Airlines for America®

We Connect the World

October 27, 2022

Submitted electronically during the public hearing at: https://ww2.arb.ca.gov/applications/public-comments

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

Re: Airlines for America® Comments on CARB's Proposed Advanced Clean Fleets Regulation

Dear Sir/Madam:

Airlines for America® ("A4A"), the trade association for the leading U.S. passenger and cargo airlines,[1] appreciates the opportunity to comment on the California Air Resources Board's ("CARB") Proposed Advanced Clean Fleets ("ACF") Regulation dated August 30, 2022 ("Proposed Rule").

A4A and our members embrace our responsibility to address the environmental impacts associated with aviation and, as detailed in the "Background" section below, have a very strong environmental record that demonstrates our commitment to reducing such impacts even as we continue to provide air transportation services critical to maintaining the growth and vitality of the national, California, and local economies. A4A's commitment extends to reducing greenhouse gases ("GHGs") emissions and emissions that can affect local air quality including emissions of criteria pollutants such as particulate matter ("PM") and oxides of nitrogen ("NOx"). Commercial airlines are dedicated to providing air transportation services to the public that, above all, ensure the safety of our passengers, crew, and the larger public. We view responsible environmental stewardship as essential to our business and have embraced the need to work proactively to address environmental concerns and achieve concomitant public health objectives. Accordingly, A4A and our members fully support the State's efforts to achieve the State's GHG reduction goals and to attain National Ambient Air Quality Standards ("NAAQS") and protect public health.

I. Background

The U.S. airlines have long understood that if we are to remain a critical engine of prosperity and progress we must proactively address and reduce environmental impacts associated with flying. Commercial aviation has been an indispensable pillar of our national, state, and local economies for decades. Prior to the onset of the COVID-19 pandemic, commercial aviation

[1] A4A's members are Alaska Airlines, Inc.; American Airlines Group Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corporation; Hawaiian Airlines, Inc.; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada, Inc. is an associate member.

helped drive over 10 million U.S. jobs and over 5 percent of U.S. Gross Domestic Product ("GDP"). In California, according to the most recent Federal Aviation Administration ("FAA") analysis, civil aviation accounts for about 5 percent of jobs (over 1.15 million in 2016) and drives over 4 percent of State GDP ($109.1 billion in 2016).[2] Economic impact studies likewise have affirmed the critical importance of aviation activity at California's major airports to local economies.[3] At the same time, commercial aviation has accounted for a relatively small portion of the nation's GHG emissions. The U.S. Environmental Protection Agency (EPA) reported that in 2019 (before the COVID-19 pandemic) commercial aviation emissions accounted for 135.4 million metric tons of carbon dioxide equivalent (MMT CO2e)[4] or 2.06 percent of total U.S. GHG emissions (6,558.3 MMT CO2e).[5] For context, this compares to the 140.6 MMT CO2e the commercial aviation sector emitted in 2000,[6] accounting for 2.01 percent of the U.S. total for that year (7001.2 MMT CO2e).[7] The most recent data available from EPA (in its Draft GHG Inventory 1990-2020) indicates that in 2020, when COVID-19 hit, emissions from commercial aviation fell to 82.5 MMT CO2e.[8]

The record of the U.S. airline industry demonstrates that we can grow and help the country prosper even as we continue to improve our environmental performance. For example, between 1978 and 2021, the U.S. airlines improved their fuel efficiency (on a revenue ton mile basis) by more than 135 percent, saving over 5.5 billion metric tons of carbon dioxide ("CO_2") – equivalent to taking more than 28 million cars off the road on average *in each of those years*. Similarly, since 1975, even as we quintupled the number of passengers served in the U.S., we have reduced the number of people exposed to significant levels of aircraft noise by 94 percent. The U.S. airlines have continually demonstrated their ability to contribute to the nation's economic productivity, while minimizing their environmental footprint.

This environmental record is not happenstance, but the result of a relentless commitment to driving and deploying technology, operations, infrastructure, and sustainable aviation fuel ("SAF") advances to provide safe and vital air transport as efficiently as possible within the constraints of the air traffic management system. Indeed, for the past several decades, airlines have dramatically improved their fuel efficiency and reduced their CO_2 and other emissions by

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[2] *See* FAA, *The Economic Impact of Civil Aviation on the U.S. Economy –State Supplement* (Nov. 2020), at 10, https://www.faa.gov/about/plans_reports/media/2020_nov_economic_impact_report.pdf (last visited Oct. 11, 2022).

