

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6301

(202) 225-6371

www.science.house.gov

September 26, 2018

Inspector General Arthur A. Elkins Jr.
Environmental Protection Agency (EPA)
Office of Inspector General
Washington, D.C. 20460

Dear Inspector General Elkins:

We are writing to you with serious concerns about the factual basis for a notice of proposed rulemaking entitled “*Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits*,” published in the Federal Register by former EPA Administrator Scott Pruitt on November 16, 2017.¹ As part of this proposed repeal, EPA cited a “Petition for Reconsideration of Application of the Final Rule Entitled ‘Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles—Phase 2 Final Rule’ to Gliders,” that was received from Fitzgerald Glider Kits, LLC, Harrison Truck Centers, Inc., and Indiana Phoenix, Inc. on July 10, 2017.² The petitioners cited a Fitzgerald-funded study conducted by Tennessee Technological University (TTU) that they claimed had determined glider engines performed on par with or better than conventional engines. The petition included, as an attachment, a letter from Philip B. Oldham, President of TTU, and Thomas Brewer, Associate Vice President for Strategic Research Initiatives and Executive Director of the Tennessee Center for Intelligent Mobility (TCIM) at TTU, to Representative Diane Black summarizing the results of that study.³ In August 2017, TTU held a press conference announcing the launch of the TCIM, described as a public-private partnership housed at the Fitzgerald Technology Complex.⁴ Then

¹ “Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits,” ACTION: Proposed rule. AGENCY: Environmental Protection Agency (EPA). Federal Register / Vol. 82, No. 220 / November 16, 2017 / Proposed Rules, accessed here: <https://www.gpo.gov/fdsys/pkg/FR-2017-11-16/pdf/2017-24884.pdf>

² “Petition for Reconsideration of Application of the Final Rule Entitled ‘Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium-and Heavy-Duty Engines and Vehicles—Phase 2 Final Rule’ to Gliders,” Tommy C. Fitzgerald, President, Fitzgerald Glider Kits, LLC, Dustin Petersen, Shareholder, Harrison Truck Centers, Inc., and Dane Keener, General Manager, Indiana Phoenix, Inc., July 10, 2017, accessed here: <https://www.epa.gov/sites/production/files/2017-07/documents/hd-ghg-fr-fitzgerald-recons-petition-2017-07-10.pdf>

³ Letter from Philip B. Oldham, President of Tennessee Technological University (TTU) and Thomas Brewer, Associate Vice President of the Center for Intelligent Mobility (TCIM) to Representative Diane Black, Reference: Tennessee Tech University – Summary of Heavy Duty Truck Study and Evaluation of the Phase II Heavy Duty Truck Rule, June 15, 2017, (See Exhibit 1, page 9), accessed here: <https://www.epa.gov/sites/production/files/2017-07/documents/hd-ghg-fr-fitzgerald-recons-petition-2017-07-10.pdf>

⁴ “Tennessee Tech, TCAT Livingston, Fitzgerald companies announce new partnership,” Tennessee Tech News, Tennessee Technological University, August 7, 2017, accessed here: www.tntech.edu/news/releases/tennessee-tech,-tcat-livingston,-fitzgerald-companies-announce-new-partnership

EPA Administrator Scott Pruitt met with the owners of Fitzgerald Glider Kits in May 2017 and cited the TTU study in the agency's November 2017 notice of proposed rulemaking.⁵

Actions by EPA's leadership, particularly those that may endanger the environment and the public's health, must be based on scientific facts, not false, misleading or deceptive data. According to the EPA's own study, glider vehicles can emit 43 times more nitrogen oxides (NOx) and 55 times more particulate matter (PM) than conventionally manufactured trucks.⁶ Exposure to these chemicals has also been shown to increase the likelihood of developing lung cancer, chronic lung disease, heart disease, as well as exacerbating severe asthma attacks and causing premature deaths. Despite conclusions suggesting that glider vehicles emitted similar levels of pollutants as conventional vehicles, it now seems clear from an abundance of publicly available information that the TTU glider study, used by EPA to help justify its proposed glider repeal rule, cannot be trusted.

