

To: Charmley, William[charmley.william@epa.gov]
Cc: Spears, Matthew[spears.matthew@epa.gov]
From: Berry Steve
Sent: Tue 3/28/2017 11:56:48 AM
Subject: FW: Fitzgerald Gliders
[Pete 579 sign.JPG](#)
[Service.JPG](#)
[Engine options.JPG](#)

Volvo Trucks

Hi Bill

Hope you're well.

No loss of enthusiasm by glider manufacturers at the Mid-America Truck Show.

Steve

From: Nash Jay
Sent: Monday, March 27, 2017 5:18 PM
To: Berry Steve; McKenna David; Alt Susan; Miller Jonathan; Alec Zacaroli
(alec.zacaroli@haynesboone.com); Fasnacht Robert; Istenes Raymond; Anderson Rick (ey)
Subject: Fitzgerald Gliders

All,

I wanted to let you know that Fitzgerald had a larger than normal presence at Mid America last week. They have expanded their booth from just Fitzgerald gliders, to now include Fitzgerald Peterbilt (dealership), Fitzgerald Truck Parts, & Fitzgerald Collision & Repair. I've attached several notable pics regarding the gliders.

Additionally, Daimler Gliders also had a booth similar to past years with 3 trucks in it. I have pics of that as well if you're interested.

Please let me know if you have any questions or need anything else.

Thanks!

This email message and any attachments may contain confidential information and may be privileged. If you are not the intended recipient or otherwise not authorized to receive this message, you are prohibited to use, copy, disclose or take any action based on this email or any information contained herein. If you are not the intended recipient, please advise the sender immediately by replying to this email and permanently delete this message and any attachments from your system.

To: Cullen, Angela[cullen.angela@epa.gov]
Cc: Moulis, Charles[moulis.charles@epa.gov]; Charmley, William[charmley.william@epa.gov]
From: Berry Steve
Sent: Wed 9/6/2017 11:48:58 AM
Subject: RE: Steve's voice-mail on possible tractor test program

Hi Angela

Looks like we'll be able to provide at least one glider, more if you have time to test. A Volvo test article as well, if you don't already have "modern product" data for comparative purposes.

Two good places to start:

- 1) Test program: UDDS? Chassis dyno operation at RMC points? GHG 55/65/ARB transient?
- 2) Scheduling: Soonest you can test? How long should we plan for each truck to be in Ann Arbor?

I can be available for a discussion before 9, between 10 and 12, and between 2 and 5. (All Eastern times). I'll try to tie in Jeff Marley as well.

Steve

From: Berry Steve
Sent: Friday, September 08, 2017 11:08 AM
To: Cullen, Angela (cullen.angela@epa.gov); Marley Jeffrey
Subject: glider request

Angela, Jeff

I finally reached the dealer this morning. He sounded very cooperative, but was a bit taken aback by the 5 week request. He was expecting a couple of days. But he didn't say it was impossible just yet. I agreed to outline the request; please review what I wrote here and get back to me ASAP with your OK so I can send.

Steve

Hi Tim Ex. 6 - Personal Privacy

Good to talk to you this morning. Here's how we might shape up this request, from an "ideal" perspective. We'll compromise from there, as we know there are limitations in what can be done.

VEHICLE PREFERENCE

• Two vehicles, built in 2016 or 2017.

ED_001620_00005245

• Vehicle types: One "western style", and one more modern aero design.

• Engine types: One "Fitzgerald rebuild" – this is typically a Detroit Diesel, and should have a Fitzgerald ID plate, including Fitzgerald serial number, on the cold side of the engine. The second can be a remanufactured engine, from DD or CAT, but we prefer to stay away from Cummins. One of these engines should be without EGR, and the second with EGR if such a glider exists.

Any combination of the above "specs" is acceptable (doesn't matter which engine in which chassis, ...).

After those two vehicles are tested, EPA spoke about a high mileage unit, so in the range of 400,000 miles or so. But let's hold that request for now and discuss later.

