



THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

May 28, 2020

Via electronic submittal: <https://www.arb.ca.gov/lispub/comm/bclist.php>

Clerk's Office
California Air Resources Board
1001 I Street
Sacramento, California 95814

RE: Comments on the 15-day draft of the Proposed Advanced Clean Trucks Regulation dated May 1, 2020.

Clerk of the Board,

The Metropolitan Water District of Southern California (Metropolitan) appreciates the opportunity to comment on the California Air Resources Board's (ARB) 15-day draft of the Proposed Advanced Clean Trucks Regulation (ACT Draft) dated May 1, 2020.

As an affected entity, Metropolitan submits the following comments to help improve the practical implementation of the regulation.

Background

Metropolitan is a regional water wholesaler that delivers approximately two million acre-feet of water per year to 26 member public agencies, who in turn provide water to nearly 19 million people. Metropolitan's service area spans approximately 5,200 square miles throughout Los Angeles, Orange, San Diego, Riverside, San Bernardino, and Ventura counties. In order to assure continued uninterrupted water service, Metropolitan owns and maintains a large fleet consisting of over 500 vehicles, ranging from Class 2B-3 medium-duty trucks to Class 8 tractors weighing more than 33,000 lbs.

As an environmental steward, Metropolitan supports the overall goal of the ACT to transition away from higher-emitting diesel engines to zero-emission options for medium-to heavy-duty vehicles. However, Metropolitan's extensive infrastructure requires a diverse and reliable fleet capable of responding promptly to various preventative and corrective maintenance events, and at times, emergencies that warrant immediate attention. As such, it is important to thoroughly review the performance capabilities and reliability of new fleet options in the medium- to heavy-duty vehicle market during scheduled and non-scheduled fleet-turnover events.



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Although the ACT Draft is composed of two requirements—Manufactures Zero Emission Vehicle (ZEV) Sale Requirement and Large Fleet Reporting—this comment letter will only address the updated Large Fleet Reporting requirements of the most recent ACT Draft.

Comments

Metropolitan has actively participated in the ACT rulemaking process and previously submitted comments on the ACT Proposed Draft Regulation Language-Large Entity and Fleet Reporting Requirement Discussion Draft dated August 21, 2019. As a public agency, Metropolitan would be subject to the reporting requirements as stated in §2012 (b)(4) of the ACT Draft. As such, Metropolitan provided comments to improve the data collection requirements to better reflect the diverse vehicle operating characteristics of Metropolitan’s fleet and that of similar utilities and/or public agencies.

Metropolitan appreciates the revisions ARB made to the proposed ACT Draft’s reporting requirements by removing the Facility Category Section and allowing entities the option of choosing the reporting period (i.e., any timeframe after January 1, 2019), as indicated in §2012 (e)(1). This change will result in data that better represents actual fleet composition and vehicle usage information.

To further enhance the ACT large-entity reporting requirements and to help data collection that will encourage future flexibility in fleet electrification options, Metropolitan offers the following comments:

1. Expansion of Definition for “Responsible Official”, §2012 (d)(16)(C)

In response to concerns raised by the private sector regarding the unnecessary burden of narrowing the definition of a “Responsible Official” to a single individual, ARB is proposing to expand this definition for a partnership or sole proprietorship to include any individual that is a delegate or a designee of the appropriate decision-making official [§2012 (d)(16)(B)]. Similarly, Metropolitan requests the expansion of the definition of “Responsible official” in §2012 (d)(16)(C) to read: “For a municipality, state, federal, or other governmental agency: Either a principal executive officer or ranking elected official or their delegate, designee, or any other person who performs similar policy or decision-making functions for the agency.” As with the private sector, the expansion of this definition for public agencies will also allow qualified staff to provide compliance confirmation.

2. Clarification of “Refueling Infrastructure”, Vehicle Usage by Facility Reporting, §2012.2 (a)(7)

Metropolitan would like clarification on the term, “refueling infrastructure,” as used in this section. The term can refer to the equipment/system that dispenses fuel to vehicles,



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or can also refer to equipment that supports the fuel dispensing activities. For example, over the next few years Metropolitan will be undertaking a substantial capital improvement project to upgrade the fuel management system at all of our dispensing facilities that will allow increased control and monitoring of fuel usage. Therefore, to provide a holistic picture of a company's refueling infrastructure investment, the collection of information relative to either of these categories of infrastructure should be included. Such information can help identify the potential for stranded assets.

3. Inclusion of Power-Take-Off (PTO) Devices and Vehicle Hourly Use, Vehicle Usage by Facility Reporting, §2012.2 (b)(2)

A majority of Metropolitan's medium- and heavy-duty vehicles perform maintenance and repair operations that may not require them to travel long distances, but may require the vehicles to operate multiple hours at a project site. A number of these trucks (e.g., utility trucks, boom trucks, or crane trucks) may be outfitted with equipment such as power-take-off (PTO) devices or underhood compressors that run off of the vehicle engine to power auxiliary equipment. Necessary queuing of these vehicles may also be required at the site. Therefore, in addition to collecting the vehicle miles, Metropolitan requests that the following additional information be collected:

- Percent of the total vehicles (e.g., in a weight class bin, or by vehicle body type) that have devices that run off of the engine to power equipment (e.g., PTOs); and
- Average hours of vehicle operation per day (may be broken into 8-hour shifts).

The inclusion of this additional information will assist ARB in determining the suitability of ZEVs across vehicle body types and applications. In turn, this could help ARB identify areas where increased efforts in technology development are needed.

Conclusion

Thank you again for the opportunity to comment on the ACT Draft regulation. Metropolitan looks forwards to working with ARB on this transformative issue and asks that ARB consider our comments prior to finalizing the official rulemaking draft.

If you have questions or need additional information, please contact Carol Kaufman [cykaufman@mwdh2o.com, (213) 217-6207] or Kiersten Melville [kmelville@mwdh2o.com, (213) 217-7187].

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel G. Guillory".

Daniel Guillory, P.E.

Section Manager, Operational Safety and Regulatory Services