We urge you to investigate both the scientific basis for the study's conclusions and the efforts taken to use this questionable study by Fitzgerald Glider Kits, individuals at Tennessee Tech University, and senior officials at the EPA as a justification for repealing the glider rule. By any objective assessment the testing measures used and the conclusions reached in the TTU study should warrant extreme scrutiny and skepticism.

Among the many questionable aspects that have already been publicly disclosed about the TTU glider study:

The TTU glider study was not independent. Fitzgerald Glider Kits, the largest glider kit manufacturer in the United States, paid \$70,000 to Tennessee Tech to conduct the study which was completed in June 2017.⁷ In August 2017, TTU and Fitzgerald announced a public-private partnership to develop the Tennessee Tech Center for Intelligent Mobility (TCIM), which was supposed to be completed in 2018 and housed at the Fitzgerald Industrial Park.⁸ One of the TTU faculty members involved in the glider testing is a TTU Motorsports Faculty Advisor.⁹ The

⁵ See: "Who Is the E.P.A. Administrator Scott Pruitt Meeting With? A Detailed Schedule," New York Times, October 3, 2017, page 267, accessed here: <https://www.nytimes.com/interactive/2017/10/03/us/politics/document-Pruitt-Sked-and-McCarthy-Sked.html> and "Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits," ACTION: Proposed rule. AGENCY: Environmental Protection Agency (EPA). Federal Register / Vol. 82, No. 220 / November 16, 2017 / Proposed Rules, accessed here: <https://www.gpo.gov/fdsys/pkg/FR-2017-11-16/pdf/2017-24884.pdf>

⁶ "Chassis Dynamometer Testing of Two Recent Model Year Heavy-Duty On-Highway Diesel Glider Vehicles," National Vehicle & Fuel Emissions Laboratory (NVFEL), Environmental Protection Agency (EPA), Ann Arbor, Michigan, November 20, 2017, accessed here: <http://www.documentcloud.org/documents/4608504-EPA-Chassis-Dynamometer-Testing-of-Two-Recent.html>

⁷ Tennessee Technological University, Annual Report 2015-2016, Office of Research, (page 42, PI - Benjamin Mohr, "Environmental & Economic Study of Glider Kit Assemblers," Fitzgerald Glider Kits, \$70,056.00), accessed here: https://www.tntech.edu/assets/userfiles/resourcefiles/13847/1476976572_2015-16%20Annual%20Report_FINAL.pdf

⁸ See: Laura Militana, "Tennessee Tech Center for Intelligent Mobility announced," *Herald-Citizen*, August 7, 2017, accessed here: <http://herald-citizen.com/stories/tennessee-tech-center-for-intelligent-mobility-announced.22605> and "Tennessee Tech, TCAT Livingston, Fitzgerald companies announce new partnership," *Tennessee Tech News*, Tennessee Technological University, August 7, 2017, accessed here: www.tntech.edu/news/releases/tennessee-tech,-tcat-livingston,-fitzgerald-companies-announce-new-partnership

⁹ See LinkedIn page of Mark Davis, Academic Support Associate at Tennessee Technological, former TTU Motorsports Faculty Advisor and current Academic Support Associate for the TTU Motorsports program, accessed

former TTU graduate student who conducted the testing for the glider study is now the Executive Director of the TTU Motorsports team.¹⁰ Fitzgerald Glider Kits (FGK) and Fitzgerald Collision & Repair (FCR) are among the two dozen sponsors of TTU Motorsports.¹¹ The TTU glider study was paid for by FGK and the tests were conducted in a FCR facility. The multiple relationships between Tennessee Tech and Fitzgerald pose financial conflicts-of-interest that raise serious questions about the independence of the TTU Fitzgerald-funded glider study.

