



September 23, 2021

Chair Randolph and Members of the Board
 California Air Resources Board
 1001 I Street
 Sacramento, CA 95814

Re: Support for Cleaning Transportation Refrigeration Units

Dear Chair Randolph and Members of the Board:

On behalf of the undersigned health, community, environmental and labor organizations, we respectfully submit this comment in response to the California Air Resources Board (ARB)'s proposed Transportation Refrigeration Unit (TRU) rule. This rule is vital to protecting the health and welfare of millions of Californians. We appreciate agency staff's commitment to maintaining course on adopting a portion of the TRU strategy in 2022. This is especially important given this regulation was supposed to be adopted in 2019 as part of the last approved State Implementation Plan by the Environmental Protection Agency.¹ The market for TRUs has been maturing and zero emissions options are available today for purchase. We ask that the

¹ California Air Resources Board, *Revised Proposed 2016 State Strategy for the State Implementation Plan*, at 118 (March 7, 2017), <https://ww3.arb.ca.gov/planning/sip/2016sip/rev2016statesip.pdf>.

Board quickly adopt this regulatory proposal, and direct staff to continue working to advance zero-emissions in the other TRU categories outside of truck TRUs.

I. There Is an Urgent Need to Adopt a TRU Regulation As Expeditiously As Possible.

Many Californians breathe the worst air quality in the nation and rely on ARB to advance regulations like this one to reduce harmful air pollution in communities. TRUs impose harms on communities through their emissions. TRUs are responsible for more than 12 tons per day (“tpd”) of harmful Nitrogen Oxide (“NOx”) pollution and .45 tons per day of Particulate Matter less than 2.5 micrometers in diameter (“PM2.5”).² In fact, the consequences of the current COVID-19 public health crisis are disproportionately harming communities that have already suffered for decades from air pollution. The regulatory documents highlight the immense health benefits from this rule. Specifically, the proposed regulation will save approximately 177 lives over the next decade, with an estimated health benefit of \$1.75 billion.³ The staff report estimates this regulation will reduce 1,258 tons of PM2.5, 3,515 tons of NOx, and 1.42 million metric tons of greenhouse gas emissions over the next 12 years.⁴ We need the ARB to adopt this regulation to save lives and prevent other adverse health harms.

II. We Support the Shift of Truck TRUs to Zero-Emissions.

Our organizations are very encouraged to see that ARB is pursuing the first zero-emission fleet rule for trucks. TRU trucks provide the perfect application for electrification, so it is appropriate that these trucks move quickly to zero-emissions. We support the specific requirement that 100% of truck TRUs be zero emissions by the end of 2029, and we believe the schedule for compliance of 15% of trucks converting to zero-emissions per year provides a reasonable timeframe for businesses to adapt to this new regulation.

III. The ARB Should Require All TRUs to Transition to Zero-Emissions.

We appreciate that staff have segmented the TRU proposal into two pieces in order to push for stronger zero-emission protections across all TRU categories. Given that the health impacts from TRUs are so severe, and that zero-emission technologies across the board are either already available or on the precipice of being ready for widescale deployment, we urge the Board to set zero-emission requirements for all classes of TRUs covered under this regulation.

In fact, circling back to advance zero-emissions in all categories of TRUs beyond truck TRUs is critical to achieving the assumptions presented in the 2020 Mobile Source Strategy. The 2020 Mobile Source Strategy assumes a rapid electrification scenario for all TRUs, increasing from 10% in 2024 to 100% in 2034. Following this path to fully zero-emission TRU operations will achieve much-needed NOx reductions of 12 tons per day by 2031.⁵

² Initial Statement of Reasons (“ISOR”), at 148-51.

³ ISOR, Appendix I, at 25.

⁴ *Id.*

⁵ ARB, Revised Draft Mobile Source Strategy, at 161 (April 23, 2021).

By embracing a fully zero-emissions regulation that includes trailer TRUs, domestic shipping container TRUs, TRU generator sets, and railcar TRUs, ARB will save lives while also encouraging the market toward all-electric, zero-emission TRU technologies. Moreover, this will achieve significant reductions of emissions needed to meet state and federal air quality standards. Given this urgency, we respectfully request the Board provide specific direction to staff to return to the Board by the end of 2023 with additional zero-emissions requirements for all TRU classes.

IV. We Support Staff's Proposed Enforcement Scheme For Ensuring Compliance With This Rule.

Our organizations support ARB's interest in providing additional enforcement to ensure industry compliance with this regulation. There are a staggering number of pieces of equipment covered under this regulation, so a deliberate enforcement scheme is critical to this rule's success. Therefore, we agree with staff that applicable facility owners and operators should bear some responsibility for the TRU activity at their facility to ensure that TRUs are compliant with these regulatory requirements. This shift to zero-emission TRUs creates a significant departure from the prior regime, and we believe that additional enforcement will help create a strong foundation for a successful transition.

V. Conclusion

Controlling TRU pollution is vital to protecting Californians. Our organizations appreciate agency staff's continued efforts to move forward with the final adoption of this life-saving regulation. We ask this Board to express clear support to advance zero-emission truck TRUs, and direct staff to come back to adopt zero-emissions requirements for all remaining TRU equipment by the end of 2023.

Sincerely,



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