



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION SOUTHWEST
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IN REPLY REFER TO:

5090
Ser N40/368
May 27, 2020

Mr. Craig Duehring, Manager
Mobile Source Control Division
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Mr. Duehring:

SUBJECT: Military Comments on CARB's Proposed Amendments to the Advanced Clean Truck Regulation

On behalf of the military Services in California, we appreciate the opportunity to comment on the California Air Resources Board's (CARB) proposed amendments to the Advanced Clean Truck Regulation, as released on April 28th, 2020.

We sincerely appreciate CARB altering the Large Entity Reporting Requirement to accommodate the concerns that we raised in our September 20, 2019 comment letter on the draft regulation. From our perspective, positive changes have been made to this version of the regulation, to include the explicit exemption for military tactical vehicles, and the potential for streamlined reporting due to the elimination of the Facility Category Reporting section.

This comment letter follows up from our call with CARB staff on May 15, 2020 regarding the "military tactical facility" exemption that CARB has provided in this latest version of the regulation. As we discussed in our call, we appreciate CARB's commitment to safeguarding sensitive national security information while balancing the need to collect non-sensitive data for future use. As requested, we evaluated the wording of the exemption in the context of the impact to implementation of this regulation, and have a requested amendment that achieves the stated goals of the regulation and protects sensitive military information.

We look forward to continuing to partner with you as the regulation is finalized. Our point of contact remains Mr. Gareth Smythe, who can be contacted at Gareth.Smythe@navy.mil or (619)247-4437.

Sincerely,

Mary Kay Faryan
Acting Deputy Regional Environmental Coordinator
By direction
of the Commander

**Military Comment Matrix
Advanced Clean Truck Regulation
Large Entity Reporting Requirement
Proposed Regulation Order, May 2020**

Comment #	Location		Comment	Requested Amendment
	Page	Section		
1	14	§ 2012.(c)(4)	<p>The term “tactical” as applied to military vehicles has existing legal distinction in California law and regulation. As such, the military does not want to confuse or detract from CARB and the military’s understanding of that term by attempting to apply it to both vehicles and facilities in this regulation.</p> <p>In order to better guide the military’s implementation of the regulation and honor CARB’s intent to safeguard sensitive military facility information, we are requesting the exemption for facilities be for “operational” facilities rather than “tactical.” We believe this to be an accurate description that better meets CARB’s stated intent while giving military implementers a framework to better identify which facilities they should be focusing on providing information to CARB.</p> <p>We are conceptualizing that the non-operational facilities we would provide information on for the “vehicle home base” portion of the regulation fall along the lines of some of the facility categories listed in 2012.(d)(8) such as “administrative/office building,” “Hotel/motel/resort,” “store,” or “restaurant,” given the numerous potential “home base facilities” on a military installation.</p>	<p>(4) Military tactical vehicles as described in 13 CCR section 1905 and military tactical-operational facilities owned or operated by the United States Department of Defense and/or the United States military services; or</p>