The TTU glider study was not conducted in an accredited laboratory. The TTU glider study was conducted at an unaccredited FCR facility in the town of Rickman, Tennessee. It is unclear why TTU chose to conduct the glider testing at a Fitzgerald-owned facility when they had a Memorandum of Understanding (MOU) with the Department of Energy's Oak Ridge National Laboratory's (ORNL's) Fuels, Engines, and Emissions Research Center (FEERC).¹²

No credentialed scientist or engineer oversaw the glider study. Dr. Darrell Hoy, the TTU Interim Dean of the College of Engineering blasted the multiple flaws with the TTU study in a February 2018 memorandum sent to the President of the TTU Faculty Senate. The memo highlighted the fact that “no qualified, credentialed engineering faculty member (1) oversaw the testing, (2) verified the data or calculations of the graduate student [who conducted the testing] [or] (3) wrote or reviewed the final report submitted to Fitzgerald....”¹³ [*Emphasis in the original*]. Although Dr. Benjamin Mohr was listed as the Principal Investigator (PI) of the study, he largely played an administrative role. Mark Davis, who provided support for the study is listed as an “Academic Support Associate” at TTU and according to his LinkedIn page his highest academic credential is a high school diploma, with no formal science education listed.¹⁴ Thomas Brewer, the Associate Vice President for Strategic Research Initiatives at TTU, who essentially ran the glider study, said that he attended all of the glider tests. He was hired by TTU to act as a liaison between the university and the automotive industry and Brewer told TTU Faculty that he was personally responsible for bringing the Fitzgerald glider study request to Tennessee Tech.¹⁵ Prior to joining TTU, Brewer was President of the Tennessee Automotive

here: <https://www.linkedin.com/in/metalbydesign/> and “Tennessee Tech Motorsports team roster set for 2018-2019,” Tennessee Tech News, Tennessee Technological University, September 7, 2018, accessed here: <https://www.tntech.edu/news/releases/tennessee-tech-motorsports-team-roster-set-for-2018-2019>

¹⁰ See LinkedIn page of Justin Swafford, Executive Director at TTU Motorsports, accessed here: <https://www.linkedin.com/in/justin-swafford-2a5abb80/>

¹¹ Tennessee Tech Motorsports, “Thank you to our Sponsors!” page, accessed here: <http://www.ttumotorsports.com/index.html>

¹² See: Fitzgerald Collision and Repair (FCR) Freightliner Facility, accessed here: <https://fitzgeraldcollision.com/freightliner-facility/>, EPA MEMORANDUM, Subject: EPA Teleconference with Tennessee Tech University Regarding Glider Test Report, November 13, 2017, accessed here: <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2416> and Fuels, Engines, and Emissions Research Center (FEERC), Oak Ridge National Laboratory (ORNL), accessed here: <https://www.ornl.gov/ntrc/research-areas/fuels-engines-emissions>.

¹³ MEMORANDUM, From: Darrell Hoy, Interim Dean, College of Engineering, To: Christy Killman, President TTU Faculty Senate, Melissa Geist, Faculty Representative, TTU Board of Trustees and Julia Gruber, President, AAUP [TTU Chapter], SUBJECT: “Request for Your Groups to Continue to Urge President Oldham to Publically Suspend TTU Support for the Results of the Fitzgerald Study and Letter to Congresswoman Dianne Black,” Feb. 16, 2018, accessed here (p.217): <https://www.nytimes.com/interactive/2018/02/15/us/politics/15reg-doc.html>

¹⁴ See the LinkedIn page of Mark Davis, accessed here: <https://www.linkedin.com/in/metalbydesign/> and his TTU faculty information, accessed here: <https://www.tntech.edu/engineering/departments/cee/facultystaff/>

¹⁵ TTU Faculty Senate Business Meeting, January 29, 2018, accessed here: www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_Sen_2018-1-29_min_B.pdf

Manufacturers Association (TAMA).¹⁶ Mr. Brewer has a B.S. degree in Business Administration and no scientific credentials.¹⁷

A graduate student analyzed the glider test data at a Fitzgerald facility. A first-year TTU graduate engineering student analyzed the test data collected for the glider study.¹⁸ The student and Mark Davis, who provided support for the testing, were both officials on the Fitzgerald-sponsored TTU Motorsports team at the time of the tests and today. The former graduate student is now the Executive Director of the TTU Motorsports team.

