



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF WASTE, AIR, RADIATION AND REMEDIATION

November 14, 2012

Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Proposed Amendments to New Passenger Motor Vehicle Greenhouse Gas Emissions Standards Relating to Compliance with National Program for MYs 2017-2025

Dear Sir or Madam:

The Pennsylvania Department of Environmental Protection (DEP) is writing to express its support for the proposed amendments to California's greenhouse gas (GHG) emissions standards for new passenger motor vehicles and test procedures for light- and medium-duty vehicles that are scheduled for a public hearing before the California Air Resources Board (CARB) on November 14-15, 2012. We are submitting these comments pursuant to 25 Pa. Code § 126.451(2)(iii), which requires DEP to submit comments on behalf of the residents of the Commonwealth of Pennsylvania on proposed or final-form rulemakings amending the California Code of Regulations (CCR) requirements that are incorporated by reference into the Pennsylvania Clean Vehicle Program regulations, which are found in 25 Pa. Code Chapter 126, Subchapter D, entitled, "The Pennsylvania Clean Vehicles Program."

The following commitments, made in a July 28, 2011, letter to the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (U.S. DOT) are relevant to the proposed rulemaking under discussion:

(1) California committed that if the EPA proposed federal GHG standards and the U.S. DOT National Highway Traffic Safety Administration (NHTSA) proposed Corporate Average Fuel Economy (CAFE) standards for model years 2017 and beyond substantially as described in the July 2011 Notice of Intent (published in the Federal Register on August 9, 2011), and the agencies adopted standards substantially as proposed, California would not contest such standards;

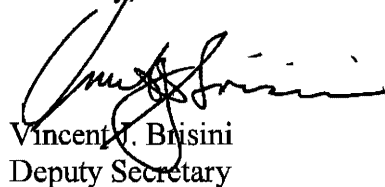
(2) California committed to propose to revise its standards on GHG emissions from new motor vehicles for the 2017 through 2025 model years, such that compliance with the GHG emissions standards adopted by the EPA for those model years that are substantially as described in the July 2011 Notice of Intent, even if amended after 2012, shall be deemed compliance with the California GHG emissions standards, in a manner that is applicable to states that adopt and enforce California's GHG standards under Clean Air Act (CAA) Section 177.

DEP supports CARB's proposed amendments to California's GHG emissions standards for new passenger motor vehicles, which would allow vehicle manufacturers to demonstrate compliance with CARB's GHG standards by demonstrating compliance with the National Program for model years (MYs) 2017-2025. CARB did not oppose the standards proposed by EPA and U.S. DOT for the National Program for MYs 2017-2025, which fulfilled its first commitment. The proposed CARB amendments will fulfill the second commitment made by California mentioned above. Allowing compliance with the National Program to count as compliance with CARB's GHG standards may reduce the cost of compliance for manufacturers. CARB's conditioned finalization of its proposed rulemaking is contingent upon EPA finalization of GHG standards and NHTSA finalization of CAFE standards for MYs 2017-2025 substantially as described in the July 2011 Supplemental Notice of Intent (76 FR 48758, August 9, 2011). CARB staff indicated in the Initial Statement of Reasons for Rulemaking that the final rulemaking for the National Program (77 FR 62624, October 15, 2012) adequately addresses California's concerns.

Although there are some differences between the California program and the National Program, DEP agrees with CARB's conclusion that while implementation of a compliance option that allows manufacturers to certify to the National Program standards for MYs 2017-2025 instead of the California program would result in a slight decrease in accumulated carbon dioxide (CO₂) reductions in California, greater CO₂ reductions would be achieved nationwide, as well as increased fuel efficiency across the national fleet, as was the case when California adopted the federal program option for MYs 2012-2016. Additionally, under the National Program and the CARB program for MYs 2017-2025, fuel efficiency of the subject vehicles will increase, benefitting consumers by lowering operating costs.

Thank you for your consideration of our comments on California's proposed amendments to the GHG emissions standards for new passenger motor vehicles. If you have any questions or need additional information, please contact me by e-mail at vbrisini@pa.gov or by telephone at 717.772.2724. You may also contact Joyce E. Epps, Director of the Bureau of Air Quality, by e-mail at jeepps@pa.gov or by telephone at 717.787.9702.

Sincerely,



Vincent J. Brisini
Deputy Secretary