIS: Oh. Thank you.

12 I would also like to give comment to
13 support the Advanced Clean Trucks rule and the
14 Heavy-Duty Low Nitrogen Omnibus rules.

15 So I live -- I'm in Lincoln Square,
16 2427 West Eastwood.

17 So I live right by Western Street,
18 which is a very busy street. It's a very
19 polluted street, too. I pretty much cross
20 that street every day, either because I'm
21 biking somewhere, I'm going to take the train,
22 or I'm walking to the grocery store, and it is
23 disgusting.

24 Like I really feel like from the moment

1 I get to that street, my lungs, just they
2 don't feel good, I don't feel healthy.

3 And I'm, you know, I'm 25. I don't
4 really have any serious health conditions.
5 I'm really lucky not to have asthma, but I'm
6 really thinking about all like the children of
7 my neighborhood, the high schoolers waiting
8 for the bus right by Western, and all the
9 people who are really suffering because of the
10 really big heavy trucks that are going through
11 our city down Western every day and polluting
12 my neighborhood.

13 And I would just be so excited if we
14 could move to electric vehicles that are not
15 going to pollute and are going to ensure
16 that -- and just, you know, in general keep --
17 keep our -- keep our health safe, keep our
18 community safe, and I really hope the Board
19 supports these new rules.

20 And I'll yield the rest of my time.

21 HEARING OFFICER HORTON: Thank
22 you so much.

23 Andrew Sloan?

24 Michael Ondek?

1 I'm just going to acknowledge that we
2 have had about 10 people not show, so we are
3 moving -- we are ahead of schedule, so I'm
4 going on to the next group.

5 Andy Daglas?

6 [Discussion off the record.]

7 HEARING OFFICER HORTON: Next,
8 Karen Fort?

9 Tom Coleman?

10 LAWRENCE PFAFFLIN: Hello --

11 HEARING OFFICER HORTON: Oh, was
12 that Karen Fort?

13 HEARING OFFICER LEONI: We are
14 hearing someone who has called in from a phone
15 line. Is that Karen Fort?

16 LAWRENCE PFAFFLIN: It's Lawrence
17 Pfafflin, but there's some feedback.

18 HEARING OFFICER HORTON: Oh, Mr.
19 Pfafflin. Let's go ahead.

20 LAWRENCE PFAFFLIN: Okay. I had
21 an audio problem, and I guess I'm still having
22 some audio problems, but I -- if this is
23 audible --

24 HEARING OFFICER HORTON: We can

1 hear you great.

2 LAWRENCE PFAFFLIN: Great.

3 Terrific.

4 Thank you very much for the opportunity
5 to speak with you this afternoon. My name is
6 Lawrence Pfafflin. I'm from Elmhurst,
7 Illinois, originally from Bellwood, Illinois,
8 so I have grown up right along this line
9 between DuPage and Cook County.

10 Those of you -- most of you are
11 probably familiar with this area. The
12 Pollution Control Board members certainly are
13 probably familiar with our air quality issues
14 in this area.

15 I appreciate the ability to voice my
16 concerns about the direction Illinois needs to
17 take to address our local air quality and the
18 global climate emergency.

19 According to the 2022 Illinois EPA
20 report, 42 percent of our days here, 153 in
21 all, in the Chicago and west reporting area
22 were not good. That's nearly half.

23 How many of us would be willing to
24 accept a 42 percent of anything that we

1 consume as not good quality?

2 Five of those days were considered
3 unhealthy. So that's truly a limiting factor;
4 you shouldn't even be outside in most of -- on
5 most of those days.

6 My city of Elmhurst is bounded and
7 crisscrossed by interstate and major arterial
8 roads. Asthma levels are high. Air quality
9 index levels are far above national averages.

10 Neighboring communities, like where I
11 grew up in Bellwood, Hillside, Berkeley, are
12 similarly affected, if not even more
13 negatively affected.

14 Truck and train traffic in the
15 adjacent -- excuse me -- railyards, massive
16 new package delivery centers, and air cargo
17 terminals contribute heavily to the local
18 transportation emissions mix.

19 York High School in Elmhurst has a
20 world-famous cross-country running program.
21 Coach Joe Newton has had movies made about
22 him. Everywhere I travel, if the subject of
23 York High School comes up, any runner knows
24 about York High School's running program.

1 Both of my daughters participated in
2 that program. The training begins in middle
3 school if you want to be serious about the
4 team, and continues year-round while you
5 participate.

6 One of my daughters has respiratory
7 problems now and has moved out of the area for
8 better air quality.

9 Knowing what I know now about the poor
10 air quality here, I would not have wanted
11 either of them to participate in that sport,
12 in spite -- in spite of the positive effect
13 that athletics had on their academic lives and
14 their careers. Sports is really good for kids
15 in high school.

16 Please think about that for just a
17 moment. How many parents would want to
18 wrestle with the choice of removing their kids
19 from a state-champion-quality team because
20 their participation poses a serious risk to
21 their health?

22 On another subject, and the condition
23 in this region, and certainly throughout the
24 Chicago area, highway traffic and congestion

1 continue to increase.

2 Chicagoans now have commute times
3 amongst the highest in the United States.
4 Added lanes fill up almost as quickly as they
5 are completed, and on I-294 South, the entire
6 eastern border of Elmhurst is a continual line
7 of stop-and-go truck traffic, queued up for
8 the I-88 West ramp. This creates the worst
9 possible emissions scenario.

10 The Hillside Strangler, if you are
11 familiar with that, was a traffic jam that
12 headed onto the Eisenhower interstate, and it
13 was supposed to be solved by expansion of
14 extra lanes and extra clover loops --
15 cloverleafs.

16 It didn't. It's worse than ever. The
17 traffic is backed up as ever. If anything,
18 the Strangler has cloned, and it moved east
19 and west and south, and it has gotten even
20 meaner.

21 The traffic and air quality index
22 situation could change very rapidly and not
23 for the better. A push for fewer imports will
24 mean that more local production and

1 distribution, creating even more traffic,
2 could ensue.

3 Climate-related migration from some
4 areas will inevitably create urban expansion
5 and infill and more transportation demand in
6 our area.

7 The new I-490 tollway traffic is
8 designed to increase and enhance cargo traffic
9 at O'Hare.

10 So we are doing everything we can to
11 put more vehicles on the road, but nothing to
12 address the air quality issues that ensue.

13 Finally, restoring and maintaining
14 healthy air quality requires modernizing the
15 vehicle fleet through the adoption and
16 implementation of the proposed standards in
17 the act and ACC2 standards.

18 When Illinois adopts the ACC2
19 standards, joining 18 other states on the
20 list, the majority of United States GDP, gross
21 domestic product, will be represented by the
22 member states.

23 There is strength in numbers.
24 Especially in the current federal political

1 climate, it's more or less on the states, it's
2 on us in Illinois, to do what we can to
3 protect our health and our environment.

4 Illinois is a leader in clean vehicle
5 production. Let's reinforce that. Let's
6 build on our successes.

7 To the members of the Pollution Control
8 Board, please, please, use your authority to
9 implement both the ACT, the ACC2, and the
10 Heavy-Duty Omnibus Act.