[3] *See, e.g.*, *Economic Impact Analysis – Los Angeles International Airport in 2014* (April 2016*)* (620,610 jobs in Southern California, $37.3 billion in labor income, $126.6 billion in economic output and $6.2 billion in state and local taxes), at i, https://laedc.org/wp-content/uploads/2016/04/LAWA_FINAL_20160420.pdf (last visited Oct. 11, 2022); *2019 Economic Impact Study – San Francisco International Airport*, at 1 (direct impact of 188,111 jobs, $14 billion in labor income and 42.5 billion in total revenues; total impact of 330,215 jobs, $25 billion in labor income and $72.7 billion in total revenues), https://www.flysfo.com/sites/default/files/SFO_Economic_Impact_Report_2019.pdf (last visited Oct. 11, 2022); *San Diego International Airport Economic Impact Study* (June 2018) , at 1-2 (direct impact of 67,200 jobs, over $2 billion in payroll and $6 billion in economic output; total impact of 116,571 jobs, $3.9 billion in payroll and $11.7 in annual output), https://timesofsandiego.com/wp-content/uploads/2018/09/2017-01-06-economic-impact-study.pdf (last visited Oct. 11, 2022).

[4] EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990-2019, Table A-104.

[5] Id. Table ES-6.

[6] Id. Table A-104.

[7] EPA GHG Inventory 1990-2000, Table ES-4.

[8] EPA, Inventory of U.S. Greenhouse Gas Emissions and Sink 1990-2020, Tables A-99.

investing billions in fuel-saving aircraft and engines, innovative technologies like winglets (which improve aerodynamics), and cutting-edge route-optimization software.

We are committed to limiting and further reducing our industry's GHG emissions. On March 30, 2021, A4A, together with our member carriers, pledged to work across the aviation industry and with government leaders in a positive partnership to achieve net-zero carbon emissions by 2050 ("2050 NZC Goal").[9] This pledge continues our longstanding commitment to embrace our responsibility to address climate change and reduce commercial aviation's GHG emissions footprint.[10] With consistent analyses showing that tremendous quantities of SAF must be deployed for the industry to meet its climate goals, A4A carriers also pledged to work with the government and other stakeholders toward a rapid expansion of the production and deployment of commercially viable SAF to make 2 billion gallons available to U.S. aircraft operators in 2030. On September 9, 2021, as a complement to the federal government's announcement of the SAF Grand Challenge,[11] A4A and our members increased the A4A SAF "challenge goal" by an additional 50 percent, calling for 3 billion gallons of cost-competitive SAF to be available to U.S. aircraft operators in 2030.[12]

The efforts that airlines are undertaking to further address GHG emissions are designed to limit their fuel consumption, GHG contribution, and potential climate change impacts responsibly and effectively, while allowing commercial aviation to continue to serve as a key contributor to the U.S., global, California, and local economies. At the same time, we continue to build upon our strong record of reducing conventional air pollutant emissions. Our airlines' primary focus is realizing further fuel efficiency and emissions savings through increasing levels of SAF deployment, modernization and optimization of the air traffic management system, public-private research and development partnerships, and a vast array of additional operational and infrastructure initiatives being undertaken in collaboration with regulators, airports, manufacturers, and other aviation stakeholders. A4A and our members have been particularly focused on developing low-carbon, sustainable liquid fuel alternatives, understanding that the deployment of tremendous quantities of SAF will be key to the achievement of our climate goals.

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[9] *See* A4A, *Major U.S. Airlines Commit to Net-Zero Carbon Emissions by 2050* (March 30, 2021), https://www.airlines.org/news/major-u-s-airlines-commit-to-net-zero-carbon-emissions-by-2050/ (last visited Oct. 11, 2022). On October 4, 2021, the International Air Transport Association ("IATA") and its member airlines followed suit by also committing to achieve net-zero carbon emissions by 2050. *See* IATA, *Net-Zero Carbon Emissions by 2050* (Oct. 4, 2021), https://www.iata.org/en/pressroom/2021-releases/2021-10-04-03/ (last visited Oct. 11, 2022).