SCHEDULE

EPA said that ideally they'd like to have the two vehicles simultaneously for 5 weeks, but they recognized that this could be impractical or too costly. If this is too unreasonable to even approach the customer, then let's say the first vehicle for two weeks, and then the second for two weeks on the heels of the first. (I'm sure that 3 weeks each is a better situation for them, so if that's possible...and let's see about cost). EPA is ready to start as early as Sept 18, so as close to that date as reasonable. The trucks should be delivered to their facility in Ann Arbor.

COST

Please give me an idea of what sort of charges we'll be incurring. This may curtail our ambition somewhat.

Again, what we've outlined is ideal, but we'll take what you can deliver. No problem. Really appreciate the support, and look forward to hearing back from you.

Steve Berry

To: Cullen, Angela[cullen.angela@epa.gov]
Cc: Marley Jeffrey[jeff.marley@volvo.com]; Alt Susan[susan.alt@volvo.com]
From: Berry Steve
Sent: Tue 9/12/2017 9:34:31 PM
Subject: FW: glider request

Hi Angela

Keeping you posted...

Steve

From: Tim Schimmel[mailto:Tim.Schimmel@mktruck.com] *
Sent: Tuesday, September 12, 2017 5:32 PM
To: Berry Steve
Subject: Re: glider request

I will be meeting with the customer on Friday. Should have more details then.

Sent from my iPhone

On Sep 12, 2017, at 5:25 PM, Berry Steve <steve.berry@volvo.com> wrote:

Hi [TinEx. 6 - Personal Privacy]

I believe you said you'd be preoccupied this week with a truck show, but did your first contacts give you the sense that we could work something out next week?

Thanks if you have an update,

Steve Berry

From: Berry Steve
Sent: Friday, September 08, 2017 1:59 PM
To: [mailto:tim.schimmel@mktruck.com]
Subject: RE: glider request

Hi [TinEx. 6 - Personal Privacy]

To: Cullen, Angela[cullen.angela@epa.gov]
From: Barry Steve
Sent: Tue 9/26/2017 5:30:47 PM
Subject: RE: Vehicle for Testing

Hi Angela

Thanks for copying me. Does EPA plan to request (from Fitzgerald) a copy of the Tennessee tech report? Seems appropriate to do so.

Steve

From: Cullen, Angela [mailto:cullen.angela@epa.gov]
Sent: Tuesday, September 26, 2017 1:23 PM
To: limeschimmel@mktruck.com
Cc: Barry Steve
Subject: Vehicle for Testing

Dear TitEx, 6 - Personal Privacy

Steve Berry has indicated that you will be working with us to test a glider.

First, thank you for all of the coordination and willingness to work with us to test the vehicle. We truly appreciate it.

My understanding from Steve is that the vehicle will be delivered to our lab on Monday, October 2. EPA's National Vehicle and Fuel Emissions Lab building is located at 2565 Plymouth Road in Ann Arbor. The building is enclosed by an iron gate. When the vehicle arrives, please pull over to the right and the guards will ask you who you are here to see. Please let them know that you are here to deliver a vehicle for testing and request that they contact Garrett Brown, Maria Peralta, or Connie Hart (in that order). The guards have been notified and will be expecting you. Wait for them to lower the vehicle barrier. Ensure the vehicle barrier has been lowered and the light is green before proceeding. The guards and/or Garrett will then direct you to where to

To: Cullen, Angela[cullen.angela@epa.gov];
[mrschirmel@nrknuck.com][mrschirmel@nrknuck.com]
From: Barry Steve
Sent: Tue 10/10/2017 2:20:54 PM
Subject: Glider #2

Hi

Angela: What's the soonest you anticipate to be ready for glider #2?

Tim: Any prospects?

Steve

This email message and any attachments may contain confidential information and may be privileged. If you are not the intended recipient or otherwise not authorized to receive this message, you are prohibited to use, copy, disclose or take any action based on this email or any information contained herein. If you are not the intended recipient, please advise the sender immediately by replying to this email and permanently delete this message and any attachments from your system.

To: Cullen, Angela[cullen.angela@epa.gov]
From: Berry Steve
Sent: Thu 10/19/2017 2:38:25 AM
Subject: Re: Glider #2

Angela
Tim is struggling to secure glider #2, so we reached out to other dealers earlier this week
Steve

On Oct 18, 2017, at 4:15 PM, Tim Schimmel <tim.schimmel@sierraclubtruck.com> wrote:

Let me see if I can get a driver there. Probably be back at you in the morning.