11 It's on us. The ball is truly in our
12 hands locally now.

13 Thank you very much for your time.

14 HEARING OFFICER HORTON: Thank
15 you so much.

16 Next, Andy Daglas?

17 Karen Fort?

18 Tom Coleman?

19 TOM COLEMAN: Yes. Can you hear
20 me all right?

21 HEARING OFFICER HORTON: Yes.

22 THOMAS COLEMAN: Okay.

23 Thank you for this time to speak. My
24 name is Thomas Coleman, and I am co-chair of

1 the Climate Reality Chicago Metro Chapter.

2 We are a 700-member organization in
3 Chicago metro area, part of a 50,000-member
4 national organization. We are dedicated to
5 lowering noxious pollution and greenhouse gas
6 emissions in Illinois.

7 Driving electric and powering my home
8 from the sun has been critical to me and my
9 family, from a financial, an emissions, and a
10 moral standpoint.

11 Greenhouse -- greenhouse gas emissions
12 from transportation in the USA represent about
13 28 percent of emissions. Light-duty cars,
14 SUVs, vans, and pickup trucks are responsible
15 for about 59 percent of this. And these
16 emissions -- and another 24 percent are medium
17 and heavy-duty trucks and buses.

18 It's past time that we recognize that
19 Illinois must take action to curb these
20 emissions, given the correction -- I'm sorry,
21 the correlation between greenhouse gas
22 emissions and global heating.

23 And unfortunately, these carbon
24 emissions are accumulating in the atmosphere,

1 and carbon dioxide remains active in the
2 environment for about a thousand years.

3 With this, with the United States the
4 number one emitter per capita worldwide and by
5 far the number one cumulative emitter in
6 history -- you know, it builds up -- it is
7 time for change in Illinois.

8 Some people might want to negotiate the
9 science of sustainability when decisions are
10 difficult, but the laws of physics cannot be
11 compromised. They are what they are, and 97
12 percent of scientists are clear on this point.
13 Lowering emissions is urgent, and change is
14 needed now.

15 I'll conclude simply by saying that
16 some people think that these recommended
17 changes restrict our freedoms to buy the cars
18 we want to buy.

19 If doing this pollutes and hurts
20 people, about four to six metric tons for
21 every car of greenhouse gases, then the kind
22 of freedom isn't freedom at all. Freedom is
23 to breathe clean air, come -- and this must
24 come first.

1 This is where the Pollution Control
2 Board can exercise its power for the kind of
3 freedom that we want, clean air and more
4 sustainable climate.

5 And Advanced Clean Cars and Trucks do
6 not ban existing vehicles, and gradually
7 increase the number of vehicles over time.
8 This is the kind of gradual change we need to
9 adjust our population and our industries to
10 cut pollution and greenhouse gas emissions
11 over time.

12 Please approve Advanced Clean Cars and
13 Trucks and HDO now. The future of Illinois
14 residents depend on you.

15 Thank you.

16 HEARING OFFICER HORTON: Thank
17 you so much.

18 Next is Joyin Akinola.

19 I'll circle back to Andy Daglas.

20 Karen Fort?

21 And --

22 HEARING OFFICER LEONI: Do we
23 hear Karen? No.

24 HEARING OFFICER HORTON: Michael

1 Ondek?

2 MICHAEL ONDEK: Yeah, I'm here.

3 HEARING OFFICER HORTON: Oh,
4 perfect.

5 MICHAEL ONDEK: Thank you very
6 much for circling back.

7 My name is Michael Ondek, and I'm a
8 member of the Sierra Club and a parishioner of
9 St. Walter Church in Roselle, Illinois.

10 As a member of the Sierra Club, I know
11 that Illinois's three most populous counties
12 all have received failing or near-failing
13 grades for air quality from the American Lung
14 Association's State of the Air report, and
15 then since 2019 transportation has been the
16 dirtiest sector in the state, surpassing coal.

17 As a member of the Catholic church, I'm
18 reminded of the words of Pope Francis: If we
19 took the planet's temperature, it will tell us
20 that the earth has a fever and it is sick.

21 The issue of clean air is very
22 important to me. I have lost family members
23 to lung cancer, irritation and inflammation
24 caused by particulate air pollution

1 contributes to cancer, and also makes the
2 final years and months of those with lung
3 cancer more miserable.

4 I also have current family members that
5 have chronic medical breathing condit --
6 issues, and have asthma myself, and have a
7 prescription inhaler.

8 On bad air pollution days, mine and my
9 family's health suffers, along with all of
10 Illinois, and can have acute medical issues
11 because of the poor air quality.

12 There are three ways to help save me,
13 my family, and my community from suffering
14 under these current conditions and improve
15 future generations' health.

16 The first is to implement the Advanced
17 Clean Trucks Act rule. The ACT rule would
18 require truck makers to sell an increased
19 percentage of zero-emission trucks. This
20 allow Illinois to join 11 other states in
21 improving air quality for its citizens and
22 help slow global warming.

23 The second way is to implement the
24 Heavy-Duty Low Nitrous Oxide Omnibus, HDO

1 rule. HDO will update standards, tests, and
2 compliance for nitrous oxide and particulate
3 matter emissions from new heavy-duty trucks.

4 And third is to implement the Advanced
5 Clean Car 2 Act. The ACC2 rule will put
6 Illinois on the path to 100 percent
7 zero-emission car sales by 2035.

8 This would allow Illinois to join the
9 14 other states in improving air quality for
10 its citizens, showing they care, and help to
11 slow global warming.

12 My ask is simple. Illinois needs the
13 Illinois Pollution Control Board to adopt the
14 ACT, HDO, and ACC2 rules to improve the health
15 of every citizen in Illinois, and promote our
16 state from the -- protect our state from the
17 threat of the federal government lowering
18 their standards.

19 So please help protect me, my family,
20 my church, and my state from breathing
21 polluted poor-quality air caused by heavy-duty
22 trucks and passenger vehicles by adopting the
23 ACT, HDO, and ACC2 rules.

24 Thank you for your time.

1 HEARING OFFICER HORTON: Thank
2 you so much.

3 And we're running a little ahead of
4 schedule, so I'm just going to take a chance
5 to circle back to everyone that we have missed
6 so far.

7 Susan Mudd?

8 Sativa Volbrecht?

9 HEARING OFFICER LEONI: Oh,
10 Joyin.

11 HEARING OFFICER HORTON: Angela
12 Berglund?

13 Gloria Barrera?

14 Andrew Sloan?

15 Andy Daglas?

16 Karen Fort?

17 Joyin Akinola?

18 JOYIN AKINOLA: Yes?

19 HEARING OFFICER HORTON: Yes.
20 Okay. You can proceed.

21 HEARING OFFICER LEONI: Oh, I
22 think you are muted. Now you are not. Now
23 you are.

24 Joyin Akinola: Oh, am I muted

1 now?