[10] Since 2009, A4A and our members have been active participants in a global aviation coalition. Prior to strengthening our commitment in 2021, we had committed to 1.5 percent annual average fuel efficiency improvements through 2020, with goals to achieve carbon-neutral growth beginning in 2020 and a 50 percent net reduction in CO_2 emissions in 2050, relative to 2005 levels. A4A, *supra* note 4.

[11] *See* The White House*, FACT SHEET: Biden Administration Advances the Future of Sustainable Fuels in American Aviation (Sept. 9, 2021)*, https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/09/fact-sheet-biden-administration-advances-the-future-of-sustainable-fuels-in-american-aviation/ (last visited Oct. 11, 2022) and Office of Energy Efficiency & Renewable Energy, *Sustainable Aviation Fuel Grand Challenge*, https://www.energy.gov/eere/bioenergy/sustainable-aviation-fuel-grand-challenge (last visited Oct. 11, 2022).

[12] *See* A4A, *U.S. Airlines Announce 3-Billion-Gallon Sustainable Aviation Fuel Production Goal* (Sept. 9, 2021), https://www.airlines.org/news/u-s-airlines-announce-3-billion-gallon-sustainable-aviation-fuel-production-goal/ (last visited Oct. 11, 2022).

In this context it is also important to point out the *A4A Climate Change Commitment and Flight Path,* detailing the policies and programs needed to achieve our 2050 NZC Goal, includes expanding electric infrastructure at airports and greener airport ground support equipment ("GSE").[13] A4A and our members have a long history of working with the South Coast Air Quality Management District ("District") and CARB to reduce emissions from non-aircraft sources. We are proud of the role we took in working with the District to implement measures in accordance with its 2016 Air Quality Management Plan ("2016 AQMP") to reduce NOx emissions associated with aviation activity. Specifically, we worked for many months with our airport partners and the District to develop voluntary measures that were eventually incorporated into five memoranda of understanding ("MOUs") between each of the South Coast airports[14] and the District. All of these MOUs included a voluntary measure to achieve reductions in emissions of ozone precursors from GSE more rapidly than would otherwise be achieved under State regulations. As reported to the District's Mobile Source Committee at its January 22, 2021, meeting, despite the extraordinary challenges airports and airlines have faced in the wake of the COVID-19 pandemic, together with our airport partners we have successfully implemented this voluntary program and achieved real NOx reductions that have brought the District closer to attainment.

In September 2022, A4A submitted comments to CARB on the Proposed 2022 State Strategy for the State Implementation Plan. As noted in those comments, A4A and our member carriers support the efforts described in the State SIP Strategy to work collaboratively with CARB, "EPA, air districts, airports, and industry stakeholders" to develop approaches to achieving emissions reductions.[15]

II. Comments on the Proposed ACF Regulation

A4A and our members remain committed to working with CARB to achieve the state's GHG emission reduction goals and attain the NAAQS. In that spirit, we offer these comments in hopes they will be helpful to CARB as it refines the Proposed ACF Regulation.

As noted above, we are proud of our long history of working with CARB to develop reasonable regulations to address GSE emissions, despite continuing concerns regarding the State's authority to adopt and enforce such regulations. It is critical that CARB's Proposed Rule for fleet emissions reductions be appropriately tailored to ensure it is within the scope of CARB's authority as applied to fleets that support aviation operations.[16] In addition, to the extent these regulations are redundant with pre-existing emissions reductions programs they will create undue compliance burdens and confusion for regulated entities. Accordingly, if CARB proceeds with promulgating the proposed ACF regulation, it should provide exceptions for vehicles and equipment related to aviation operations.

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[13] *See* https://www.airlines.org/wp-content/uploads/2021/05/A4A-Climate-Change-Commitment-Flight-Path-to-Net-Zero-FINAL-3-30-21.pdf

[14] These airports are: Hollywood-Burbank Airport (BUR), Long Beach International Airport (LGB), Los Angeles International Airport (LAX), Ontario International Airport (ONT), and John Wayne Santa Ana Airport (SNA).

[15] A4A's comments on CARB's Proposed 2022 State Strategy for the State Implementation Plan (SIP) at 6 (September 22, 2022).

[16] These comments incorporate by reference A4A's comments on *CARB's Proposed 2022 State SIP Strategy,* dated September 22, 2022.

