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Mr. Tony Brasil
California Air Resources Board
1001 "I" Street
Sacramento, CA 95814

Re: Advanced Clean Truck Draft Proposed Regulation

SoCalGas appreciates the opportunity to comment on the California Air Resources Board (CARB) Advanced Clean Truck (ACT) 30-Day Revision to the Draft Proposed Regulation (Proposed Regulation). The Proposed Regulation is made up of two separate regulations: the Manufacturer Sales Requirement and the Large Entity Reporting Requirement. SoCalGas would like to submit the comments below for each of the requirements.

MANUFACTURER SALES REQUIREMENT

Partial Credits for Low NO_x Trucks and a Range Multiplier for Long-Range Trucks Should be Included

The Proposed Regulation would allow manufacturers to generate partial credits for the sale of Plug-In Hybrid Electric Vehicles (PHEVs) and additional credits through a weight multiplier for class 7 and 8 trucks. As recommended in our previous letter from December 2019, the state can turnover more trucks and achieve more emission reductions through the use of performance-based standards. Offering partial credits to trucks meeting the CARB Optional Low NO_x Standard of 0.02 grams of nitrogen oxides per brake horsepower hour (g/bhp-hr) and operating on renewable gas will provide fleet operators with more flexibility without sacrificing environmental performance. Additionally, a range multiplier for long range Class 7 and 8 trucks to incentivize the sale of long range (minimum range of 300 to 400 miles) near zero and zero-emission trucks could spur the market in this hard to reach segment (long range) of the trucking industry. SoCalGas recommends that partial credits for Low NO_x Trucks and a range multiplier be included in the regulation.

Definition of "Near Zero" Trucks Should Be Modified to be Consistent with Previous Documents

The Initial Statement of Reasoning (ISOR) document for the Proposed Regulation includes a new definition of "near zero" as "...plug-in hybrid electric vehicles powered by both an internal combustion and battery-electric powertrain that are capable of operating like as a zero-emission vehicle for some distances." While there has been no clear definition of "near zero", it is particularly important to note that the terms "near zero" and "Low NO_x" have been used synonymously in many CARB and agency (California Energy Commission, South Coast Air

Quality Management District) documents and by the CARB Members themselves. For example, the CARB “Sustainable Freight Pathways to Zero and Near-Zero Emission” states several times that “we (CARB) anticipate that near-zero emission technologies and efficiencies will be capable of achieving a 90 percent reduction in NO_x emissions and a 50 to 80 percent reduction in GHG emissions,” which can only be achieved by the use of Low NO_x trucks. The SCAQMD Air Quality Management Plan, which was approved by CARB, goes as far as explicitly defining “near-zero” as 0.02 g/bhp-hr, consistent with CARB’s 90 percent reduction target. SoCalGas suggests that CARB set a performance-based definition for “near zero” and continue to use the 90% reduction target and 0.02 g/bhp-hr emission rate.

REPORTING REQUIREMENT

Concerns with the Quality and Timing of the Reporting Data

As discussed in depth throughout the public process, the reporting requirement will be a massive undertaking for reporting entities. Ideally, these efforts would be parlayed into useful data. However, with the current and ongoing COVID-19 pandemic, the data collected and reported will not be representative of statewide trucking and it brings to question the need for reporting at this time. Additionally, the intent of data collection was to inform future rulemaking. However, fleet rules are already being developed prior to collecting data. It is unclear if the data will be useful from a quality and timing perspective and if the efforts of reporting entities will be for naught. SoCalGas asks that staff provide clarification on if/how the data will be corrected for COVID-19 and how the data will be used to inform fleet rules if already in progress.

Discretion Should be Used in Enforcement

Data collection and reporting at this type of statewide scale is new and uncharted for reporting entities as well as CARB. SoCalGas recommends that CARB exercise leniency and discretion in enforcement provided that a good faith effort is made to submit information and respond to data requests. This is particularly important as CARB has yet to determine and/or release a reporting mechanism. CARB should reconsider strict, prescriptive timelines for enforcement. For example, the Proposed Regulation requires that reporting entities respond to additional requests from CARB with 14 days. For large fleets, this is a very short time frame that can be problematic. SoCalGas operates several fleets throughout the state and simple things such as getting requests to the appropriate staff can take time. Good faith efforts should guide enforcement and potential violations.

The Addition of Pickup Trucks Adds Complexity with Potentially Little Value

A change that was included in this revision of the Proposed Regulation was the addition of trucks 8,500 pounds or greater. Adding this vehicle weight class to the Proposed Regulation means that pickup trucks are now included in reporting. This would significantly increase the number of vehicles being reported for large entities, such as SoCalGas and other utilities. In addition to the sheer number trucks, pickup trucks are used because of their versatility – they can be used to transport people long or short distances, move equipment locally or regionally, or used solely within a facility, amongst other things. With such a varying workload, it is unlikely that CARB will be able to use the data develop a rule specific to this weight class, thus there would be very little value in collecting this information other than the population count.

CONCLUSION

Thank you again for the opportunity to comment on the ACT Proposed Regulation. If you have any questions, please feel free to contact me.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'KM' or similar initials, written in a cursive style.

Kevin Maggay
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