2 HEARING OFFICER HORTON: No, we
3 can hear you.

4 HEARING OFFICER LEONI: No, now
5 you are good.

6 JOYIN AKINOLA: Perfect. Thank
7 you.

8 Well, my name is Joyin Akinola, and I'm
9 currently a sophomore at Northwestern
10 University in Elliston (sic), Illinois, and
11 I'm volunteering with the Sierra Club as a
12 part of Northwestern's Organizing For Justice
13 program.

14 I come to you, urging to take -- I'm
15 urging you to take -- I'm urging the Pollution
16 Control Board to implement the clean vehicle
17 standards today and take the first steps in
18 making Illinois a better, greener state.

19 Learning that Illinois is frankly
20 behind in this movement shocked me, as we live
21 in a state known for its diverse set of needs
22 and people, with expansive rural and farm
23 towns and a thriving city that draws people in
24 for all -- from all over the country,

1 including myself, which is why I feel like it
2 is of utmost importance that we protect not
3 only our land but every resident's health.

4 It is well documented, the adverse
5 effects of pollution from vehicles like cars
6 and trucks on communities, especially
7 communities of color.

8 In our state, specifically Chicago --
9 and in specifically Chicago, black and Latino
10 are communities are most adverse (sic)
11 affected by air pollution, with Kimberly
12 Wasserman, the executive director of Little
13 Village's Environmental Justice Organization,
14 calling the south and west sides "sacrifice
15 zones," because residents are so exposed to
16 toxic air on a daily basis.

17 This issue does not just affect the
18 city, though increased pollution -- as
19 increased pollution will affect each and every
20 one of us, if we sit idly while the problem
21 grows.

22 Air pollution is more than an
23 environmental issue, it's a public health
24 crisis, it's a social justice issue, and most

1 importantly a human issue.

2 This only grows with time and if we do
3 not make a stand for it now, which is why I
4 hope that Illinois adopts cleaner vehicle
5 standards that will not only improve our
6 state's air quality but each and every one of
7 us.

8 And so I urge the Pollution Control
9 Board to make changes now and adopt the clean
10 vehicle standards that will help Illinois not
11 only in the long term but also the short term,
12 and show that Illinois has a true dedication
13 to making sure that every and each one of its
14 residents stay safe.

15 Thank you.

16 HEARING OFFICER HORTON: Thank
17 you so much.

18 Next is Christina Pickett.

19 CHRISTINA PICKETT: Hello. Hi.

20 HEARING OFFICER HORTON: Hi.

21 CHRISTINA PICKETT: Okay. Hi.

22 My name is Christina Pickett, and I'm
23 here today to highlight the crucial importance
24 of clean air, not just as a public health

1 issue but as a deeply personal one.

2 I just want to share a quick story
3 about my son Lincoln, who is three. Lincoln,
4 like many other children his age, should be
5 running around, spending his days full of
6 energy. Instead, he has faced many challenges
7 that too many children have had to endure.

8 Lincoln was diagnosed with asthma, a
9 condition that severely affects his ability to
10 breathe, and as a baby he was hospitalized
11 twice due to severe respiratory issues.

12 Both times Lincoln was hospitalized, we
13 were on vacation and should have been enjoying
14 ourselves. I remember watching over my son
15 all night, listening to his wheezing, watching
16 his tiny chest rise and fall, and making that
17 final call to take him to the ER.

18 As a parent, there's nothing more
19 gut-wrenching than seeing your child in pain
20 and feeling powerless to alleviate it.

21 Studies have linked clean (sic) air
22 pollution with the worst symptoms of childhood
23 asthma, and some studies have demonstrated
24 that there may be disproportionate impacts on

1 black kids like Lincoln.

2 The good news is Lincoln and countless
3 other children suffering can be alleviated by
4 stricter control of pollutants in our air.
5 This is why I volunteered to speak.

6 The health and well-being of our
7 children, our families, our communities,
8 depend on the air we breathe. It's
9 imperative, we must adopt policies that reduce
10 air pollution and safeguard public health.

11 This is why I'm urging the Illinois
12 Pollution Control Board to adopt the Advanced
13 Clean Cars 2, the Advanced Clean Trucks, and
14 the Heavy-Duty Omnibus NOx rules.

15 These regulations are not just
16 policies, they are lifelines for families like
17 mine, they represent a commitment to a future
18 where no parent has to witness their child
19 gasping for air, where our skies are clear and
20 our air is pure. By implementing these rules,
21 you can take a stand for the health of our
22 youngest and most vulnerable citizens.

23 Thank you for your time and
24 consideration. Let's work together to ensure

1 a cleaner, healthier future for all of our
2 children.

3 Thank you.

4 HEARING OFFICER HORTON: Thank
5 you so much.

6 Next is Jeffrey Gahriss.

7 JEFFREY GAHRIS: Yes. Thank you.

8 Yes, I'm here to comment on the clean
9 trucks rule, but I thank you for the
10 opportunity to speak before this rulemaking
11 body. I'm a senior citizen living in Wheaton,
12 Illinois, and volunteer for the Sierra Club.

13 As a resident of DuPage County, I
14 endure heavy diesel traffic on busy roads and
15 on our residential streets. Dump trucks are
16 especially egregious, and even school buses
17 can be seen spewing particulates visibly,
18 impacting the lungs of young children and
19 other vulnerable people, such as seniors.

20 I appreciate the intent of the proposed
21 Advanced Clean Trucks rule that would benefit
22 local health by providing businesses with the
23 option of acquiring trucks that would meet
24 these emission standards.

1 I ask that the Advanced Clean Truck
2 rule be adopted so we can join the 11 other
3 states that have adopted similar rules.

4 Similarly, the Heavy-Duty Omnibus Low
5 NOx rule promises to reduce NOx emissions,
6 which is critical to maintaining our air
7 quality standards in metropolitan areas. 14
8 other states have adopted similar standards.

9 These two rulemakings must be adopted
10 now before the administration in Washington,
11 D.C., takes away our right to adopt standards
12 more strict than the federal requirements.

13 So thank you again for this opportunity
14 to speak.

15 HEARING OFFICER HORTON: Thank
16 you so much.

17 Next is William Reich.

18 William Reich?

19 Next is Sean Reeser.

20 SEAN REESER: Hi. Can you hear
21 me?

22 HEARING OFFICER HORTON: Yes.

23 SEAN REESER: Can you hear me?
24 Am I audible?

1 HEARING OFFICER LEONI: Yes, you
2 are, Mr. Reeser. Can you hear us?

3 SEAN REESER: Yes, I can hear
4 you. There we go. I was trying to get my
5 camera working.

6 HEARING OFFICER LEONI: Oh,
7 perfect.

8 SEAN REESER: All right.

9 So good evening. My name is Sean
10 Reeser, and I live in the Logan Square
11 neighborhood of Chicago.

12 I work as a substitute special
13 education and earth sciences teacher for
14 Chicago Public Schools, and on the side, I'm a
15 small business owner, working as a saxophone
16 player and repairer out of the small
17 commercial space near my home. I'm also a
18 member of the Sierra Club Illinois chapter.

19 I'm here today to speak in favor of the
20 clean vehicle standards and the omnibus
21 currently under consideration by the Pollution
22 Control Board.

