



July 6, 2021

California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: HD Omnibus Regulation

Dear CARB Staff,

The Volvo Group submitted comments on the California Air Resources Board's Omnibus Low NOx Regulations on August 25, 2020. The following comments are offered in response to ARB's Proposed 15-Day Modifications to the Diesel Test Procedures issued on June 18, 2021.

- I. "5.3.4.2. A manufacturer is only eligible to utilize this option if it meets the criteria identified in subparagraphs (a) through (d), below.
 - a. The manufacturer must have certified and sold heavy-duty diesel engines rated at or above 525 bhp maximum power in California for either the 2018 or 2019 model year."
(Appendix B1, pg.20)

The Volvo Group's understanding of the intent of the exemption is to support the specialized area of heavy haul, where considerable amounts of additional development are needed to comply with the 2024 regulations. Volvo Group does not disagree with the reasoning for the exemption but believes that the criteria to establish the connection to the exempted application is insufficient.

The Volvo Group strongly believes that limiting the (525hp) higher horsepower exemption to manufacturers who have sold vehicles of that size in model year 2019 or 2020 unfairly picks winners and losers in the marketplace. Linking the availability of the exemption to past sales of this higher horsepower engine enables a limited, known number of manufacturers to continue serving this market while discriminating against companies that have been able to successfully meet the need of the heavy-haul applications with more efficient, smaller displacement engines under 525hp. In order to provide a level playing field and prevent these exempt higher horsepower engines from being diverted to non-intended applications, further qualification which links utilization of these exempt engines in heavy-haul applications through use of new GHG Phase 2 GCVW classifications should be incorporated into the regulation.

II. Phase 2 Heavy-Duty Greenhouse Gas Provision alignment with EPA's Technical Amendment Package

In comments to the May 5th, 2021 CARB NOx Omnibus 30-day changes ([Volvo Group comments at arb.ca.gov/lispub](https://arb.ca.gov/lispub)) the Volvo Group requested specific changes to the Phase 2 Heavy-Duty Greenhouse Gas provisions of Appendices B-1, B-2 and B-3 to align with the EPA's recently finalized Technical Amendment package (previously the EPA pre-publication version from March 10, 2021, but now published at 86 FR 34308, June 29, 2021). From review of the latest 15-day modifications it appears that CARB has not aligned with any of the items noted in the Volvo Group comments, including the items CARB had previously supported in response to the EPA's Technical Amendment Notice of Proposed Rulemaking. The Volvo Group believes that full alignment is critical in order to avoid artificially inflated stringencies and that the lack of alignment in some cases is arbitrary and capricious. As such, and for the reasons given in the Volvo Group's previous comments, the Volvo Group once again requests that CARB align fully with the following provisions from the finalized EPA Technical Amendment package:

- 1036.150(p): Alternative 2024-2026 model year vocational engine standards for manufacturers who participated in the 2020 pull-ahead of the 2021 engine standards.
- 1036.150(q): 2% engine fuel map confirmatory testing variability.
- 1036.235: Align with the EPA June 29th, 2021 Federal Register publication version (86 FR 34308) to provide for updated test procedure and allowance determination of 1036.150(q).
- 1036.701(j)(2): Carry-over of Phase I MHD and HHD vocational engine credits when recalculated against the Phase II vocational engine baselines.
- 1037.501(i): Language regarding EPA's expectations that manufacturers of regulated components would not apply error margins to all component certification data they provide to OEMs. EPA envisions that the OEM would apply a single margin to the FEL that would account for the maximum possible error from any single component under audit or confirmatory test. A margin on each component would artificially increase stringency.
- 1037.660: EPA's changes to this section specify how to claim partial credit for neutral-at-idle technology that does not fully disengage the torque converter, as well as updated safety over-ride conditions for Automatic Engine Shutdown systems, Engine Stop-Start, and Neutral-at-idle.

Respectfully Submitted,



Dawn Fenton
Vice President, Government Relations & Public Affairs
Volvo Group North America