

October 14, 2022

Jed R. Mandel, President  
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Dear Jed Mandel:

The Engine Manufacturers Association (EMA) and its members play a critical role as we all work to achieve deep pollution cuts from combustion vehicles and transition to zero-emission vehicles. As we complete and implement California Air Resources Board (CARB) rules, and anticipate federal truck pollution standards and EPA's decision on waivers for existing CARB rules, I want to accelerate discussion on a path forward to highlight our joint efforts. My team will also be reaching out to communities affected by heavy-duty vehicle pollution and other stakeholders.

Cleaning up heavy-duty transportation is both a critical public health need and a legal obligation for CARB. Heavy-duty trucks are significant contributors to California's and the nation's air pollution and related community health issues. In California, trucks account for about six percent of all vehicles operating on our roadway, and yet emit approximately a third of total statewide oxides of nitrogen emissions (NOx) and about a quarter of toxic diesel particulate matter emissions. We cannot attain State and federal pollution standards, or our climate goals, without continued progress in this sector.

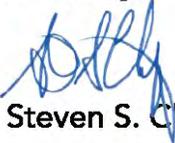
I appreciate your partnership in working towards improving emissions from the combustion fleet and accelerating bringing zero-emissions trucks to market through implementation of existing programs like the Heavy Duty Low NOx Omnibus (Heavy-Duty Omnibus) Regulation and the Advanced Clean Trucks (ACT) Regulation.

EMA's recent action to drop its lawsuit claiming that CARB failed to provide manufacturers with adequate lead time for the Omnibus Regulation was a critical step forward. Although we disagree on the relevant legal claims, the core importance of these programs, including their early years, is clear: Over the lifetime of regulations from 2024 through 2050, the Heavy-Duty Omnibus and ACT regulations are estimated to reduce total NOx emissions by approximately 400,000 tons, which translates to approximately 5,500 avoided premature deaths and 4,500 avoided hospitalizations. The early years of implementation are crucial: by 2031, even a two-year delay in the implementation of the regulations would result in loss of approximately a third of expected NOx emission benefits, thereby hampering California's ability to attain the 2008 National Ambient Air Quality Standards for ozone by federal deadlines. Had EMA persisted in its efforts to disrupt those standards, CARB would have faced the need to revisit and tighten existing combustion standards and to ratchet up zero-emission manufacturer sales requirements, to make up for lost tons and remain 'on track' for meeting air quality and climate mandates.

But with that matter apparently behind us, and the early years of the Heavy-Duty Omnibus program not disrupted, CARB is in a position instead to focus on the future. In particular, it is important to continue discussions on the right mix of rules as the federal landscape shifts. We know that exploring areas of alignment between state and federal combustion rules is a priority for EMA. As zero-emission truck sales grow and the combustion share of the fleet declines, with accompanying progress towards our emissions targets, there is room to continue that conversation if the Heavy-Duty Omnibus program stays on track.

We are encouraged by opportunities to explore these issues with you , as well as to discuss near-term issues such as ensuring manufacturers can certify with California Certified Clean Idle labels required by 13 CCR 1956.8(a)(6)(C) in ways that provide flexibility while still protecting public health. We are also encouraged by the EMA members actively committing resources now to generating early compliance credits and making products meeting the early requirements of Heavy-Duty Omnibus and ACT. These EMA member actions will deliver much needed air quality relief to communities, more affordable choices to fleets, and provide opportunities for manufacturers who are early to the ZET market to benefit. I am also encouraged knowing that as additional states continue to adopt ACT and Heavy-Duty Omnibus, those benefits for communities, for fleets, and for innovative manufacturers, will continue to grow.

Sincerely,



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