23 Transportation is the leading source of
24 CO2 pollution in Illinois, and CO2 and other

1 transportation-related particulate air
2 pollution heavily affect my community. This
3 is an issue that matters to me both
4 professionally and personally.

5 As a teacher in the school system, one
6 of my foremost concerns here is our students.
7 The University of Chicago has been conducting
8 a large amount of research since 2019 that has
9 repeatedly and consistently linked air
10 pollution levels to academic performance and
11 cognitive development in children.

12 I would cite one such example, a paper
13 published in 2022, which drew data
14 specifically from Cook County, Illinois. This
15 study found that higher air pollution has a
16 measurable and significant negative impact on
17 children's quantitative cognitive performance
18 and development, which is to say their
19 performance and growth in their schooling.

20 If you would like to review this paper,
21 I have shared a link via e-mail to the
22 organizer and can paste one in the comments as
23 well.

24 I can also attest to this myself as a

1 teacher. The I-90 and I-94 corridor runs to
2 the northeastern side of the Logan Square
3 area, and I have seen for myself that in
4 schools further away from these interstates
5 and other major city roads, students are
6 quicker to learn and work at a higher level in
7 general than students at, for lack of a better
8 word, dirtier schools, closer to higher motor
9 traffic.

10 Right now, poor air quality is taking
11 away from our children's ability to learn and
12 their potential to succeed in education and
13 contribute to Illinois's economic,
14 technological, and cultural strength.

15 On a more personal note, my ability to
16 make art and entertainment contributes to my
17 community's culture, and my business's ability
18 to generate and generate economic activity in
19 Illinois both depend on the health of my
20 lungs.

21 I work to keep my lungs healthy,
22 ranging from doing breathing exercises, the
23 same way an athlete trains their muscles, to
24 avoiding smoking and smokers, but I can't

1 avoid breathing the air in my community.

2 With these things in mind, I would also
3 like to speak to the costs air pollution
4 creates as it is right now. Increased health
5 care costs, quality of life, and economic
6 impacts due to respiratory, circulatory, and
7 other pollution-related illnesses are well
8 documented. I'm sure the members of this
9 board are well informed and don't need me to
10 reiterate that.

11 I would like to add to that, though,
12 just look at sales of high-performance HVAC
13 filters, of HEPA air purifiers, even of indoor
14 and outdoor plants, items which are widespread
15 in homes, businesses, and schools in our
16 state.

17 People of Illinois obviously want clean
18 air, and we are obviously willing to pay for
19 it, but all these things are cures for the
20 problem that is air pollution, and again,
21 transportation the single largest source of
22 that problem in our state.

23 You know what they say about an ounce
24 of prevention, right? Because the vehicle

1 standards and the omnibus in front of you
2 right now are prevention, so I implore you to
3 implement them.

4 Thank you for your time and for your
5 consideration.

6 HEARING OFFICER HORTON: Thank
7 you so much.

8 I'm just noting that we are running a
9 little ahead of schedule, so I'm just going to
10 circle back to the 5:00 PM list.

11 Andy Daglas?

12 ANDY DAGLAS: Yes. Hello.

13 HEARING OFFICER HORTON: Yes.

14 ANDY DAGLAS: Sorry I'm late.

15 HEARING OFFICER HORTON: No. No,
16 you are right on time. We are running
17 earlier. You can go ahead.

18 ANDY DAGLAS: Oh, good. Oh,
19 gosh. All right. Thank you.

20 Honestly, I -- you know, I was going
21 over the talking points and the materials and
22 trying to think of, you know, a cogent way of
23 expressing all that.

24 And all I kept coming back to in my

1 head was just the fact that we are watching
2 every day as corporate greed and the felons
3 they have put -- that it has put into power
4 destroy our social fabric, destroy our civic
5 infrastructure, destroy lives, end lives.

6 And look, we all know that air
7 pollution is bad. We all know the horrors
8 that every kind of pollution wreaks, not just
9 in terms of directly poisoning people in
10 communities that have been oppressed and
11 underserved for their entire existence, but in
12 terms of creating -- contributing to global
13 climate change that is imperiling literally
14 millions of lives everywhere, people who had
15 nothing to do with it, all so that a small
16 number of people can profit. And I'm just --
17 I'm just so damn sick of it.

18 And I just -- the people on this call
19 have -- the people on this board, excuse me,
20 have such an opportunity to do some measure of
21 good with the power of government that we have
22 invested you with.

23 And look, I haven't been here for the
24 whole hearing, so I don't know, but I imagine

1 there have been some corporate lobbyists in
2 here, spewing the same shit that Trump and
3 Musk and all of those other words that I
4 probably shouldn't use in a public hearing do,
5 too.

6 And quite frankly, the world is in the
7 terrible state it is in because we have given
8 people like that way too much power and way
9 too much respect that they have not earned,
10 and if you have any sense of public service
11 and decency, you will tell those people to
12 shove it up their asses and adopt the rules
13 that will protect public health.

14 And who the hell cares what it's going
15 to cost the people who have spent their entire
16 careers and -- decades, costing our health and
17 our environment and who knows how many lives
18 just so they can make a buck?

19 Thank you.

20 HEARING OFFICER HORTON: Thanks.

21 Next is Karen Fort.

22 And I'm just noting we are running a
23 little bit early, so I'm just going to circle
24 back to see if we have got anybody who we

1 missed.

2 Susan Mudd?

3 Sativa Volbrecht?

4 Angela Berglund?

5 Gloria Barrera?

6 Andrew Sloan?

7 William Reich?

8 Okay. We'll move on to the next group.

9 Lucy Contreras?

10 LUCY CONTRERAS: Yeah, I'm here.

11 Can you hear me okay?

12 HEARING OFFICER HORTON: Yes.

13 LUCY CONTRERAS: Awesome.

14 Good afternoon, members of the Illinois
15 Pollution Control Board. My name is Lucy
16 Contreras, and I'm the Illinois community
17 advocate for GreenLatinos, a national
18 nonprofit of Latino leaders confronting
19 environmental challenges impacting our
20 communities.

21 I am here today to urge you to support
22 the adoption of clean vehicle standards,
23 specifically the ACT, ACC2, and HDO.

24 I grew up in Cicero, a predominantly

1 Latino community neighboring large industrial
2 hubs. Like many families in environmental
3 justice communities, my family and I were
4 exposed daily to truck traffic and diesel
5 pollution.

6 I always found it odd that so many
7 people I knew had asthma, but now I have come
8 to understand why. Communities like mine bear
9 the brunt of transportation pollution, and
10 it's taking a toll on our health.

11 Cicero's air quality ranks among the
12 worst in Cook County, comparable to Little
13 Village and the near north side of Chicago,
14 and this is not a coincidence. Cicero is 88
15 percent Latino, and the data is clear.

16 Black and Latino communities in
17 Illinois breathe in more PM2.5 pollution than
18 any other group, and specifically non-white
19 individuals are exposed to 28 percent more
20 pollution than the average American.