The Fitzgerald facility where the glider trucks were tested did not have suitable testing equipment. The Fitzgerald facility where the glider trucks were tested did not have proper equipment to test the glider engines for emissions of particulate matter (PM). TTU faculty involved in the testing told the EPA that they “visually inspected” the engine exhaust in an attempt to determine how much particulate matter was emitted.¹⁹ Mr. Brewer told the TTU Senate that they used a hand-held device normally used for field tests to check for particulate matter (PM) and that he believes that this was completely appropriate.²⁰ However, a memorandum on the Fitzgerald glider study from six TTU faculty noted that the summary of the TTU glider study submitted by Mr. Brewer included: (1) no details on the specifics of the test vehicles; (2) no information on test cycles, tests conditions, test loads, and test fuels; (3) no information on the testing facilities; (4) no information on emission tests protocols; and (5) no meaningful data on the pollutants of interest, raising serious issues about the quality of the study. The Memo also mentioned that “TTU did not measure PM levels.” and that the “tests were performed without the participation of qualified TTU researchers.”²¹

¹⁶ See Tom Ballard, “Tom Brewer bringing automotive industry expertise to Tennessee Tech,” *Teknovation.biz*, Undated, accessed here: <http://www.teknovation.biz/2014/11/20/tom-brewer-bringing-automotive-industry-expertise-tennessee-tech/> and LinkedIn page for Tom Brewer, accessed here: <https://www.linkedin.com/in/thomas-brewer-4a499516/>

¹⁷ TTU Faculty Senate Business Meeting, January 29, 2018, accessed here: www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_Sen_2018-1-29_min_B.pdf

¹⁸ See LinkedIn page of Justin Swafford, accessed here: <https://www.linkedin.com/in/justin-swafford-2a5abb80/> and TTU Faculty Senate Business Meeting, January 29, 2018, accessed here: https://www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_Sen_2018-1-29_min_B.pdf

¹⁹ EPA MEMORANDUM, Subject: EPA Teleconference with Tennessee Tech University Regarding Glider Test Report, November 13, 2017, accessed here: <https://www.regulations.gov/document?D=EPA-HQ-OAR-2014-0827-2416>

²⁰ TTU Faculty Senate Business Meeting, January 29, 2018, accessed here: https://www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_Sen_2018-1-29_min_B.pdf

²¹ MEMORANDUM, To: Christy Killman, President of the TTU Faculty Senate, From: Corinne Darvennes, Professor, Department of Mechanical Engineering, Ahmed ElSawy, Chairman, Department of Manufacturing and Engineering Technology, et. al., RE: Fitzgerald Glider Study, February 5, 2018, accessed here: https://www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fitzgerald_Glider_Study_Memo_2-5-2018.pdf

The testing results appear nonsensical and defy logic. The Memorandum to the President of the TTU Faculty Senate from Darrell Hoy, the TTU Interim Dean of the College of Engineering, said the glider study's summary results included the *"farfetched, scientifically implausible claim, that remanufactured truck engines met or exceeded the performance of modern, pollution-controlled engines with regards to emissions."*²² [Emphasis added].

The summary of the study falsified and omitted critical data. Dr. Mohr, the Principal Investigator (PI) of the TTU glider study, is Chairman of TTU's Department of Civil & Environmental Engineering.²³ Dr. Mohr filed a scientific research misconduct complaint with TTU, in which he said the letter sent to Rep. Diane Black from TTU President Oldham and Mr. Brewer summarizing the glider study's results "includes falsification by omissions of scope, methodology, and non-supporting data."²⁴

The PI removed his name from the study because of ethical concerns. In a letter to TTU President Oldham on January 25, 2018, PI Dr. Mohr withdrew his name from association with the TTU glider study funded by Fitzgerald. He wrote that "I do not believe the conclusions drawn are objective or support statements made" in either the letter to Rep. Diane Black or included in the petition to the EPA to repeal the glider rule from Fitzgerald Glider Kits.²⁵

The PI returned his funding to Fitzgerald Glider Kits because of ethical concerns. The glider study's PI, Dr. Benjamin Mohr, returned his portion (\$12,494.93) of the \$70,000 Fitzgerald paid TTU to conduct the glider study. "Significant time was spent researching environmental and emissions related literature, as well as communicating with project staff," wrote Dr. Mohr. "However, despite devoting appropriate time to this testing project, ethically and morally I cannot retain the previous summer salary associated with this project."²⁶

The PI filed a scientific research misconduct complaint with TTU. In his official scientific misconduct complaint filed with the university, Dr. Mohr wrote that, "The misuse of results to support political opinions is a dangerous precedent that should worry all university employees."²⁷ It is important to note that this summary of the test results that Dr. Mohr and other

