

# Title 13. California Air Resources Board

## Notice of Public Comment Period on Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation

The Executive Officer (EO) of the California Air Resources Board (CARB or Board) is proposing to consider the adoption of amendments to the Heavy-Duty (HD) Engine and Vehicle Omnibus (Omnibus) regulation under the authority granted by the Board in Resolution 23-15, wherein the Board delegated to the EO the power to adopt, amend, and revoke emission standards, test procedures, compliance test procedures, and compliance flexibilities for new on-road motor vehicles that the Board previously reserved to itself in Board Resolution 78-10.

Written comments on the proposed regulatory amendments must be received by September 18, 2023, in order to be considered by the EO. A public hearing is not currently scheduled; however, you may request the EO to conduct a public hearing. The process for requesting a public hearing is explained in the Written Comment Period and Submittal of Comments section of this notice, below. If a request for a public hearing is received by September 3, 2023, the public hearing will be conducted by the EO. The time, date, and place of the hearing will be provided in a separate notice.

### Written Comment Period and Submittal of Comments

In accordance with the Administrative Procedure Act, interested members of the public may present comments in writing by postal mail or by electronic submittal. A public hearing is currently not scheduled. The public comment period for this regulatory action will begin on August 4, 2023. To be considered by the EO, written comments **must be submitted by September 18, 2023**. Comments submitted outside that comment period are considered untimely. CARB may, but is not required to, respond to untimely comments, including those raising significant environmental issues. Comments submitted must be addressed to one of the following:

Postal mail: Clerks' Office, California Air Resources Board  
1001 I Street, Sacramento, California 95814

[Electronic submittal](https://www.arb.ca.gov/lispub/comm/bclist.php): <https://www.arb.ca.gov/lispub/comm/bclist.php>

Any interested person may request a public hearing pursuant to section 11346.8 of the California Government Code, no later than 15 days before the close of the written comment period. A public hearing will be scheduled if any interested person, or their duly authorized representative, requests such a hearing in writing by September 3, 2023. The request for a hearing may be submitted in the same manner as written comments.

Please note that under the California Public Records Act (Gov. Code, § 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the EO requests but does not require that persons who submit written comments to the EO reference the title of the proposal in their comments to facilitate review.

## **Authority and Reference**

This regulatory action is proposed under the authority granted in California Health and Safety Code, sections 39500, 39600, 39601, 40000, 43013, 43018, 43100, 43101, 43102, 43104, 43105, 43106, 43205.5, and 43806; and California Vehicle Code section 28114. This action is proposed to implement, interpret, and make specific California Health and Safety Code sections 39500, 39600, 39601, 43013, 43018, 43100, 43101, 43102, 43104, 43105, 43106, 43205.5, 43210.5, and 43806; and California Vehicle Code section 28114.

## **Informative Digest of Proposed Action and Policy Statement Overview (Gov. Code, § 11346.5, subd. (a)(3))**

### **Sections Affected:**

Proposed amendment to California Code of Regulations, title 13, sections 1956.8, 1971.1, and 1975.1.

### **Documents Incorporated by Reference (Cal. Code Regs., tit. 1, § 20, subd. (c)(3)):**

The following document would be incorporated in the regulation by reference as specified by section:

- "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles," adopted December 12, 2002, as last amended on [Insert Date of Amendment], incorporated by reference in 13 CCR 1956.8.
- Title 40 Code of Federal Regulations, Part 86 "§ 86.010-18 - On-board Diagnostics for engines used in applications greater than 14,000 pounds GVWR," as last amended January 24, 2023, incorporated by reference in 13 CCR 1971.1.

The above listed document is being amended by this regulation, and thus the amendment date would be the date that the regulation is adopted by CARB.

# Background and Effect of the Proposed Regulatory Action:

## Existing Regulatory Requirements

On-road HD vehicles<sup>1</sup> operate throughout California and are an essential part of the state's economy; they include long-haul trucks, drayage trucks, transit buses, refuse trucks, and other commercial work vehicles. According to California's emissions inventory model, almost a million HD vehicles operate on California roads each year. These vehicles are significant sources of oxides of nitrogen (NOx), particulate matter (PM), and greenhouse gas (GHG) emissions. In fact, heavy-duty vehicles comprise the largest NOx emission source category in the state.