21 The results, higher rates of asthma,
22 respiratory disease, and even premature death
23 amongst our communities. And much of this
24 pollution comes from the thousands of trucks

1 that drive through our neighborhoods every
2 single day.

3 But we have the power to change this.
4 The clean trucks standard you are considering
5 today represent a monumental step towards
6 environmental justice, a chance to reduce
7 diesel emissions, improve air quality, and
8 protect the health of communities that have
9 long been ignored.

10 This issue is deeply personal.
11 Families like mine should not have to
12 sacrifice their health simply because of where
13 they live, and you as the Board have a
14 critical opportunity to protect vulnerable
15 communities by adopting strong clean vehicle
16 standards.

17 I urge you to stand with the families
18 living in the shadow of diesel pollution and
19 take bold action today. So please vote yes to
20 adopt these standards. Our health and our
21 future depend on it.

22 Thank you so much.

23 HEARING OFFICER HORTON: Thank
24 you so much.

1 Next, Maggie Bowman.

2 MAGGIE BOWMAN: Hi. Can you hear
3 me?

4 HEARING OFFICER HORTON: Yes.

5 MAGGIE BOWMAN: Great.

6 Good afternoon. My name is Maggie
7 Bowman. I am a Chicago resident and a member
8 of the Edgewater Environmental Coalition. I
9 want to thank the Board for the opportunity to
10 make public comment today.

11 I suffer from adult onset asthma, which
12 my doctors have traced to environmental
13 pollutants. For the last 23 years, I have
14 used a steroid inhaler daily to prevent
15 chronic wheezing.

16 When I get a common cold, I often
17 experience asthma exacerbations that will
18 knock me off my feet for days. On one
19 occasion, I spent three days in the hospital.

20 The economic toll of this disease has
21 piled up in the form of prescription drug
22 costs, expensive health care, and lost days of
23 work.

24 Last year, doctors determined that my

1 history -- excuse me -- has caused permanent
2 damage in my lungs called bronchiectasis.
3 This is a scarring effect on some of my
4 airways that makes it more difficult for me to
5 expel irritants and pathogens than the normal
6 person, which in turn leads to greater risk of
7 infection.

8 I'm currently battling a rare chronic
9 lung condition that has resulted from both of
10 these. The quality of the air I breathe every
11 day has a direct impact on how my lungs work,
12 whether or not they get inflamed or infected,
13 and ultimately on how long I will live.

14 My choice to continue living in
15 Illinois currently puts me at greater risk
16 every day. Illinois ranks fifth among all
17 states with the highest number of deaths from
18 TM two point -- PM2.5 diesel engine pollution
19 per capita in 2023.

20 Cook County, where I was born and live
21 now, ranks in the top one percent of all U.S.
22 counties at risk of the health, societal, and
23 economic impacts caused by diesel fine
24 particulate air pollution.

1 However, it doesn't have to be this
2 way. We have an opportunity to make the air
3 in our state cleaner, which will directly
4 contribute to helping its citizens live
5 healthier and more productive lives.

6 Three clean vehicle standards and rules
7 have already been adopted in many other
8 states: The Advanced Clean Trucks, the
9 Heavy-Duty Omnibus Low NOx rules, and Advanced
10 Clean Cars 2.

11 Together, these rules reduce pollutants
12 in the air, bring healthy -- bring health
13 benefits to communities living in areas
14 concentrated with diesel pollution, and bring
15 more clean vehicles to the state.

16 I want to stay in Illinois. My family
17 is here, my home is here, and it is the place
18 I love the most in the country. However,
19 unless air quality improves, I will be forced
20 to leave and live somewhere with cleaner air.

21 I am asking you, members of the
22 Pollution Control Board, to act in the best
23 interest of our state and the people who live
24 here. Please pass the clean vehicle standards

1 that will set Illinois on the path to a better
2 future.

3 HEARING OFFICER HORTON: Thank
4 you so much.

5 Next is John Barzditis.

6 JOHN BARZDITIS: Okay. Thank
7 you. Can you hear me?

8 HEARING OFFICER HORTON: Yes.

9 JOHN BARZDITIS: Okay. Yes. My
10 name is John Barzditis. I have lived my
11 entire life on the northwest side of Chicago
12 in the northwest suburbs.

13 [Interruption by the reporter.]

14 HEARING OFFICER LEONI: Oh,
15 excuse me. Mr. Barzditis, could you please
16 speak up? Our court reporter can't hear you.

17 JOHN BARZDITIS: Okay. Sorry
18 about that.

19 HEARING OFFICER LEONI: That's
20 all right.

21 JOHN BARZDITIS: Yeah, I have
22 lived my entire life on the northwest side and
23 northwest suburbs of Chicago. I currently
24 live near I-94, and I'm concerned about the

1 effects of vehicle pollution.

2 My mother lived in the same area and
3 died from lung cancer, although I think,
4 really, where I live is not that important or
5 relevant, as pollution affects all equally.

6 Eliminating pollution is important to
7 me, and clean vehicle standards can help
8 achieve this. Air pollution created by cars
9 and trucks is affecting the health of everyone
10 in Illinois, and it's all from the climate
11 increasing the frequency and severity of
12 extreme weather events.

13 We need Illinois to set standards to
14 protect the public health, because if
15 manufacturers were left to do what they want,
16 the pace of change would be much slower.
17 Government action is needed to protect public
18 health.

19 I ask the Board to adopt the
20 regulations in the Advanced Clean Trucks,
21 Heavy-Duty Low Nitrous Oxide Omnibus, and
22 Advanced Clean Car -- Cars 2 rules, which are
23 similar to regulations adopted in other
24 states.

1 Air pollution causes lung cancer and
2 increases the risk for heart disease, asthma,
3 and other respiratory ailments.

4 The head of the International Agency
5 for Research on Cancer has said we now know
6 that outdoor air pollution is not only a major
7 risk to health in general but it is also a
8 leading environmental cause of cancer deaths.

9 It has been estimated that adoption of
10 the Advanced Clean Trucks regulation would
11 result in 500 fewer deaths and 600 fewer cases
12 of childhood asthma per year in Illinois.

13 Cook County is in the top one percent
14 of most-polluted counties in the United
15 States, and 12 of Illinois's counties rank in
16 the top nine percent, according to the
17 Respiratory Health Association's "dirty dozen"
18 report.

19 The American Lung Association grades
20 Cook, Kane, Lake, Madison, and McHenry
21 Counties as F for the sake of their air.

22 We know that trucks and buses are only
23 seven percent of all vehicles, but account for
24 67 percent of the nitrogen oxide emissions, 59

1 percent of particulate matter, and 36 percent
2 of greenhouse gases.

3 We need regulations to promote the
4 electric alternatives. Diesel exhaust is
5 particularly noxious, because it contains
6 large amounts of soot and known cancer-causing
7 substances and nitrous oxide. The soot
8 particles deposited in the lungs can cause
9 cancer, asthma, and heart disease.

10 So in conclusion, I would ask you to
11 please live up to your name and remember your
12 mission statement, which I would paraphrase in
13 part that it calls for the establishment of
14 environmental standards and regulations that
15 restore, protect, and enhance the quality of
16 Illinois's environment.