1. The ACF regulation must recognize the limits that are placed on CARB's authority to regulate aircraft and aircraft operations under federal law

The U.S. Congress has long recognized that commercial aviation safety and the efficiency of the National Airspace System depends on the application of a consistent set of regulatory requirements by a primary federal agency – the FAA – with the necessary expertise and capability to develop and administer those requirements. *See City of Burbank,* 411 U.S. at 639; *Arapahoe Cty. Public Airport Auth. v. FAA*, 242 F.3d 1213 (10th Cir. 2001).[17] The regulation of aircraft and aircraft operations is clearly within the exclusive jurisdiction of the FAA.[18] This pervasive federal regulatory scheme extends not only to aircraft in flight, but also to aircraft-related operations on the ground.[19] The Aviation Act reserves to the FAA *primary and exclusive* jurisdiction over matters related to aircraft operations and safety, the former of which is closely tied to the non-road GSE and non-road vehicles that air carriers operate at airports. *See City of Burbank*, 411 U.S.at 639.[20]

The Airline Deregulation Act ("ADA")[21] provides that a state "may not enact or enforce a law, regulation, or other provision having the force and effect of law related to a price, route, or service of [an] air carrier . . . ."[22] As the U.S. Supreme Court has explained, this language "express[es] a broad preemptive purpose," and ADA preemption applies even if a state law is not expressly designed to affect airline prices, routes, and services, and even if the impact is only indirect.[23] Federal courts have held that ADA preemption extends to the regulation of off-road airport support vehicles because such equipment is "integral" to carriers' services.[24]

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[17] See also *Abdullah*,181 F.3d at 370 n.10 (aviation regulation is an area where "[f]ederal control is intensive and exclusive") (quoting *Northwest Airlines*, 322 U.S. at 303).

[18] The Federal Aviation Act of 1958 ("Aviation Act") establishes "a *uniform and exclusive* system of federal regulation" of aircraft operations that preempts state and local regulation. *City of Burbank v. Lockheed Air Terminal, Inc*., 411 U.S. 624, 639 (1973) (emphasis added); *see also American Airlines v. Department of Transp*., 202 F.3d 788, 801 (5th Cir. 2000) ("[f]ederal control [over aviation] is intensive and exclusive.") (quoting *Northwest Airlines, Inc. v. Minnesota*, 322 U.S. 292, 303 (1944) ("Federal control is intensive and exclusive. Planes do not wander about in the sky like vagrant clouds. They move only by federal permission, subject to federal inspection, in the hands of federally certified personnel and under an intricate system of federal commands"); 49 U.S.C. §§ 40101, 40103, 44701.

[19] *See, e.g.*, 49 U.S.C. § 40103(b)(2)(B)-(C); *City of Houston v. FAA*, 679 F.2d 1184, 1195 (5th Cir. 1982).

[20] See also *Abdullah v. American Airlines, Inc*.,181 F.3d 363, 370 n.10 (3d Cir. 1999) (aviation regulation is an area where "[f]ederal control is intensive and exclusive"). EPA has acknowledged that "even small delays at certain hub airports have a ripple effect that can affect the entire national air traffic schedule" and that "space, safety and operational considerations may limit the selection of the specific technologies and the extent to which they can be implemented at any particular airport." See 77 Fed. Reg. 29167 at 29178-79.

[21] Airline Deregulation Act, 49 U.S.C. § 41713 (Oct. 24, 1978).

[22] 49 U.S.C. § 41713(b)(1). This statutory provision was previously codified at 49 U.S.C. § 1305(a)(1). *See* 49 U.S.C. App. § 1305(a)(1). In 1994, Congress reenacted this provision at 49 U.S.C. § 41713(b)(1) as part of its reenactment of Title 49, and changed the operative language from "rates, routes or services" to "price, route, or service," but no substantive change was intended. *See American Airlines v. Wolens*, 513 U.S. 219, 223 n.1 (1995).

[23] *Morales v. Transworld Airlines*, 504 U.S. 374, 383-84, 386, 388 (1992) (holding that ADA preempted state law requirements that expressly referred to airlines and established "binding requirements" upon them); *see also Rowe v. N.H. Motor Transp. Ass'n*, 552 U.S. 364 (2008) (reaffirming *Morales* and its broad interpretation of ADA preemption).

