

procedures for demonstrating compliance with the U.S. and ICAO standards.)

#### *D. Correction of Exemptions for Very Low Production Models*

Because of an editorial error, the section in the aircraft engine emission regulations regarding exemptions for very low production models is incorrectly specified (*see* section 40 CFR 87.7(b)(1) and (2)). In the October 18, 1984 final rulemaking (49 FR 41000), EPA intended to amend the low production engine provisions of the aircraft regulations by revising paragraph (b) and deleting paragraphs (b)(1) and (b)(2) in order to eliminate the maximum annual production limit of 20 engines per year. In the revisions to paragraph (b), EPA retained the maximum total production limit of 200 units for aircraft models certified after January 1, 1984.<sup>119</sup> For § 87.7(b), EPA today proposes to correct this editorial error by eliminating paragraph (b)(1) and (b)(2).

As discussed further in the 1984 final rulemaking, this proposed action would provide more flexibility for engine manufacturers in scheduling during the last few engine production years. Also, the air quality impact of eliminating the annual production limit would be very small.

#### **V. Coordination with FAA**

The requirements contained in the notice are being proposed after consultation with the Secretary of Transportation in order to assure appropriate consideration of aircraft safety. Under section 232 of the CAA, the Secretary of Transportation (DOT) has the responsibility to enforce the aircraft emission standards established by EPA under section 231.<sup>120</sup> In addition, section 231(b) of the CAA states that “[a]ny regulation prescribed under this section \* \* \* shall take effect (after consultation with the Secretary of Transportation) to permit the development and application of the requisite technology, giving appropriate consideration to the cost of compliance \* \* \*.” As in past rulemakings and pursuant to the above referenced sections of the CAA, EPA has coordinated with the Federal Aviation Administration (FAA) of the DOT with respect to today’s proposal.

Moreover, FAA is the official U.S. delegate to ICAO. FAA agreed to the

1997 and 1999 amendments at ICAO’s Third and Fourth Meetings of the Committee on Aviation Environmental Protection (CAEP 3 and 4) after advisement from EPA.<sup>121</sup> FAA and EPA are both members of the CAEP’s Working Group 3 (among others), whose objective was to evaluate emissions technical issues and develop recommendations on such issues for CAEP 3 and 4. After assessing emissions test procedure amendments and new NO<sub>x</sub> standards, Working Group 3 made recommendations to CAEP on these elements. These recommendations were then considered at the CAEP 3 and 4 meetings, respectively, prior to their adoption by ICAO in 1997 and 1999.

In addition, as discussed above, FAA would have the responsibility to enforce today’s proposed requirements. As a part of its compliance responsibilities, FAA conducts the emission tests or delegates that responsibility to the engine manufacturer, which is then monitored by the FAA. Since the FAA does not have the resources or the funding to test engines themselves, FAA selects engineers at each plant to serve as representatives (called designated engineering representatives (DERs)) for the FAA while the manufacturer performs the test procedures. DERs’ responsibilities include evaluating the test plan, the test engine, the test equipment, and the final testing report sent to FAA. DERs’ responsibilities are determined by the FAA and today’s proposal would not affect their duties.

#### **VI. Possible Future Aviation Emission Reductions (EPA/FAA Voluntary Aviation Emissions Reduction Initiative)**

There is growing interest, particularly at the state and local level, in addressing emissions from aircraft and other aviation-related sources. Such interest is often related to plans for airport expansion which is occurring across the country. It is possible that other approaches may provide effective avenues to achieve additional aviation emission reductions, beyond EPA establishing aircraft engine emission standards. The Agency invites comment on the potential approach for additional reductions discussed below and any other approaches.

Concerns by state and local air agencies and environmental and public health organizations about aviation emissions, led to EPA and FAA signing a memorandum of understanding

(MOU) in March 1998 agreeing to work to identify efforts that could reduce aviation emissions.<sup>122</sup> Since that time FAA and EPA have jointly chaired a national stakeholder initiative whose goal is to develop a voluntary program to reduce pollutants from aircraft and other aviation sources that contribute to local and regional air pollution in the United States. The major stakeholders participating in this initiative include representatives of the aviation industry (passenger and cargo airlines and engine manufacturers), airports, state and local air pollution control officials, environmental organizations, and NASA.

Initially, the discussions with stakeholders focused on the prospect of aircraft engine emission reduction retrofit kits, which might be applied to certain existing aircraft engines.<sup>123</sup> However, as the initiative evolved, the focus was expanded by the stakeholders to identify strategies for various types of ground service equipment (GSE) in use at airports (e.g., baggage tugs and fuel trucks),<sup>124</sup> in addition to strategies to reduce aircraft emissions.<sup>125</sup> Due to the differences in time and technology that it takes to reduce aircraft emissions versus that for GSE, the stakeholders are seeking to reach a consensus on a distinctly two-step program to voluntarily achieve wide-scale emissions reductions from GSE and aircraft. Near term efforts will focus on emissions reductions from GSE, and long term efforts will focus on reductions from aircraft.<sup>126</sup>

The stakeholders are currently discussing a framework for reaching

<sup>122</sup> FAA and EPA, “Agreement Between Federal Aviation Administration and Environmental Protection Agency Regarding Environmental Matters Relating to Aviation,” signed on March 24, 1998 by FAA’s Acting Assistant Administrator for Policy, Planning, and International Aviation, Louise Maillet, and EPA’s Acting Assistant Administrator for Air and Radiation, Richard Wilson. A copy of this document can be found in Docket OAR-2002-0030.

<sup>123</sup> Two engine models were indeed certificated with emissions retrofit kits, and a number of these engines have been purchased for aircraft with the retrofit kits installed in their stock configuration. However, retrofit kits have not to date provided widescale emissions improvements because it seems they may have limited applicability to certain engine types, small emission benefits, and cost issues.

<sup>124</sup> The stakeholders are now considering the impact, operation and design of GSE at airports, with projects being undertaken at several airports to reduce overall emissions.

<sup>125</sup> Operational strategies, such as reducing the time in which aircraft are in idle and taxi modes and the impact of auxiliary power units (APUs) have also been considered.

<sup>126</sup> The stakeholder program for aircraft emissions reductions is viewed as a supplement to the traditional regulatory approach of establishing engine emission standards.

<sup>119</sup> This action was taken in 1984 to provide greater flexibility to manufacturers for scheduling engine production rates during the final years.

<sup>120</sup> Specifically, the FAA of the DOT has the responsibility to enforce the aircraft emission standards established by EPA.

<sup>121</sup> The Third Meeting of CAEP (CAEP/3) occurred in Montreal, Quebec from December 5 through 15 in 1995. CAEP/4 took place in Montreal from April 6 through 8, 1998.