

OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation

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Basil Seggos

MAR 23 2017

Mary D. Nichols
Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Ms. Nichols:

On behalf of the New York State Department of Environmental Conservation (DEC), I would like to offer comments on the Advanced Clean Cars (ACC) midterm review released January 18, 2017. DEC supports the California Air Resources Board's (CARB) determination that the greenhouse gas (GHG) emission standards currently in place for model years 2022-2025 remain appropriate and feasible. DEC also supports proposed recommendations regarding the 1 mg/mi particulate matter (PM) emission standard and zero emission vehicle (ZEV) standards for 2026 and subsequent model years.

New York has among the nation's most ambitious science-driven greenhouse gas reduction targets of 40% below 1990 levels by 2030 and 80% below by 2050. Meeting these targets is essential to protect New York residents from the potentially catastrophic impacts of climate change and reducing emissions from motor vehicle is essential to meet these targets. Recent estimates show the transportation sectors accounts for approximately 42 percent of all fuel combustion GHG emissions in New York State¹. Maintenance of stringent mobile source GHG emission standards is critical to achieving New York's GHG reduction goals in order to protect human health and the environment.

New York's adoption of California's stringent low emission vehicle (LEV), ZEV, and GHG mobile source emissions standards has also enabled significant progress in improving New York's air quality. New York adopted California's mobile source emission certification standards in 1990 as afforded by Section 177 of the federal Clean Air Act (CAA). Section 177 of the CAA specifically permits states to adopt California's motor vehicle emission standards in lieu of federal standards. This is a right New York embraces and intends to continue to exercise in order to attain and maintain our air quality goals.

New York strongly supports California's right to implement new vehicle emission standards that are more stringent than federal emission standards, as provided by

¹ New York State Energy Research and Development Authority (NYSERDA). Patterns and Trends, New York State Energy Profiles: 1999-2013. October 2015. Fact Sheet.

<http://www.nyserda.ny.gov/Cleantech-and-Innovation/EA-Reports-and-Studies/Patterns-and-Trends>



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Section 209 of the CAA. California standards have been technology forcing and have also served as a benchmark for subsequent federal emission standard revisions. California and the U.S. Environmental Protection Agency (EPA) have made significant gains to align California and federal emission standards in recent years. New York supports these alignment efforts, but believes it is imperative that California retain its authority under Section 209 to adopt more stringent emission standards as deemed necessary. It is also essential that New York and other states retain their right to adopt such standards under Section 177.

CARB's determination to retain GHG emissions standards currently in place for model years 2022-2025 is aligned with the EPA's recent determination regarding the 2022-2025 GHG standards. CARB's basis for the proposed determination is that the 2022-2025 model year GHG standards are technologically feasible, cost effective, and the automotive industry is complying with standards ahead of schedule. DEC agrees that many of the technologies needed to meet the 2022-2025 standards are available today and are being utilized in growing numbers. Increased adoption of hybrid, plug-in hybrid, battery electric, and fuel cell electric vehicle technologies will also make GHG standards easier to achieve. Retaining the GHG standards for the 2022-2025 model years will achieve significant emissions reductions and provide regulatory certainty to the automotive industry.

DEC also supports CARB's proposed recommendations to retain the stringency and phase-in schedule of the 1 mg/mi PM standard on the basis that the standards are technologically feasible and cost effective. DEC finds the phase-in schedule adequate to provide sufficient lead time for design and implementation of advanced PM emission control technologies, including but not limited to, gasoline direct injection engines and gasoline particulate filters.

DEC also supports CARB's recommendation to develop future ZEV requirements for 2026 and subsequent model year vehicles. DEC agrees that manufacturers will need sufficient lead time to plan, develop, and produce future advanced ZEV vehicles which will assist California, and Section 177 states, in achieving their air quality goals. DEC also recommends that CARB staff work with New York and other Section 177 states to monitor manufacturer and dealer interaction for 2017-19 to evaluate whether changes in the credit allocation mechanism will improve market dynamics.

New York State has undertaken several non-regulatory actions to support our adoption of the California ACC and ZEV standards. These efforts include participation in the multi-state ZEV Memorandum of Understanding designed to facilitate development of the ZEV market²; participation in the Transportation Climate Initiative (TCI) which is a regional collaboration of 12 Northeast and Mid-Atlantic jurisdictions seeking to develop clean energy markets and reduce GHG emissions³; the Charge NY electric vehicle charging infrastructure program, which aims to have 3,000 electric vehicle charging stations in New

² <https://www.zevstates.us/>

³ <http://www.georgetownclimate.org/transportation/transportation-and-climate-initiative.html>

York by 2018^{4,5}; recently announced consumer ZEV purchase rebates; funding of ZEV infrastructure by more than 50 employers in New York State⁶; Clean Pass HOV lane exemption⁷; Green Pass EZ Pass discounted tolls⁸; the Climate Smart municipal grant program to further promote ZEV purchases and ZEV infrastructure⁹; and aggregated State purchases of ZEVs under the New York Clean Fleets Initiative¹⁰. DEC and other New York State agencies have actively collaborated with CARB and other Section 177 agencies to engage vehicle manufacturers, dealer associations, and other stakeholders to support and advance the ZEV market.

In closing, DEC reiterates its support for CARB's determination that the current GHG emission standards for model years 2022-2025 are appropriate and should be retained. DEC also supports CARB's proposed recommendations regarding the 1 mg/mi PM and future ZEV standards.

Sincerely,



Basil Seggos
Commissioner

⁴ <https://www.nyserda.ny.gov/All-Programs/Programs/ChargeNY>

⁵ Multi-State ZEV Task Force. New York Initiatives. Nov 16, 2015. <http://www.zevstates.us/new-york-ev-charger-deployment>.

⁶ Multi-State ZEV Task Force. New York Initiatives. Nov 16, 2015. <http://www.zevstates.us/new-york-workplace-charging-support>.

⁷ Multi-State ZEV Task Force. New York Initiatives. Nov 16, 2015. <http://www.zevstates.us/new-york-hov-lane-exemption>.

⁸ Multi-State ZEV Task Force. New York Initiatives. Nov 16, 2015. <http://www.zevstates.us/new-york-ezpass-toll-reduction-for-hybrid-and-electric-drive-vehicles>.

⁹ <http://www.dec.ny.gov/energy/76910.html>

¹⁰ Multi-State ZEV Task Force. New York Initiatives. Nov 16, 2015. <http://www.zevstates.us/new-york-clean-fleets-initiative>.

