

May 28, 2020

Clerk's Office
California Air Resources Board
1001 'I' Street
Sacramento, CA 95814
Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

**Re: 30-Day Comments –
Proposed Amendments to the Proposed Advanced Clean Trucks Regulation**

To whom it may concern,

California Construction and Industrial Materials Association (CalcIMA) is a statewide trade association representing construction and industrial material producers in California. Our members supply the materials that build our state's infrastructure, including public roads, rail, and water projects; help build our homes, schools and hospitals; assist in growing crops and feeding livestock; and play a key role in manufacturing wallboard, roofing shingles, paint, low-energy light bulbs, and battery technology for electric cars and windmills. CalcIMA understands California Air Resources Board's (CARB) 'Advanced Clean Truck (ACT)' regulation aims to accelerate a large-scale transition to zero-emission vehicles (ZEVs) from classes 2B to 8. Regarding the proposed amendments to the proposed ACT regulation, CalcIMA appreciates the opportunity to provide comment specifically addressing the inclusion of renewable natural gas (RNG) vehicles for credit generation, modifying the near-zero-emission vehicle definition to reflect a quantifiable exhaust emission standard, delaying implementation of the 'General Entity Information Reporting (GEIR)' section until business as usual conditions are reclaimed post COVID-19, and implementing a natural disaster resilience assessment pursuant to the proposed regulation.

Inclusion of renewable natural gas vehicles for credit generation

Construction and industrial materials industry vehicles engage in disaster assistance from landslides to earthquakes in order to rebuild. Oftentimes to accomplish this vehicles are operated in remote and unimproved lands that recurrently do not have access to grid power. In these conditions, ZEVs cannot be implemented and near-zero-emission vehicles (NZEVs) are not available in the near- or medium term in vastly relevant applications leaving renewable natural gas (RNG) vehicles as the only alternative to diesel vehicles. This will result in excess emissions of pollutants throughout California that can be circumvented.

Although RNG vehicles do not promote development of zero-emission component supply chains, or provide an opportunity for fleets to gain experience with electric drivetrains, for specific vehicle applications RNG vehicles are and will be the only bridge technology option with significantly low well-to-wheel and tank-to-wheel NOx, PM2.5, and GHG emissions. To further clarify, there are diesel fleets that do not and will not have a NZEV or ZEV application in the near- or medium-term, that can swiftly be converted to an RNG fleet today. However, these fleets will continue to operate diesel vehicles because the proposed amendments to the proposed ACT regulation dismantles the existing and currently functional market for RNG vehicles by

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detering market interest due to CARB's clear favor of a single technology type the agency will be forcing sales and purchases for. Accordingly, manufacturers of RNG vehicles will no longer find it economically viable to support RNG vehicles since CARB is not proposing generation of credits for this fully demonstrated bridge technology. Fleets will no longer consider implementation of RNG and continue to operate on diesel fuel because this proposed regulation rubs out all assurance of manufacturer support. CARB's provision of credit generation for manufacturers producing and selling RNG vehicles is the only way to enable and sustain reliable disaster assistance operations that concurrently supports California's NOx, PM2.5, and greenhouse gas emission reduction goals.

Near-zero-emission vehicle (NZEV) definition should define applicable technology in terms of quantifiable exhaust emission standards

The definition for NZEV does not align with the full phrased term NZEF as it would plainly indicate. CARB defines NZEV in the proposed amendments to the proposed ACT regulation as the following:

(A) An on-road plug-in hybrid electric vehicle which has the same definition as that in 40 CFR section 86.1803-01, amended on July 1, 2011, incorporated by reference herein, that achieves ~~a minimum~~ all-electric range as defined in section 1963(c)(1); or

(B) An on-road hybrid electric vehicle that has the capability to charge the battery from an off-vehicle conductive or inductive electric source and achieves ~~a minimum~~ all-electric range as defined in section 1963(c)(1).

'Near-zero-emissions' alludes that a numerical value is involved like the full phrase term 'Low-NOx Standards' that CARB defines as an engine being 0.02 g/bhp-hr. although the definition CARB provides only involves the description of technology. Additionally, it should be noted that CalcIMA believes RNG vehicles are an important technology to California's future and should be included within the NZEV definition.

Delayed implementation of the 'General Entity Information Reporting' section until business as usual conditions are reclaimed post COVID-19

Pursuant to CARB's December 2019 public comment period related to the proposed ACT regulation, CalcIMA did not request delayed implementation of the GEIR section. However, the unexpected COVID-19 crisis that is occurring prevents our industry from collecting representative data during 2020. CalcIMA understands the proposed amendments to the proposed ACT regulation attempts to provide reporting flexibility to the GEIR section by allowing fleets to report fleet information from 2019 prior to the COVID-19 crisis. However, due to the nature of the construction materials industry's fleets, which are unique from other fleet types such as freight transport, it remains less than ideal for construction and materials fleets due to how trucking activities have been and are currently being tracked. This is to say that, the construction materials industry's fleets route vehicles around construction jobs to provide multiple types of services. Ready-mixed concrete trucks, which are part of the construction materials industry, engage in the delivery of materials. However several other types of vehicles do not, inclusive of mechanic trucks, lube trucks, water trucks, flatbed trucks, etc. These trucks that do not deliver materials, are not tracked by the trip and their activities are not tracked in a way that enable generation of the daily data necessary to fulfill the scope of the GEIR section based on past performance. To clarify, the available data from 2019 data, while free of the impact of COVID-

19 does not exist at the level of regulatory proof requested by CARB.

CalCIMA recognizes that our industry's data contribution would be significant to CARB in business as usual conditions, and provision of the 2020 COVID-19 data would not be representative of the actual nature of our industry's operations due to the impacted economy and 'shut down / stay at home' orders. Please note that although several construction fleets worked at some level through the COVID-19 crisis, this operation is not representative of business as usual circumstances. According to the recent residential permit numbers from the California Department of Finance, March residential permits were down 44% month over month. 'Shut down / stay at home' orders were applied at different time frames in varying jurisdictions throughout California making the 2020 data unrepresentative of normal construction material industry fleet operations. CalCIMA understands that relevant data is being requested by CARB from fleets, and accordingly requests that CARB postpone implementation of the GEIR section until business as usual conditions are reclaimed post COVID-19.

Natural disaster resilience assessment for the proposed ACT regulation

Large-scale natural disasters challenge the resilience of communities, the surface transportation system, and the power grid. In order to responsibly establish and roll out a regulation that dramatically and forcefully changes current vehicle technology, a resilience model of the surface transportation system considering varying NZEVs and ZEVs penetration scenarios should be implemented for a given budget and recovery time considering California's more prevalent disaster scenarios in small-, medium-, and large-scales. Natural disasters are unpredictable, worst case scenarios that can be prepared for. Up to this point, CARB has not formally deliberated or coordinated these circumstances. The threats to life and well-being in a single large disaster must be mitigated quickly and efficiently, and accordingly, CARB should address how this will occur with ZEV technology during and post the proposed ACT regulation. It is economically infeasible for fleets throughout California to operate and maintain both a primary and auxiliary fleet in order to support communities during natural as well as extraordinary disasters. The 'everyday fleet' must be able to operate under the worst case scenario emergency conditions in order to recover communities. It is imperative for the proposed amendments to the proposed ACT regulation rulemaking documents to include a natural disaster resilience assessment..

CalCIMA respectfully asks CARB to consider our comments.

Sincerely,



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