New HD engines have been subject to a nationwide NOx standard of 0.20 grams per brake horsepower hour (g/bhp-hr) and a PM emission standard of 0.01 g/bhp-hr since 2010. In addition to these emissions standards, California has also adopted programs that substantially reduce emissions from in-use heavy-duty vehicles. These programs include vehicle idling restrictions and in-use fleet rules such as the Truck and Bus Regulation, which require the upgrade of older trucks and buses to newer and cleaner engines that meet 2010 model year (MY) engine standards by 2023. To comply with these in-use regulations, fleets have made substantial investments to purchase lower-emitting vehicles.

In 2013, California established optional low-NOx standards<sup>2</sup> for new HD engines, with the most aggressive standard being 0.02 g/bhp-hr, which is 90 percent below the 2010 HD standard. The optional low-NOx standards were developed to pave the way for more stringent mandatory standards by encouraging manufacturers to develop and certify low-NOx engines, and incentivizing potential customers to purchase these low-NOx engines. Since 2015, a number of engine families, some using natural gas and others using liquefied petroleum gas, have been certified to the optional NOx standards.<sup>3</sup>

On September 9, 2021, California adopted the Omnibus regulation which primarily established more stringent NOx and PM standards applicable to new 2024 and subsequent MY medium- and HD diesel and Otto-cycle engines.<sup>4</sup> For heavy-duty diesel engines (HDDE), the regulation established more stringent standards on existing certification cycles such as the HD Transient Federal Test Procedure (FTP), the Supplemental Emission Test Ramped Modal Cycle (SET), and the CARB Idle Test Procedure, and new exhaust emission standards on a new certification cycle (low load cycle). Furthermore, to ensure that in-use emissions are controlled during most of the vehicle's operations, the preexisting Not-To-Exceed HD in-use testing methodology was replaced with a more representative 3-Bin Moving Average

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<sup>1</sup> Under California regulations, HD vehicles are those vehicles with a gross vehicle weight rating (GVWR) greater than 8,500 pounds, while medium-duty vehicles are a subcategory of heavy-duty vehicles with a GVWR between 8,501 and 14,000 pounds. Manufacturers have the option to certify medium-duty engines used in vehicles from 10,001 to 14,000 pounds GVWR to the engine standards specified for engines in vehicles over 14,000 pounds.

<sup>2</sup> [Optional Reduced NOx Standards for Heavy-duty Vehicles | CARB](#)

<sup>3</sup> [Optional Low NOx Certified Heavy-Duty Engines-as of 02242022 \(ca.gov\)](#)

<sup>4</sup> [Heavy-Duty Omnibus Regulation | CARB](#)

Window (3B-MAW) methodology. The preexisting emissions warranty and useful life periods were also lengthened to reflect the longevity of current HD vehicles.

On January 24, 2023, the United States Environmental Protection Agency (U.S. EPA) finalized the federal Clean Trucks Plan (CTP) NO<sub>x</sub> rule, which sets stricter emission standards for new 2027 and later MY HD engines and contains elements similar to CARB's Omnibus regulation. In general, CARB's 2031 and later MY Omnibus standards and test procedures are more stringent than the corresponding provisions of the federal CTP NO<sub>x</sub> rule. Furthermore, U.S. EPA currently does not have emission standards or emission-related requirements that are as stringent as CARB's 2024 through 2026 MY Omnibus requirements.

### Summary of Proposed Amendments

The Omnibus regulation currently contains a provision that allows manufacturers to elect to produce and sell a fraction of their 2024 and 2025 MY HDDEs rated below 525 bhp to the current 0.20 g/bhp-hr NO<sub>x</sub> and 0.01 g/bhp-hr PM emission standards (hereinafter referred to as legacy engines), provided they offset any resulting legacy engine NO<sub>x</sub> or PM emission deficits with credits obtained from the HD zero-emission averaging set. If sufficient credits from the zero-emission averaging set are not available, or such credits are not available below a specified cost threshold, then upon approval by CARB's EO, the manufacturer may offset the deficits using combustion engine credits from the same HDDE averaging set. If credits from the same HDDE averaging set are not available, the manufacturer may carry over the NO<sub>x</sub> or PM deficit balance generated by legacy engines until the end of the 2026 MY, provided the manufacturer offsets the remaining legacy engine generated deficit balance times 1.25 with credits from the HD zero-emission averaging set or the same HDDE averaging set. If at the end of the 2026 MY, a sufficient quantity of HD zero-emission or HDDE credits are not available for the manufacturer to offset the remaining legacy engine generated deficit balance times 1.25, the manufacturer, upon approval by CARB's EO, may offset the legacy engine emission deficits times 1.25 by performing projects in disadvantaged communities. To utilize this option, a manufacturer must certify at least one engine family to the Omnibus requirements.

