

SCR vs EGR war plays out in US courts

WASHINGTON, D.C. -- An ugly legal battle is unfolding in the US Circuit Court of Appeals for the District of Columbia, as Navistar challenges the EPA's acceptance of selective catalytic reduction (SCR) as a feasible solution for meeting EPA2010 emissions standards.

In a recent 'Statement of Issues' court filing, Navistar pointed out that when the 2010 emissions rules were first developed in 2001, the "EPA decided that urea SCR technology would not be available to meet the 0.2 g NOx standard for the applicable model year."

"The EPA made an express 'infeasibility' determination for SCR technology," Navistar said in its filing. It went on to say the EPA ruled out SCR because of: a lack of infrastructure to deliver urea at the pump; a lack of standardized method of delivery of urea; a lack of adequate safeguards in place to ensure urea is used throughout the life of the vehicles; a lack of safeguards to ensure drivers replenish urea; concerns for public safety; and other concerns.

So when the EPA warmed up to SCR and formally accepted it as a viable EPA2010 solution, Navistar charged that the "dramatic change" imposes "entirely new regulatory requirements."

Naturally, all other heavy-duty engine manufacturers which have chosen to use SCR to meet 2010 emissions requirements are backing the EPA. Volvo and others have filed an 'amici curiae' petition to participate as "friends of the court." This move was protested by Navistar, prompting Volvo to issue a statement to the media yesterday after sections of its Web site were reportedly used by Navistar to support its case.

"Navistar's most recent filing demonstrates that the other engine manufacturers must have the ability to participate in this case as friends of the court. This is necessary to refute misinformation Navistar has presented to the court," said Jim McNamara, spokesman for Volvo Trucks North America.

"This includes Navistar's desperate attempt to mislead the court by taking information from Volvo Trucks North America's Web site out of context to reach a wildly inaccurate and misguided conclusion.

The whole point of using exhaust aftertreatment is to meet the 0.2 g NOx requirement, while delivering to the customer excellent fuel economy, performance and reliability. And better fuel economy means a reduced CO2 footprint, courtesy of SCR. Massive EGR can't deliver these benefits.

“Navistar, of course, admits its technology is unable to reach the 0.2 g NOx limit. There is absolutely no benefit to society, customers or the environment in the approach Navistar has deliberately chosen to confuse this very important issue.”

Navistar has developed an in-cylinder solution for EPA2010 which does not require exhaust aftertreatment. It plans to roll out engines in January, 2010 that will initially exceed the 0.2 g NOx limit by cashing in emissions credits the company has earned by reducing emissions beyond requirements in previous years. Navistar will then continue to tweak its solution to get it down to the 0.2 g limit by the time its credits run out, expected to happen sometime in 2012.