[24] *See, e.g.*, *Federal Express Corp. v. California Pub. Utilities Comm'n*, 936 F.2d 1075, 1078 (9th Cir. 1991) (holding that California's generally applicable trucking regulation of air carrier's trucking operations was preempted because such trucking operations "are integral to . . . operation as an air carrier"); *Marlow*

With the U.S. Supreme Court's broad interpretation of the term "related to," the ADA preempts all state laws that have "a connection with or reference to" airline prices, routes, or services. This limitation on CARB's authority not only applies to equipment at airports that relate to airport operations, but also to fleets of medium and heavy-duty vehicles that support, supply, or facilitate aircraft operations, or the transportation of property in air commerce, which may include those that CARB seeks to regulate with the Proposed Rule. *Federal Express Corporation,* 936 F.2d at 1078 (specifying an air carrier's "trucking operations" are not some separate business venture; they are part and parcel of a unified air delivery system).

Here, CARB proposes emissions reduction requirements for government fleets, drayage trucks, and fleets that it deems to be "high priority," as well as a tiered phase-in approach that ultimately results in requiring "all trucks and buses" to achieve 100 percent zero-emission ("ZE") targets by 2045.[25] However, the statutory scheme and Congressional purpose reflected in the Aviation Act and the ADA make it clear that CARB only has limited authority to regulate off-road equipment. State or local regulation of vehicles and equipment that are integral to air carrier operations is preempted to the extent it would: (1) effectively control or otherwise affect the operation of aircraft; or (2) impose economic burdens or operational restrictions impacting air carriers' prices, routes, or services, are subject to federal preemption.[26]

A4A respectfully submits that the final ACF regulation must recognize the limitations on CARB's authority imposed by federal aviation statutes by incorporating appropriate exemptions for off-road equipment, including but not limited to, GSE that supports aviation operations.

2. The Proposed Rule does not account for unintended consequences for the aviation industry.

A4A supports CARB's goal of promoting electrification of GSE subject to commercial availability and operational feasibility. However, the Proposed Rule does not appear to appropriately account for substantial costs and practical challenges that will result for the aviation industry. A4A respectfully requests that CARB consider these challenges and exempt aviation GSE from the scope of the Proposed Rule.

A. The Proposed Rule does not contemplate significant costs and logistical hurdles that the aviation industry will encounter.

v. AMR Serv., 870 F. Supp. 295, 298-99 (D. Haw. 1994) (finding ADA preemption because GSE (jet bridge) form an "integral part" of air carrier services).

[25] CARB ACF Regulation Notice of Public Hearing at 3-6, https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/acf22/notice2.pdf (last visited Oct. 11, 2022).

[26] In this context, it should be noted that EPA, as a federal agency, has declined to impose technology mandates that could have the effect of compromising the safety of aircraft operations or unduly constraining aircraft operations; *See* EPA Final Rule, Effluent Limitations Guidelines and New Source Performance Standards for the Airport Deicing Category, 77 Fed. Reg. 29168, 29177 (May 16, 2012) (EPA declines to mandate use of specific technologies at space constrained airports like LGA, JFK and EWR because it was "unable to develop regulatory requirements that would give airports the flexibility they need to avoid significant operational issues and delays"); at 29178-79 (technology mandates inappropriate where they may "lead to unacceptable safety concerns" and "EPA agrees that delays must be a factor in considering today's possible requirements and recognizes that such delays fundamentally affect U.S. and international business and recreational interests").

The Proposed Rule will impose substantial economic and administrative burdens on the aviation industry beyond what is considered within the Regulatory Impact Assessment.[27] Implementation of the Proposed Rule will cost airlines and airports tens of millions of dollars to replace their vehicles with zero-emissions models and to build the necessary charging infrastructure. These estimates do not account for the economic, administrative, and environmental burdens of retiring non-ZEVs that may still have significant useful life remaining under the model-year compliance pathway. Additionally, modifications in GSE due to the Proposed Rule may require acquisition of additional pieces of equipment to provide the same level of service, such as charging and storage infrastructure, which will impose significant costs and operational burdens on airlines and airports.