17 Use your authority to act for the
18 people of this state and protect the health of
19 Illinois residents and combat climate change.

20 Thank you.

21 HEARING OFFICER HORTON: Thank
22 you so much.

23 Next is Lena Reynolds.

24 Lena Reynolds? All right.

1 Neda Deylami?

2 Neda Deylami?

3 Okay. Just so everybody knows, I'll
4 circle back to everyone that I called on that
5 didn't appear at the end.

6 Next is Jane Cogie.

7 JANE COGIE: Yes. Thank you.

8 Yeah, I'm Jane Cogie, and since 1991 I
9 have lived in Carbondale, southernmost
10 Illinois. I'm a retired teacher and volunteer
11 for several local nonprofits.

12 And I do want to thank you all on the
13 Illinois Pollution Control Board for this
14 chance to comment.

15 I'm here this evening to urge you, like
16 I think others I have heard here, to adopt the
17 clean car and truck standards. Adopting these
18 standards now is crucial for the health of
19 Illinois -- Illinoisans, our planet, and our
20 economy.

21 Despite great support for clean power
22 and jobs provided by the Climate and Equitable
23 Jobs Act, Illinois is still -- still remains
24 is seventh most polluting state in the nation,

1 and transportation, as you have heard others
2 say, is now the highest source of CO2
3 emissions.

4 Findings reported by Respiratory Health
5 Association alert us to the alarming fact that
6 eight Illinois counties rank among the top
7 nine percent in the nation for toxic emissions
8 from diesel engines.

9 Short-term health impacts from diesel
10 pollution include irritation to eyes, nose,
11 throat, coughing, nausea, headaches, and also
12 less immediately visible long-term impacts,
13 including lung cancer, bladder cancer, asthma
14 attacks, and heart disease.

15 Indeed, a driving force in my deciding
16 to comment this evening is my seeing firsthand
17 the danger folks with asthma live with.

18 I had first become aware of this danger
19 when witnessing the difficulty breathing of
20 one of my daughters' friends. She experienced
21 her having to be rushed to the hospital when
22 her inhaler had run out or couldn't do its
23 job. Pretty scary.

24 Studies have shown that adopting clean

1 vehicle standards would avoid approximately
2 450 premature deaths and result in 260,000
3 fewer pollution-related illnesses.

4 High emissions negatively impact not
5 just our health but also the health of
6 Illinois's economy. I don't have a lot of
7 statistics on this, but certainly folks being
8 sick themselves or needing to care for a
9 family member translates into days away from
10 work and lower productivity.

11 Also, illnesses, both short- and
12 long-term, burden our public health system and
13 contribute to ever-increasing costs for health
14 care.

15 Illinois residents should not have to
16 be burdened by the cost of toxins emitted by
17 cars and trucks, especially since there's
18 clean transportation options that are
19 available and will help advance our fight to
20 slow climate change.

21 Thus I'm urging you to adopt the clean
22 car and truck standards, as other states have
23 been wise enough to do, considering all of its
24 citizens. Doing so will aid the transition to

1 zero emissions, a transition that will help
2 benefit all Illinoisans.

3 So thank you for your time and for your
4 consideration.

5 HEARING OFFICER HORTON: Thank
6 you so much.

7 JANE COGIE: You're welcome.

8 HEARING OFFICER HORTON: Next is
9 Barbara McKasson.

10 BARBARA MCKASSON: Right. I live
11 in Carbondale, Illinois, and I'm a lifelong
12 resident of Illinois.

13 In order to head off the more dangerous
14 consequences of climate change, we must do all
15 we can to cut our carbon emissions, so I
16 strongly urge you to allow the State of
17 Illinois to take advantage of the federal
18 waiver to make our state vehicle emissions
19 standards stricter than the federal standards.

20 My gravest concern is the fact that our
21 country is not doing enough to curb climate
22 change pollutants. We do not know all the
23 tipping points for climate, nor how close we
24 are to those tipping points, the weather

1 makers, to the point of no return.

2 In Makanda, Illinois, on May 8th, 2009,
3 when our area experienced a derecho, otherwise
4 known as an inland hurricane, we had never
5 even heard of such a thing. The winds rose to
6 over 100 miles per hour at ground level.

7 I was in our living room when I
8 witnessed our large pin oak tree tip over and
9 hit our deck and roof. We were then isolated
10 without power for almost five days.

11 This would not have been such an
12 extreme event were it not for the effects of
13 climate change.

14 In June 2008, I helped host an energy
15 fair just south of Murphysboro, Illinois.
16 Unfortunately, the day of the fair, the
17 National Weather Service issued a heat
18 warning, since the heat index was over 100.

19 We persevered and held our fair anyway.
20 My job was to make sure the speakers had
21 everything they needed, so I rode around an
22 electric vehicle all over the grounds. Even
23 so, I started feeling close to fainting from
24 the heat, and then went into heat exhaustion.

1 Fortunately, we had a standalone
2 cooling recovery unit, so I was able to
3 recover. However, because of this episode, I
4 know that I am -- that I am now more
5 susceptible to getting heat exhaustion and
6 possibly heatstroke.

7 So I ask you, how will we be able to
8 work outside in the ever-increasing heat,
9 especially people whose job it is to maintain
10 our roads and houses and do other outdoor
11 jobs?

12 In this window of opportunity, I urge
13 you to vote in favor of allowing Illinois to
14 strengthen the state's standards to accelerate
15 the transition to zero-emissions vehicle
16 models.

17 Thank you.

18 HEARING OFFICER HORTON: Thank
19 you so much.

20 Next is Timothy French.

21 Timothy French?

22 And then Curtis Smith?

23 Curt Smith?

24 Okay. So we have had about maybe 12 or

1 15 people not show up, so if you'll indulge
2 me, I'm just going to go through the list once
3 more.

4 And the last batch was supposed to go
5 at 5:45, so we'll stay online until 5:45. And
6 I'll also e-mail everyone who signed up for
7 public comment -- I'll e-mail you tomorrow
8 morning with how you can submit written public
9 comment to the Board.

10 So for anybody who missed out on today,
11 they will be able to submit written comment.
12 The Board weighs oral and written comment
13 equally.

14 So I'm going to go back to the start
15 and call on people that we missed.

16 Susan Mudd?

17 Sativa Volbrecht?

18 Angela Berglund?

19 Gloria Barrera?

20 Andrew Sloan?

21 Karen Fort?

22 William Reich?

23 Lena Reynolds?

24 Neda Deylami?

1 Timothy French?

2 And Curt Smith?

3 Okay. So if you'll indulge us, we'll
4 just stay on the line. We'll be muted until
5 5:45, and then we'll come back on at 5:45 and
6 call on Timothy French and Curt Smith, who
7 were scheduled for 5:45, and see if they are
8 there.