²² Memorandum from Darrell Hoy, Interim Dean, College of Engineering, Tennessee Technological University to Christy Killman, President TTU Faculty Senate, et. al., RE: Fitzgerald Glider Study, February 16, 2018, accessed here (p.218): <https://www.nytimes.com/interactive/2018/02/15/us/politics/15reg-doc.html>

²³ Benjamin Mohr, Ph.D., Chair, Civil & Environmental Engineering, Tennessee Technological University, accessed here: <https://www.tntech.edu/engineering/departments/cee/facultystaff/benjamin-mohr>

²⁴ Letter from Dr. Benjamin Mohr, Department of Civil and Environmental Engineering to Dr. Bharat Soni, Office of Research and Economic Development, SUBJECT: Violation of Tennessee Tech Policy 780 Misconduct in Research, January 27, 2018, accessed here: <https://www.documentcloud.org/documents/4378485-Combating-Pollution-in-Diesel-Trucks-and-the.html#document/p260>

²⁵ Letter from Dr. Benjamin Mohr, Department of Civil and Environmental Engineering to Dr. Philip Oldham, President, Tennessee Technological University, January 25, 2018, accessed here: www.documentcloud.org/documents/4378485-Combating-Pollution-in-Diesel-Trucks-and-the.html#document/p259/a426413

²⁶ Letter to Dr. Leslie Crickenberger, Human Resources, Tennessee Technological University from Dr. Benjamin Mohr, Department of Civil and Environmental Engineering, Tennessee Technological University, SUBJECT: Reimbursement of Summer Salary, February 2, 2018.

²⁷ Letter from Dr. Benjamin Mohr, Department of Civil and Environmental Engineering to Dr. Bharat Soni, Office of Research and Economic Development, SUBJECT: Violation of Tennessee Tech Policy 780 Misconduct in

TTU faculty have criticized is the same data used by the EPA in its notice of proposed rulemaking regarding the repeal of the glider rule.²⁸

Tennessee Tech warned EPA not to reference the flawed study. In February 2018, the President of TTU wrote to then EPA Administrator Scott Pruitt informing him that TTU experts had “questioned the methodology and accuracy of the [glider] report” and asked the Agency to “withhold any use or reference to said study pending the conclusion of our internal investigations.”²⁹ Similar letters were sent to Rep. Black and Fitzgerald Glider Kits, which continues to defend the scientific conclusions of the TTU glider study.

Tennessee Tech has failed to make its scientific misconduct review public. According to the summary of a February 19, 2018, TTU Faculty Senate meeting Dr. Sharon Huo, Associate Provost and Professor of Structural Engineering in the College of Engineering is serving as the Research Integrity Officer for the glider study misconduct investigation.³⁰ The summary of that meeting makes clear that according to the university’s own policy a review should be completed within 60 days or 120 days if a full investigation is necessary. It has now been more than 200 days since that meeting occurred, and Tennessee Tech has not released any information regarding the status of the scientific misconduct complaint filed by Dr. Benjamin Mohr.³¹

Fitzgerald has sought to block TTU from releasing the full study and its test data. Although TTU temporarily suspended all activity with Fitzgerald, the General Counsel for Fitzgerald Glider Kits wrote to the President of Tennessee Tech in February 2018 and argued that the Fitzgerald funded glider study and any of its related test results were “protected from disclosure” under Tennessee law regarding the confidentiality of research records and materials, including “sponsored research” conducted at public universities.³²

Research, January 27, 2018, accessed here: www.documentcloud.org/documents/4378485-Combatting-Pollution-in-Diesel-Trucks-and-the.html#document/p260

²⁸ “Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits,” ACTION: Proposed rule. AGENCY: Environmental Protection Agency (EPA). Federal Register / Vol. 82, No. 220 / November 16, 2017 / Proposed Rules, accessed here: <https://www.gpo.gov/fdsys/pkg/FR-2017-11-16/pdf/2017-24884.pdf>

²⁹ Letter from Philip B. Oldham, President, Tennessee Technological University to EPA Administrator Scott Pruitt, Reference: Tennessee Tech University – Summary of Heavy Duty Truck Study and Evaluation of the Phase II Heavy Duty Truck Rule,” February 19, 2018, accessed here: <https://apps.washingtonpost.com/g/documents/national/tennessee-tech-presidents-letter-disavowing-the-universitys-glider-truck-study/2782/>; Similar letters were also sent to Rep. Diane Black and Fitzgerald Glider Kits.