Tim Schimmel | New Truck Sales Manager

<image002.jpg>

Exit 6 Personal Privacy

Sierra Nevada Commission Dr. Byron Center, MI 49815

Phone: 616.583.2100 | Direct: 616.583.3079

Mobile: 416.437.1264 | Fax: 616.583.3079

<http://sierraclubtruck.com>

<http://sierraclubtruck.com>

We really appreciate your help with this.

Thank you,

Angela

From: Berry Steve [mailto:steve.berry@volvo.com]
Sent: Friday, October 20, 2017 10:19 AM
To: Cullen, Angela <cullen.angela@epa.gov>
Subject: FW: 2nd Glider

Hi Angela

Glider #2 ! Not a remanufactured engine as we had targeted, but another Fitzgerald rebuild.

Move forward?

From: Tim Schimmel [mailto:tschimmel@volvo.com]
Sent: Friday, October 20, 2017 9:37 AM
To: Berry Steve
Cc: Alt Susan
Subject: 2nd Glider

Fitzgerald Glider w 30,000 miles

2017 579 Pete Aero. Just released this year as a acro glider.

Detroit 12.7 500 Fitzgerald Rebuild.

10 speed

Next Friday I can pick it up.

To: Millett, John[Millett.John@epa.gov]
From: Dunham, Sarah
Sent: Fri 10/27/2017 7:21:18 PM
Subject: RE: EPA Glider Testing

Thanks—I'll defer to you on responding to Liz based on whoever responds and what the response is—sorry I got a little separate with my note

From: Millett, John
Sent: Friday, October 27, 2017 3:10 PM
To: Bowman, Liz <Bowman.Liz@epa.gov>; Dunham, Sarah <Dunham.Sarah@epa.gov>;
Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: RE: EPA Glider Testing

Thanks, checking with the program.

From: Bowman, Liz
Sent: Friday, October 27, 2017 3:09 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>; Millett, John <Millett.John@epa.gov>;
Gunasekara, Mandy <Gunasekara.Mandy@epa.gov>
Cc: Grantham, Nancy <Grantham.Nancy@epa.gov>; Hewitt, James <hewitt.james@epa.gov>
Subject: EPA Glider Testing

Do any of you know about "EPA staff conducting their own testing of glider kits at an EPA facility"? This is the first I have heard about it, but the Washington Post is asking, so hoping to provide more information here.

Thank you,

Liz Bowman

U.S. Environmental Protection Agency (EPA)

To: Gunasekara, Mandy[Gunasekara.Mandy@epa.gov]; Lewis, Josh[Lewis.Josh@epa.gov]
Cc: Dominguez, Alexander[dominguez.alexander@epa.gov]
From: Dunham, Sarah
Sent: Fri 10/27/2017 7:40:34 PM
Subject: RE: Gliders

We're checking.

-----Original Message-----

From: Gunasekara, Mandy
Sent: Friday, October 27, 2017 3:39 PM
To: Dunham, Sarah <Dunham.Sarah@epa.gov>; Lewis, Josh <Lewis.Josh@epa.gov>
Cc: Dominguez, Alexander <dominguez.alexander@epa.gov>
Subject: Gliders

We got a press question asking whether OTAQ is doing emissions testing on gliders? Have we before or are we in the process?

Sent from my iPhone

To: Charmley, William[charmley.william@epa.gov]
 Cc: Berry Steve[steve.berry@volvo.com]
 From: All Susan
 Sent: Tue 10/31/2017 12:25:00 PM
 Subject: response for the EPA Letter/Gliders
[SAccounting17101309520.pdf](#)
[NT&E letter to Hon. Scott Pruitt, 10.14.pdf](#)
[GATR-Letter.pdf](#)
[Glider Vehicles.pdf](#)
[Glider Issue.pdf](#)
[doc20171030153037.pdf](#)

MISSING

Hi Bill,

I was copied on a response you sent to Terry Dotson, the owner of Worldwide Equipment dealer group (with dealerships in KY, OH, SC, TN, WV and VA) on a letter he sent to Administrator Pruitt.