9 Thank you all so much for contributing
10 your public comment.

11 MS. ANGELA TIN: Someone is
12 waving at you.

13 HEARING OFFICER HORTON: And
14 again, I will e-mail everyone who signed up --

15 MS. ANGELA TIN: He is waving at
16 you.

17 HEARING OFFICER HORTON: -- the
18 directions for submitting written public
19 comment tomorrow morning.

20 Thank you.

21 BARBARA MCKASSON: And what is
22 the deadline?

23 HEARING OFFICER HORTON: It is --
24 we set it today. I believe it is April 28th,

1 but I will e-mail that tomorrow morning.

2 HEARING OFFICER LEONI: There
3 will also be a hearing officer order posted to
4 the Board's website, which is open to the
5 public. That sets the date that Vanessa just
6 said, April 28th, for the close of
7 post-hearing public comments. That is the end
8 of the public comment period.

9 However, two weeks later is the
10 deadline for responding to those comments. So
11 if you wish to respond to a comment that was
12 posted by April 28th, you may do so at that
13 time. But comments on the rulemaking proposal
14 are due April 28th.

15 You can submit those to the Board's
16 clerk. His information is available on the
17 Illinois Pollution Control Board website, and
18 they will be filed to our Clerk's Office
19 On-Line, or as we call it, COOL.

20 You can also mail them to the Board's
21 physical address, which is also available
22 online, and I'll list it here for you now. 60
23 East Van Buren Street, Suite 630, in Chicago,
24 Illinois, 60605.

1 Again, that's available on the Board's
2 website and in each of the hearing officer
3 orders.

4 HEARING OFFICER HORTON: So we'll
5 mute ourselves, and we'll be back on at 5:45.

6 Thank you -- oh.

7 HEARING OFFICER LEONI: Unless --
8 did I see somebody's hand up?

9 HEARING OFFICER HORTON: Oh, yes.

10 JANE COGIE: Yeah. I just -- I
11 just wondered -- I'm presuming you would have
12 said if it would be helpful for those of who
13 did speak to send a written version of that,
14 or is the audio sufficient?

15 HEARING OFFICER HORTON: You
16 may -- you may do either. We have a court
17 reporter here who has transcribed this entire
18 public comment session, so that will be posted
19 on our website, and it's what the Board
20 considers as well.

21 It usually takes about 10 business days
22 for the transcript to be posted, so you can
23 check back as well.

24 HEARING OFFICER LEONI: One note

1 on that. My apologies for not introducing the
2 court reporter at the start of the public
3 comment portion. Since this is just a
4 continuation of the hearing that began this
5 morning, I neglected to do so.

6 But yes, your comments have been
7 captured, but as Vanessa said, you may submit
8 them in writing as well.

9 JANE COGIE: Yeah. Yeah. No, I
10 figured, but I just wanted to confirm. Thank
11 you.

12 HEARING OFFICER HORTON: Sounds
13 good.

14 And I believe Lena Reynolds -- are you
15 online?

16 LENA REYNOLDS: Yes, hello.

17 HEARING OFFICER HORTON: Yes.
18 You can give your public comment if you wish.

19 LENA REYNOLDS: Okay. Great.
20 Thank you. Thanks for having me.

21 My name is Lena Reynolds. I'm a
22 communications and policy advocate with the
23 Environmental Law and Policy Center, and ELPC
24 supports Illinois adopting the three rules

1 under discussion today, Advanced Clean Trucks,
2 Heavy-Duty Omnibus, and Advanced Clean Cars 2.

3 The ELPC has been engaged on clean air
4 and transportation issues for decades, and we
5 spent many years doing air quality monitoring
6 with youth and community members.

7 Our findings mirror many of the
8 concerns that have been raised today and
9 yesterday by our partner and colleagues in the
10 environmental and health spheres.

11 After analyzing two substantial data
12 sets from ELPC's five-year handheld monitoring
13 program, and from the Microsoft Research
14 Project Eclipse's two-year stationary
15 monitoring program, where air monitors were
16 installed on bus stops across the city, we
17 found air pollution especially high near
18 highways, major arterial roads, and trains.

19 By the Kennedy, Eisenhower, Lake Shore
20 Drive, Skyway, and especially Dan Ryan, air
21 monitors consistently recorded medium levels
22 of particulate matter 2.5, over 20 micrograms
23 per square meter.

24 PM2.5 is the smallest category of said

1 pollution, which can bypass the body's natural
2 defenses and is especially harmful for younger
3 developing lungs and people with respiratory
4 illnesses.

5 So studies have shown heavy truck
6 traffic disproportionately affects the city's
7 south and west sides, and especially lower
8 income communities of color.

9 And, you know, heavy trucks, vehicles,
10 there is a lot of new technology out there,
11 and these rules could help Illinois with the
12 shift much easier.

13 We have an opportunity to help clean up
14 the air in our most burdened communities, and
15 we can join lots of other states in
16 implementing these forward-thinking rules that
17 recognize the harms of pollution and the value
18 of cutting-edge transportation technology.

19 So I just urge you to support Illinois
20 adopting the Advanced Clean Trucks, Heavy-Duty
21 Omnibus, and Advanced Clean Cars 2 rules.

22 HEARING OFFICER HORTON: Thank
23 you so much.

24 LENA REYNOLDS: Thank you.

1 HEARING OFFICER HORTON: All
2 right. So we'll mute ourselves until 5:45,
3 and then we'll go one more time through
4 everyone that we missed.

5 Thank you.

6 [A recess was taken.]

7 THE REPORTER: Back on the
8 record.

9 HEARING OFFICER HORTON: Hi,
10 everyone. This is Vanessa Horton. So we are
11 just -- I'm one of the hearing officers for
12 this rulemaking.

13 So we are hopping back on just to
14 finish up with people who we might have
15 missed, and we were running a little bit
16 early, so we are ahead of the 5:45 time.

17 So I'll just call on people I see here
18 who were on the list.

19 Timothy French?

20 TIMOTHY FRENCH: Yes. Hello.
21 Can you hear me?

22 HEARING OFFICER HORTON: Yes.

23 TIMOTHY FRENCH: Oh, great.

24 Thank you.

1 Good evening. Yes. My name is Tim
2 French, and I'm speaking on behalf --

3 HEARING OFFICER LEONI: Oh,
4 excuse me, Mr. French. Could you please speak
5 up for the court reporter?

6 TIMOTHY FRENCH: Yeah. Hold on.

7 HEARING OFFICER LEONI: Thank
8 you.

9 TIMOTHY FRENCH: Let me see.

10 All right. Is this a better volume?

11 HEARING OFFICER LEONI: A little
12 bit. Let me move my computer.

13 TIMOTHY FRENCH: Okay.

14 HEARING OFFICER LEONI: Could you
15 try turning up the volume and speaking up a
16 little bit, please?

17 TIMOTHY FRENCH: I can.

18 HEARING OFFICER HORTON: Oh,
19 that's great.

20 HEARING OFFICER LEONI: That's
21 great.

22 PUBLIC COMMENTER: All right.
23 Perfect. All right, so let me start again.

24 Good evening. My name is Tim French,

1 and I am speaking on behalf of the Truck and
2 Engine Manufacturers Association, or EMA.