³⁰ See Dr. Sharon Huo information, accessed here: <https://www.tntech.edu/engineering/departments/cee/facultystaff/>

³¹ “TTU Faculty Senate Meeting with the [TTU] President,” p. 3. Fitzgerald Glider Kits Issue, February 19, 2018, Tennessee Technological University, accessed here: https://www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_SEn_2018-2-19_notes_P.pdf

³² See: TTU Faculty Senate Business Meeting, February 5, 2018, accessed here: www.tntech.edu/assets/usermedia/facultysenate/minutes-and-notes-2017-2018/Fac_Sen_2018-2-5_min_B.pdf and letter to Philip B. Oldham, President, Tennessee Tech University and Kae Carpenter, University Counsel, Tennessee Tech University from Joseph M. DePew, General Counsel, Fitzgerald Glider Kits, February 26, 2018, accessed here: <https://www.nytimes.com/interactive/2018/02/15/us/politics/15reg-doc.html> and 2014 Tennessee Code, Title 49 – Education, Chapter 7 - Postsecondary and Higher Education Generally, Part 1 - Miscellaneous Provisions, § 49-7-120 - Confidentiality of research records and materials, Universal Citation: TN Code § 49-7-120 (2014), accessed here: <https://law.justia.com/codes/tennessee/2014/title-49/chapter-7/part-1/section-49-7-120>

The EPA used the flawed TTU study to help justify its proposed repeal of the glider rule.

Due to a ruling by the DC Circuit Court of Appeals, the EPA's efforts to repeal the glider rule have been put on hold.³³ However, Acting EPA Administrator Andrew Wheeler issued a memo that directed the EPA's Office of Air and Radiation "to move as expeditiously as possible on a regulatory revision" regarding the repeal of the glider rule.³⁴ As noted above, the specific reference to the Tennessee Tech glider study in EPA's proposed repeal of the glider rule warrants a careful and complete examination. Reversing or revising EPA policies that put the public's health in harm's way should be based on valid scientific evidence not political favors for specific industries.

The proposed repeal of the glider rule is a serious and important issue that may impact the health and safety of the public in significant and harmful ways. Given the many issues identified above, we do not believe EPA can rely on the TTU study to justify the repeal of the glider rule. We ask your office to prioritize an investigation into the TTU glider study, particularly how and why it was used by EPA in its proposed rulemaking on the glider truck repeal rule.

If your staff has any questions or would like to discuss this request in more detail please have them contact Douglas Pasternak on our Minority staff at (202) 226-8892.

Thank you for your attention to this important matter.

Sincerely yours,



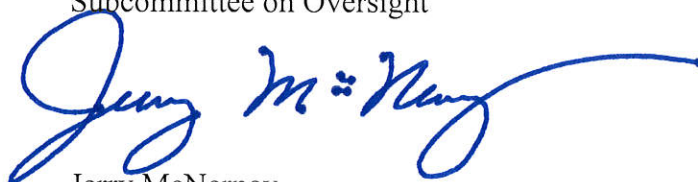
Eddie Bernice Johnson
Ranking Member
Committee on Science, Space & Technology



Donald S. Beyer, Jr.
Ranking Member
Subcommittee on Oversight



Suzanne Bonamici
Ranking Member
Subcommittee on Environment



Jerry McNerney
Subcommittee on Oversight

³³ Timothy Cama, "Court blocks EPA policy against enforcing truck pollution rule," The Hill, July 18, 2018, accessed here: <http://thehill.com/policy/energy-environment/397687-court-blocks-epa-policy-against-enforcing-truck-pollution-rule>

³⁴ EPA Memorandum, "Withdrawal of Conditional No Action Assurance Regarding Small Manufacturers of Glider Vehicles," July 26, 2018. https://www.epa.gov/sites/production/files/2018-07/documents/memo_re_withdrawal_of_conditional_naa_regarding_small_manufacturers_of_glider_vehicles_07-26-2018.pdf