

December 4, 2020

Kathleen Mead, Air Pollution Specialist  
Jackie Lourenco, Branch Chief Emissions  
Certification and Compliance Division\ New Vehicle/Engine Programs Branch  
California Air Resources Board  
9530 Telstar Ave  
El Monte, California 91731

Dear Kathleen and Jackie:

This will be NMMA's fourth and probably last written comment prior to ARB staff presenting the draft certification fee schedule to the ARB Board. NMMA would like you to know that we have appreciated your efforts and plan to support the fee program at the hearing.

NMMA has two points to raise the first will need clarification prior to the fee program and the second will require management direction and oversight once the fee program is implemented.

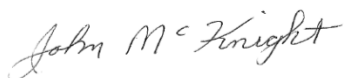
- First, clarification is necessary on running changes affecting application status. For example, if an approved running change occurs during 2023 production year, how will that family be considered for 2024 certification year if no elements outside of listed allowances occur during the application process? Running changes are very common for engine manufacturers who might be required to re-source a part mid-year. NMMA's position is that running changes should be processed and approved in a timely manner and not effect the annual application process.
- The second issue is the tier definitions which boat builders and engine manufacturers will designate on their applications and submit payment prior to receiving an executive order. These are the definitions for New, Partial Carryover, and Carryover. NMMA supports the tiered approach as equitable and reflecting the level of staff effort.

It was repeated several times during the November 19, 2020 workshop that the interpretation of the definition for Carryover and Partial Carryover will be left up to the CARB Certification Engineer. That opens CARB staff interpretations that could possibly require one company to pay a higher fee than its competitor for the same change. NMMA recognizes the need for solid definitions to avoid disparities, but more importantly close managerial oversight of certification staff fee decisions to avoid confusion and possible legal challenges.

In reviewing the ECARS 2015-7 ARB identifies the difference between carry over and partial carryover. NMMA recommends that this document be used as staff and industry guidance. Attached is the document.

Thank you for working with NMMA to develop this certification fee program. If you have any questions, please do not hesitate to contact me.

Sincerely,



John McKnight, Senior Vice President  
Environmental & Safety Compliance



## Mead, Kathleen@ARB

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**From:** John McKnight <jmcknight@nmma.org>  
**Sent:** Monday, March 22, 2021 10:17 AM  
**To:** Lourenco, Jackie@ARB; Mead, Kathleen@ARB  
**Cc:** John Dunlap  
**Subject:** One last NMMA comment prior to the ARB certification fee meeting  
**Attachments:** CARB Certification Fee comments 4th submittal.pdf

**Follow Up Flag:** Follow up  
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Kathleen:  
Jackie:

I hope all is well.

NMMA's last set of attached certification fee comments dated December 4, 2020 were drafted with the purpose of providing ARB staff our ideas regarding tier designations.

NMMA has one last comment prior to the upcoming ARB meeting that would slightly broaden and improve the criteria in ECARS 2015-7 in cases where staff simply issues a new CARB approval number. Currently, any new process approval, for any aspect of certification, could move the manufacturer out of the partial-carryover tier and into the new certification tier. Using ECARS the current criteria for partial-carryover is too restrictive. CARB staff did a good job when they originally crafted the Mail-Out, possibly they did not consider the approval number change being an issue - as NMMA did not, either until very recently.

NMMA strongly urges that CARB approval numbers be considered within a partial-carryover application. The whole purpose of tiers is to compensate for the level of effort and it would not add more than one minute of extra work for the certification rep to verify their own approval.

Thanks,

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