3 EMA has worked diligently to implement
4 the ACT regulations in California. With
5 respect to Illinois, however, the changing
6 landscape for the ACT regulations has created
7 a catch-22 that will effectively preclude the
8 Illinois Pollution Control Board from
9 enforcing or implementing the ACT regulations
10 in Illinois, and I'll try to explain why.

11 As an initial matter, Section 177 of
12 the Clean Air Act makes it clear that states
13 can only implement and enforce California
14 mobile source regulations for certain model
15 years if, quote, such standards are identical
16 to California's standards for which a waiver
17 has been granted for such model years.

18 Here, that necessary condition
19 precedent can no longer be met.

20 As I think you know, last year,
21 Congress adopted two sets of substantive
22 amendments to the ACT regulations.
23 Significantly, once all the ACT amendments are
24 fully final, it is our understanding that CARB

1 does not intend to submit those substantive
2 amendments to EPA for a preemption waiver or
3 for a determination that the amendments are
4 within the scope of the prior waiver,
5 specifically the waiver that EPA granted back
6 in 2023.

7 CARB is rightly concerned that EPA,
8 under the new Trump administration, would not
9 grant or issue any additional preemption
10 waiver.

11 Importantly, the CARB board resolution
12 that finalized the ACT amendments, in its
13 Resolution 24-5, it states explicitly that the
14 executive officer shall forward the proposed
15 amendments to EPA with a request for a
16 preemption waiver or confirmation that the
17 amendments are within the scope of an existing
18 waiver.

19 The within-the-scope determination is
20 something only EPA can do.

21 But now, given the change in
22 administrations, CARB staff have not set any
23 schedule or timetable for requesting a waiver,
24 and it's likely they will refrain from doing

1 so.

2 So here's the catch-22 for Illinois and
3 the IPCD -- or excuse me, IPCB.

4 The Pollution Control Board will need
5 to adopt and implement all of the recent ACT
6 amendments to ensure that Illinois's ACT
7 regulations are identical to what California
8 has done; but at the same time, the Pollution
9 Control Board will be precluded from
10 implementing and enforcing those amended ACT
11 regulations, because as we understand it CARB
12 will not be seeking and EPA will not be
13 issuing any new preemption waiver or
14 within-the-scope determination for the amended
15 ACT regulations.

16 The net result is, because there won't
17 be amended regs for which EPA has granted a
18 waiver or within-the-scope determination,
19 Illinois can't enforce those amendment
20 regulations under Section 177.

21 Please consider that, because it's -- I
22 mean, it's fundamental.

23 The other thing I should add is that as
24 you consider this, we all need to be aware,

1 and perhaps you are, that the prior waivers
2 for Omnibus, ACT, Advanced Clean Cars 2 --
3 those prior waivers have been submitted to
4 Congress for review and presumably voiding
5 under the Congressional Review Act. That's
6 going to happen very likely in April.

7 So you have got to factor all this in
8 as you consider what the proponents are asking
9 you to do. It's -- I'm afraid it's out of
10 your hands at this point.

11 Anyway, thank you for the opportunity
12 to submit these comments. We will follow up
13 in writing before the deadline.

14 Thanks very much.

15 HEARING OFFICER HORTON: Okay.
16 Thank you.

17 Moving to Gloria Barrera.

18 GLORIA BARRERA: Hello. Is my
19 audio okay?

20 HEARING OFFICER HORTON: Yes, we
21 can hear you.

22 GLORIA BARRERA: Okay.
23 Wonderful.

24 Good afternoon. My name is Gloria E.

1 Barrera, and I'm a nurse, a public health
2 advocate, and founder of Nurse Heroes for
3 Zero.

4 I am here just today because air
5 pollution is a public health crisis that we
6 can no longer ignore, as we know.

7 Every day I see the impacts of just
8 poorer air quality on my patients,
9 particularly in communities disproportionately
10 burdened by pollution.

11 As a school nurse, I care for children
12 with asthma who struggle to breathe, adults
13 with chronic lung disease exacerbated by
14 pollution, and my staff, and also just working
15 with seniors whose health is compromised by
16 continuous exposure to harmful emissions.

17 In Illinois, we know that 13 out of 23
18 counties that report air quality data receive
19 a failing grade in the American Lung
20 Association's State of the Air report, and
21 Cook County is in the top one percent of the
22 most polluted counties in the nation.

23 Science is clear, and diesel exhaust
24 and tailpipe pollution, we know that they are

1 toxic. They continue particulate matter and
2 nitrogen oxides that increase the risk of
3 asthma attacks, heart disease, cancer, and
4 premature death.

5 Communities near highways where houses
6 and industrial corridors -- disproportionately
7 again, by low-income and communities of
8 colors -- bear the heaviest burdens. And
9 that's -- you know, a lot of times that's
10 where many of my family members live and work.
11 Those are the same communities.

12 The solution is very clear. Illinois
13 must adopt the Advanced Clean Trucks and
14 Heavy-Duty Low Omnibus (sic) rules to
15 transition from dirty diesel vehicles to the
16 clean zero-emission alternatives.

17 By doing so, Illinois can prevent
18 hundreds of premature deaths and thousands of
19 pollution-related illnesses, while also
20 generating over \$168 billion in state economic
21 benefits by 2040 and creating thousands of
22 good-paying jobs.

23 So it's just not an environmental
24 issue; it's really a public health emergency.

1 And strong clean vehicle policies will
2 help save lives, reduce health care costs, and
3 ensure that there is a healthier future for
4 all people that live in Illinois.

5 So I do urge the Pollution Control
6 Board to take swift action by adopting these
7 critical clean air standards.

8 Thank you for your time and
9 consideration.

10 HEARING OFFICER HORTON: Thank
11 you so much.

12 So I'm just going to do one last call
13 for anyone who we missed, and then we'll end
14 the public comment portion.

15 Curt Smith?

16 Susan Mudd?

17 Sativa Volbrecht?

18 Angela Berglund?

19 Andrew Sloan?

20 Karen Fort?

21 William Reich?

22 And lastly, Neda Deylami?

23 Okay. Thank you all so much for
24 participating in the public comment portion of

1 this rulemaking hearing.

2 That concludes the public comment
3 portion, and it concludes the hearing. Thanks
4 again. Bye.

5 [5:49 p.m.]

6

7 [CONCLUSION OF DAY'S PROCEEDINGS.]

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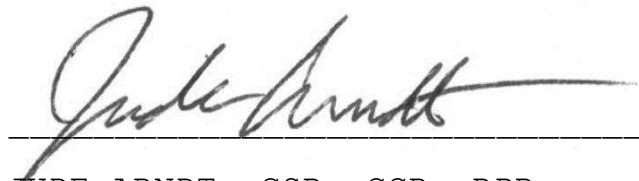
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I, Jude Arndt, a Certified Shorthand Reporter and Certified Court Reporter, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me on March 11, 2025, at the time and place hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.

A handwritten signature in dark ink, appearing to read "Jude Arndt", is written over a horizontal line.

JUDE ARNDT, CSR, CCR, RPR

CCR NO. 084-004847

CSR NO. 1450

[084-004847 - 28th]

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