As 2024 model year certification approached, CARB staff became aware through manufacturer product plans for 2024 to 2026 that while the technology for diesel-fueled Omnibus compliant engines was available, manufacturers did not intend to produce such engines for some categories of trucks in California. Given the impacts to fleets manufacturers were projecting, additional flexibility was desired to enable a smoother transition to the omnibus standards. CARB staff is proposing to amend the legacy engine provisions in the Omnibus regulation to provide additional compliance flexibility to allow manufacturers to produce and certify greater numbers of 2024 through 2026 MY legacy engines, while also ensuring the proposed amendments will not reduce the emissions benefits of the Omnibus regulation. CARB staff is proposing two options for manufacturers to choose from.

Option 1 would keep the existing legacy engine sales limits of 45 percent for MY 2024 and 25 percent for MY 2025 and extend the applicability to MY 2026 with a 10 percent California legacy engine limit. If a manufacturer exceeds the legacy engine sales limits, deficits from the additional one percent sales volume above the limit would have to be remediated at four times the deficit balance. Any legacy engine sales above the production and sales limits

including the additional one percent volume would be considered as non-compliant engine sales.

Option 2 would be available to manufacturers that produce and sell medium heavy-duty diesel (MHDD) engines and another class of HD engines. Under this option, MHDD legacy engine sales would be limited to 60 percent in each of MYs 2024 and 2025. The sales limits for combined light heavy-duty diesel (LHDD) and heavy heavy-duty diesel (HHDD) engines would be 15 percent in 2024 MY and 8 percent in 2025 MY. If a manufacturer exceeds the legacy engine sales limits, deficits from the additional 5 percent sales volume above the limit for MHDDs, and additional one percent sales volume above the limit for LHDDs and HHDDs would have to be remediated at four times the deficit balance. Any legacy engine sales above the distribution limits including the additional allowed exceedances would be considered as non-compliant engine sales.

The pathways for offsetting legacy engine emission deficits would remain the same as in the existing Omnibus regulation. In addition, the proposed amendments include other flexibilities including the ability to certify a legacy engine family before certification of the Omnibus compliant engine family and the ability to start working on projects in disadvantaged communities as early as 2024 MY.

The EO may also consider other changes to the sections affected, as listed on page 2 of this notice, or other sections within the scope of this notice, during the course of this rulemaking process.

## **Objectives and Benefits of the Proposed Regulatory Action:**

### Objectives

As 2024 model year certification approached, CARB staff became aware through manufacturer product plans for 2024 to 2026 that while the technology for diesel-fueled Omnibus compliant engines was available, manufacturers did not intend to produce such engines for some categories of trucks in California. Given the impacts to fleets, additional flexibility was desired to enable a smoother transition to the Omnibus standards. CARB staff is introducing the proposed amendments, which would provide additional flexibility to assure originally intended engine availability levels while maintaining the originally projected emissions reductions.

### Environmental and Health Benefits

As discussed above, similar to the existing legacy engine provisions, manufacturers would be required to offset any excess NO<sub>x</sub> and/or PM emissions deficits generated from legacy engine sales by using the same pathways currently existing in the Omnibus regulation. As a result, the proposed amendments are emissions-neutral; that is, they are not projected to provide any additional emission reductions, nor are they expected to result in any emissions increases. Emissions and health benefits expected from the Omnibus regulation as initially adopted would remain the same.

## Economic Impacts

The proposed amendments are expected to be cost neutral to manufacturers because the technology cost savings gained from the sale of legacy engines will be offset by the cost for the credits or projects needed to offset the legacy engine deficits. There will be an operational cost savings to the fleet operators due to the decreased use of diesel exhaust fluid (DEF) in legacy engines valued at approximately \$60 to \$200 per engine on an annual basis. CARB staff expects fleets to purchase new legacy engines at an increased cost between \$600 and \$2,000 so they may utilize DEF savings. The savings and costs to the fleet owners are expected to have a net zero change over the years between 2024 through 2035. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis chapter of the Initial Statement of Reasons (ISOR).

## **Comparable Federal Regulations:**

Both California and U.S. EPA have the authority and responsibility to set emission standards for new HD engines and vehicles. For the past several decades, California's and U.S. EPA's HD engine emissions standards and other emission-related requirements have largely been harmonized. Thus, for many years the regulated industry has been able to design and produce a single product line of engines and vehicles that comply with both U.S. EPA and CARB emission standards and sold in all 50 states. So-called "50-state" certification enable technology suppliers and manufacturers to efficiently produce a single set of reliable and compliant products.