I wanted to be sure you had seen some of the letters also sent with the same message from other dealer groups (copied here) as I am not sure any of these other groups got a response from your office (other than an email acknowledgment of receipt from Erik Baptist).

Some of the letters are attached, and the groups' locations show the pervasiveness of the Glider sales across America:

- TEC Equipment with dealerships in CA, WA, OR, NV, and AZ...over 1,200 employees
- Nuss Trucks with dealerships in MN, WI
- GATR Trucks with dealerships in MN, IA...275 employees
- RDO Truck Centers with dealerships in NE, ND
- VoMack Trucks with dealerships in IN, KY and IL...even lists some of the companies they have lost sales to gliders

Thanks, Susan

To: Charmley, William[charmley.william@epa.gov]
From: Matthew Spears
Sent: Thur 11/9/2017 11:28:36 PM
Subject: Gliders

Hi Bill.

Thanks for the quick reply. I'm optimistic that EMA as a whole is coming together on this issue too. Jed might have shared with you that we're already drafting comments that we'll eventually share with our members for consensus building, when the time is right.

I read the NPRM today, and I'll be following up with EMA's attorneys here because there are legal arguments in the NPRM that confuse my engineering mind. I don't follow the argument in 3. *Glider kits*. Regardless of what eventually gets installed into a glider kit, the kit would seem new and incomplete on its own, which to me would seem within scope of CAA 202.

I also noted the Agency's NPRM text in 1037.801, "...a new motor vehicle may include previously used parts." I presume that would include previously used engine parts.

Finally, the text under EO 13045 does not seem to take into account and/or build from the HD Phase 2 RTC, Appendix A to Section 14, pp. 1960-1968.

On a separate topic, it was good to see that OAR now has a confirmed AA.

Have a good Veterans Day weekend,

-Matt

From: Charmley, William [mailto:charmley.william@epa.gov]
Sent: Thursday, November 9, 2017 4:41 PM
To: Matthew Spears <MSpears@emamail.org>
Subject: Re: EPA Notice of Proposed Rulemaking "Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits"

Matt

A few things on this topic you may find interesting:

From: Charmley, William [mailto:charmley.william@epa.gov]
Sent: Thursday, November 9, 2017 4:41 PM
To: Matthew Spears <MSpears@emamail.org>
Subject: Re: EPA Notice of Proposed Rulemaking "Repeal of Emission Requirements for Glider Vehicles, Glider Engines, and Glider Kits"

Matt

A few things on this topic you may find interesting:

- we have finished testing of one Glider in Ann Arbor, and have a s come on the lab right now. I think we will release a test report on both vehicles in the next week to 10 days, once we have

ED_001620_00001293

finished testing and the test report

- last week I saw a quote that the DTNA CEO has said Daimler will not to backwards, independent of the outcome of EPA's reconsideration rule

- in the last few days, ATA has decided to oppose any change in the Glider regulations established in the Phase 2 rule. I think they may be putting out a statement on that topic

- the ASD team reached out recently to Tennessee Tech. We had a good technical discussion with them, and I think we will be able to document for the record what we have learned, which will explain why the Tennessee Tech results are so different than what we have seen. As you know, emissions testing requires deep skills and experience, and while the Tennessee Tech team is well intentioned, I believe that have a lot to learn. I guess that is good, since they are a university, and learning is part of why you go to college.

I hope all is well with you.

All my best

Bill

Sent from my iPhone

On Nov 9, 2017, at 4:07 PM, Matthew Spears <MSpears@emamail.org> wrote:

Sad.

To: Cullen, Angela[cullen.angela@epa.gov]; Charmley, William[charmley.william@epa.gov]
From: Berry, Steve
Sent: Thur 11/16/2017 4:16:19 PM
Subject: Glider Testing

Hello Angela and Bill

That's good news, Angela. Thank you.

Does EPA have an interest to test Glider 3, probably a reman engine rather than Fitzgerald Special?

Also, are you planning to make the data available? When ?

Finally, have you gotten a copy of the TN Tech report? Does EPA intend to request it?

Steve