CARB proposes to exempt vehicles from the ACF Rule's requirements if no zero-emissions alternative of the needed vehicle configuration is commercially available. A4A supports exempting vehicles when the ZEV option is commercially unavailable. However, as currently drafted, the Proposed Rule only provides the exemption for vehicles with a Gross Vehicle Weight Rating (GVWR) greater than 14,000 pounds, despite the fact that many GSEs fall below this weight.[28] Further, due to the varied and unique nature of GSE, there is no guarantee than an Original Equipment Manufacturer (OEM) will be able to manufacture such equipment in quantities sufficient to fulfill demand or deliver equipment on a schedule required to meet compliance deadlines. These substantial costs and logistical challenges must be considered by CARB in its final rulemaking, and appropriate mitigation paths to address market penetration shortfalls should be considered.

B. The Proposed Rule may engender reliability and operational concerns regarding airport GSE

The Proposed Rule's contemplated electrification program depends on the availability of a sufficient, reliable, and resilient supply of electricity available at each airport. A4A reiterates its concern over the availability of a reliable and resilient electric grid necessary to transition all airside vehicles at California airports to electric vehicles.

As we have previously indicated, the safe and efficient operation of aircraft depends on the availability of GSE and other airside vehicles. In addition, aircraft are critical to supporting recovery operations in emergencies and providing critical services (such as transportation of organ transplants and medicines) in day-to-day operations. Interruptions in supplies of electricity from the grid, or constraints on the electricity that is needed to ensure consistent and dependable support from GSE and other airside vehicles, these aircraft operations would be compromised at California airports.

The Proposed Rule does not consider operational feasibility. To successfully implement an electrification program such as the one CARB proposes here, the required electrified equipment and vehicles must be both commercially available and able to fulfill the required functions. Simply because electric models of equipment or vehicles are available in the marketplace does not necessarily mean that they will be able to perform the functions required. For example, at some California airports, aircraft may need to be towed considerable distances and electric equipment may not have the capacity to complete this task. In some instances, use of electric GSE may require more pieces of equipment to perform required tasks because, while

[27] Appendix C-1 to the Proposed Rule, *available at* https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2022/acf22/appc.pdf
[28] Cal. Code Regs. tit. 13, § 2015.3(e) (Proposed August 30, 2022).

traditionally-fueled vehicles may be capable of longer, more taxing duty cycles, electric equipment may require frequent charging. Shorter duty cycles may require more vehicles/equipment to ensure that carrier operations are not interrupted. This potential increase in cost is not reflected in CARB's Regulatory Impact Analysis accompanying the Proposed Rule. Additionally, charging infrastructure for this equipment may not be available at airports within the requisite timeframes contemplated by the Proposed Rule. Even if there is sufficient power available, it is not guaranteed that every airport can provide the required charging infrastructure due to space constraints. In addition to providing an exemption from requirements when a ZEV option is not commercially available, CARB also needs to include an exemption when a ZEV option is not operationally feasible.

3. Vehicles that are already heavily regulated under other emissions reduction programs should be exempt from the ACF regulations.

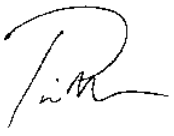
Despite A4A's view that CARB lacks the authority to regulate in this area, A4A and its members have cooperated with CARB over many years as it developed a suite of emissions regulations applicable to GSE and other engine types, including its In-Use Off-Road Diesel (ORD) regulation, the Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines (PE-ATCM) and related Statewide Portable Equipment Registration Program (PERP) rule, and Off-Road Large-Spark Ignition (LSI) regulation. In addition, to support efforts to carry out the District's 2016 Air Quality Management Plan and the State's State Implementation Plan, A4A and its members worked closely with commercial airports in the South Coast Air Basin and District to develop voluntary programs to reduce emissions from GSE that are more aggressive than otherwise required by State regulations.

Given that A4A and its members are already taking significant measures to reduce emissions from GSE and other engines, regulating these same vehicles under the ACF regulations would be redundant and create unnecessary confusion for regulated entities. Any final ACF Rule should unequivocally exempt any and all vehicles and equipment subject to these other regulatory schemes.

III. Conclusion

A4A commends CARB on its efforts to reduce GHG emissions within the state of California. However, A4A requests that CARB exempt airline GSE and other fleets used by the aviation industry from the scope of its Proposed Rule. Thank you for your consideration of our comments. Please do not hesitate to contact us if you have any questions.

Sincerely yours,



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