HD vehicles comprise the largest NOx emissions source category in California, contributing to about a third of total statewide NOx inventory. As a result, California urgently needs to achieve significant emission reductions from on-road HD vehicles in order to meet the California's State Implementation Plan (SIP) commitments and protect public health. The Omnibus regulation is one of the biggest measures in the 2016 State SIP Strategy. The regulation, as adopted on September 9, 2021, was developed to achieve significant NOx emission reductions by requiring HD engines meet stricter requirements beginning with MY 2024.

On January 24, 2023, U.S. EPA finalized the CTP NOx rule which sets stricter emission standards for new 2027 and later MY HD engines and has nearly all the same elements as the Omnibus regulation. In general, CARB's 2031 and later MY Omnibus standards and test procedures are more stringent than those of the CTP NOx rule. Furthermore, U.S. EPA currently does not have emission standards or emission-related requirements that are as stringent as CARB's 2024 through 2026 MY Omnibus requirements.

## **An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):**

During the process of developing the proposed amendments to the Omnibus regulation, CARB conducted a search of any similar regulations on this topic and concluded these regulations are neither inconsistent nor incompatible with existing state regulations.

## **Disclosure Regarding the Proposed Regulation**

### **Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subds. (a)(5)&(6)):**

The determinations of the Board's EO concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the EO has determined that the proposed regulatory action would not create a net costs or savings to any State agency, would not create costs or savings in federal funding to the State, would not create a net increase in costs or mandate to any local agency or school district, whether or not reimbursable by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500), or other nondiscretionary cost or savings to State or local agencies.

The proposed regulatory action would not create a net cost to state agencies, local agencies or school districts purchasing and operating HD vehicles for their fleets. These agencies and school districts with fleets are expected to have an upfront cost that is balanced with annual operational savings over the ten years of useful life as discussed in the Economic Impacts section on page six, above. Additionally, sales taxes are levied in California to fund a variety of programs at the state and local level. The expected increase in purchase price of a HD vehicle and the subsequent savings in operational costs for a legacy engine are expected balance one another and they will have no net impact over the regulatory useful life of the engines.

### **Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):**

The EO has also made the initial determination that the proposed amendments to the Omnibus regulation will not have a significant effect on housing costs.

### **Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):**

The EO has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

**Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):**

**Non-Major Regulation: Statement of the Results of the Economic Impact Assessment (EIA):**

- (A) The creation or elimination of jobs within the State of California.

The proposed regulatory action is expected to have no impact to the creation or elimination of jobs within the State of California.

- (B) The creation of new business or the elimination of existing businesses within the State of California.

The proposed regulatory action is expected to have no impact to the creation of new businesses or the elimination of existing businesses within the State of California.

- (C) The expansion of businesses currently doing business within the State of California.

The proposed regulatory action is not expected to impact the expansion of businesses currently doing business within the State of California.

- (D) The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The proposed regulatory action is not expected to have an impact to the health and welfare of California residents, worker safety, and the state's environment.

Effect on Jobs/Businesses:

The EO has determined that the proposed amendments would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the ISOR.

Benefits of the Proposed Regulation:

The objective of the proposed amendments is to address some unanticipated changes to manufacturers' product lines and ensure adequate product availability during the 2024-2026 MY transition years as manufacturers adjust to the new lower Omnibus NOx emission standards.

A summary of these benefits is provided, please refer to "Objectives and Benefits", under the Informative Digest of Proposed Action and Policy Statement Overview Pursuant to Government Code section 11346.5, subdivision (a)(3) discussion on page five.



**Business Report (Gov. Code, §§ 11346.5, subd. (a)(11); 11346.3, subd. (d)):**

In accordance with Government Code sections 11346.5, subdivisions (a)(11) and 11346.3, subdivision (d), the EO finds the reporting requirements of the proposed amendments which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

**Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):**

In developing this regulatory proposal, CARB staff evaluated the potential economic impacts on representative private persons or businesses. CARB is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action. A business purchasing and operating fleets may incur an initial cost between \$600 to \$2,000 per engine and an annual operational cost savings between \$60 to \$200 per engine depending on engine class. Over the 10 years of regulatory useful life of these legacy engines, the costs and saving balance each other out and there is zero net fiscal impact to businesses. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis chapter of the ISOR.

