



April 6, 2021

Subject: Informal Public Comments on the Proposed Advanced Clean Fleets

Dear Paul Arneja,

On behalf of the Resource Recovery Coalition of California (Resource Coalition), we appreciate the opportunity to comment on the proposed Advanced Clean Fleet (ACF) regulations during the informal rulemaking period. Our members provide critical waste and recycling services throughout California and have led the state in recycling and organic material management innovation. We provide these preliminary comments and reserve the right to modify or provide additional recommendations once regulatory language is released.

Meeting California's ambitious zero-emission vehicle (ZEV) goals are critical to achieving California's air quality targets in the near term and beyond. To accomplish this transition, fundamental elements must be in place to support it in a meaningful way.

The most important piece, the one repeated time and time again by nearly every stakeholder, is infrastructure. Without the ability to charge or fuel a ZEV, the vehicle is useless. In fact, a fleet may meet the proposed fleet requirements in the early years of the regulation, but not deploy a single ZEV if charging is not available.

Technology readiness and the ability to charge or fuel that technology, along with the costs associated, are the critical components that will help or hinder the transition to heavy-duty ZEV use. While we are optimistic that the technology is improving, at this time there are legitimate limitations in vehicle availability and vehicle performance.

As essential service providers protecting the health and safety of local communities, it is imperative that waste collection fleets have access to vehicles that can meet performance standards and remove waste material from our streets. For example, while there exist a few ZEV options for rear and side loader refuse trucks, these trucks do not currently meet the performance expectations of a standard refuse truck. In other words, they are not a 1 to 1 replacement. Furthermore, there is no front loader ZEV refuse truck even commercially available at this time, which is a vehicle type used much more widely than rear loaders in California. No roll-off or transfer truck exist yet either.

Additionally, the infrastructure for charging is more complicated than simply purchasing a truck and plugging it in. BYD, Mack and Lion ZEV refuse trucks currently available all have different charging systems, while pickup trucks use standard passenger vehicle charging. These trucks also require different technician skills, a surmountable concern, but one that is not being



addressed in this regulation. These points illustrate the need to focus on more than simply whether there is a suitable ZEV available on the market for this application.

Aside from the critical concern of having vehicles that can meet performance standards and be properly fueled and maintained so that they are operational, we question how this regulation will be enforced and how regulated entities will report and meet regulatory expectations currently proposed. In particular, the definition of sub-hauler and how it impacts fleet size and turnover will add complexity to an already overburdened regulation. A simpler method would be to contract with fleets that are registered and meeting ACF standards. As currently proposed, the regulation will have duplicative reporting and fleet sizes will ebb and flow with little control by regulated entities. A simplified reporting and certified registration system will assist companies and California in achieving the regulations. There is also little attention or consideration given to vehicles that might be registered out of state and how CARB will enforce on these entities.

Most of our members are small to medium sized companies that have operated in their local communities for decades. These entities are already heavily regulated by CARB and meet all the current requirements. Therefore, it is imperative that the regulation address out-of-state registration, especially by larger companies that operate fleets outside of California, if we are to truly create a level scenario and achieve competitive balance.

We also understand that some rural areas of the state simply cannot manage ZEV infrastructure and that these areas are not experiencing the same air emission concerns – aside from catastrophic wildfires – as other areas of the state. Historically, CARB regulations have recognized this and provided reasonable time for regulatory transition. A similar stepped approach will be required here along with recognition that functioning infrastructure is the backbone of successful transition to ZEVs.

We remain concerned that in an effort to achieve long-term air emission reduction targets, we are ignoring important near-term reduction opportunities that support other regulatory efforts, like our short-lived climate pollutant reduction strategy, and do not have to exist in conflict with our ZEV strategy. Instead, we should be asking ourselves, how do we continue to support the near-term transition to cleaner combustion technologies – such as the use of in-state renewable natural gas derived from organic material that would have otherwise been landfilled – and plan for the long-term use of this renewable energy source?

Finally, from our perspective there is little merit in the proposed voluntary ZEV fleet hiring concept, especially because there is no guarantee that entities will deploy zero-emission technologies in the region in which they are hired to operate. We also do not understand the difference between outsourcing and sub-hauling. Is this when a hiring entity has no Class 2b-8



vehicle? Again, there is considerable confusion around responsible reporting entities under the proposed regulations and we urge staff to address these questions soon.

In addition to these comments, we are part of a coalition response to the proposed regulations that expands on some of our concerns and addresses additional issues. Moving forward, we will provide additional financial and infrastructure data as our members explore the viability of the proposed regulations. Lastly, given our experience with the regulatory process so far, we **strongly** encourage CARB staff to increase the visibility and outreach to local government and other regulated entities regarding this proposed regulation, as outreach to date has been entirely insufficient. Should you have any questions, please do not hesitate to reach out.

Sincerely,

A handwritten signature in black ink that reads "Veronica Pardo". The signature is written in a cursive, flowing style.

Veronica Pardo
Regulatory Affairs Director
veronica@resourcecoalition.org