



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION SOUTHWEST
937 N. HARBOR DR.
SAN DIEGO, CA 92132-0058

IN REPLY REFER TO:

8400
Ser N4/ 487
May 11, 2017

Ms. Renee Littaua, P.E.
Manager, Strategic Planning and Development
California Air Resources Board
P.O. Box 2815
Sacramento, California 95812

Dear Ms. Littaua:

SUBJECT: PROPOSED TACTICAL VEHICLE EXEMPTION IN THE HEAVY DUTY
VEHICLE INSPECTION PROGRAM AND PERIODIC SMOKE INSPECTION
PROGRAM

On behalf of Rear Admiral Lindsey, the Department of Defense (DoD) Regional Environmental Coordinator for Environmental Protection Agency Region IX, and the military services in California, I write to communicate DoD's request to add a specific tactical vehicle exemption in both the Heavy Duty Vehicle Inspection Program (HDVIP) and Periodic Smoke Inspection Program (PSIP), during the current window in which California is updating its regulations.

Under §1905, *Exclusion and Exemption of Military Tactical Vehicles and Equipment*, DoD military tactical vehicles are exempt from chapter 1, Motor Vehicle Pollution Control Devices. Tactical Vehicles are defined as "a motor vehicle owned by the U.S. Department of Defense and/or the U.S. military services and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations".

Both HDVIP and PSIP regulations (i.e., chapters 3.5 and 3.6, respectively) are intended to monitor and enforce the emission standards for heavy duty vehicles, operating in the State of California. These standards are generally met when the vehicle is equipped with emission control devices, however, this requirement is not applicable to military tactical vehicles, under §1905. Therefore, it is our understanding, confirmed in recent communication with Air Resources Board (ARB) staff; that military tactical vehicles are not intended to be subject to the inspection programs under HDVIP and PSIP. Currently, this exclusion and exemption is not specifically written into these regulations.

Therefore, the DoD requests a specific exemption for military tactical vehicles in the HDVIP and the PSIP regulations similar to the exemptions that ARB has previously provided for tactical vehicles and tactical support equipment in state regulations, including Title 13 - California Code of Regulations (CCR) §2449 *General Requirements for In-Use Off-Road Diesel-Fueled Fleets* and §2025 *Regulation to Reduce Emissions of Diesel Particulate Matter, Oxides of Nitrogen and Other Criteria Pollutants, from In-Use Heavy-Duty Diesel-Fueled Vehicles*. The proposed draft language for each of the regulations is as follows:

a. HDVIP:

(1) Insert the following language under new §2182(b)(5):

(a) *Military tactical vehicles, as described in title 13, CCR, section 1905*

b. PSIP:

(1) Insert the following language under new §2190(h):

(a) *Military tactical vehicles, as described in title 13, CCR, section 1905*

The DoD appreciates the ARBs continued willingness to work with the DoD on national security issues such as these. I assure you that the DoD remains committed to compliance with federal, state, and local air quality laws and to improving air quality in California. The DoD is a leader in developing and using clean energy alternatives such as wind turbines, photovoltaic systems, geothermal power, fuel cell technologies, and wave technology.

Thank you for the opportunity to provide comments on the subject regulations. If you have any questions or concerns regarding these comments, my point of contact is Mr. Alfred C. Dumauval, the Naval Facilities Engineering Command Southwest Supervising Physical Scientist. He can be reached at (619) 532-2921.

Sincerely,



C. L. STATHOS
Deputy Regional Environmental Coordinator
By direction
of the Commander