**Effect on Small Business (Cal. Code Regs., tit. 1, § 4, subds. (a) and (b)):**

The EO has also determined under California Code of Regulations, title 1, section 4, that the proposed regulatory action would affect small businesses. Small businesses are defined here to be California fleets that own three or fewer HD vehicles. A small business purchasing and operating fleets may incur an initial cost between \$600 to \$2,000 per engine and an annual operational cost savings between \$60 to \$200 per engine depending on engine class. Over the 10 years of regulatory useful life of these legacy engines, the costs and saving balance each other out and there is zero net fiscal impact to businesses. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis chapter VIII of the ISOR.

**Consideration of Alternatives (Gov. Code, § 11346.5, subd. (a)(13)):**

Before taking final action on the proposed regulatory action, the EO must determine that no reasonable alternative considered by the EO or that has otherwise been identified and brought to the attention of the EO would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **State Implementation Plan Revision**

If adopted by CARB, CARB plans to submit the proposed amendments to the Omnibus regulation to the U.S. EPA for approval as a revision to the California SIP required by the federal Clean Air Act (CAA). The adopted regulatory action would be submitted as a SIP revision because it amends regulations intended to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards promulgated by U.S. EPA pursuant to the CAA.

## **Environmental Analysis**

CARB has determined that the proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA). CARB's regulatory program, which involves the adoption, approval, amendment, or repeal of standards, rules, regulations, or plans for the protection and enhancement of the State's ambient air quality, has been certified by the California Secretary for Natural Resources under Public Resources Code section 21080.5 of CEQA (14 CCR 15251(d)). Public agencies with certified regulatory programs are exempt from certain CEQA requirements, including but not limited to, preparing environmental impact reports, negative declarations, and initial studies. CARB, as a lead agency, prepares a substitute environmental document (referred to as an "Environmental Analysis" or "EA") as part of the Staff Report prepared for a proposed action to comply with CEQA (17 CCR 60000-60008). If the proposed amendments are finalized, a Notice of Exemption will be filed with the Office of the Secretary for the Natural Resources Agency for public inspection.

CARB has determined that the proposed amendments to the Omnibus regulation is exempt from CEQA under the "general rule" or "common sense" exemption (14 CCR 15061(b)(3)). The common sense exemption states a project is exempt from CEQA if "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Based on CARB's review, the proposed amendments would not result in increased criteria or toxics pollutant emissions, nor GHG emissions, compared to existing conditions. The proposed amendments would not result in any new or modified facilities, nor any other types of construction or operational-related impacts that could lead to potential adverse environmental impacts. It can therefore be seen with certainty that there is no possibility that the proposed amendments may result in a significant adverse impact on the environment; therefore, this activity is exempt from CEQA.

## **Special Accommodation Request**

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;

- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594 as soon as possible, but no later than ten business days before the scheduled EO hearing, if one is requested. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) o (916) 322-5594 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo, si lo solicitan. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

## Agency Contact Persons

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Daniel Hawelti, Staff Air Pollution Specialist, On-Road Heavy-Duty Diesel Section, at (951) 542-3195 or (designated back-up contact) Mitzi Magtoto, Staff Air Pollution Specialist, On-Road Heavy-Duty Diesel Section, at (916) 323-8975.

## Availability of Documents

CARB staff has prepared a Staff Report: ISOR for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: Staff Report: Initial Statement of Reasons-Public Hearing to Consider the Proposed Amendments to the Heavy-Duty Engine and Vehicle Omnibus Regulation.

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on CARB's website listed below, on August 1, 2023. Please contact Chris Hopkins, Regulations Coordinator, at [Chris.Hopkins@arb.ca.gov](mailto:Chris.Hopkins@arb.ca.gov) or (279) 208 7347 if you need physical copies of the documents. Pursuant to Government Code section 11346.5, subdivision (b), upon request to the aforementioned Regulations Coordinator, physical copies would be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed is Chris Hopkins, Regulations Coordinator, (279) 208 7347. The Board staff has compiled a record for this rulemaking action, which

includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

## Hearing Procedures

The public hearing will be conducted by the EO in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340), if a public hearing is requested. For details on how to request a hearing, please refer to the "Written Comment Period and Submittal of Comments" section of this document.

Following the close of the comment period, the EO may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The EO may also approve for adoption the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15-days before final adoption.

The public may request a copy of the modified regulatory text, if applicable, from CARB's Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

## Final Statement of Reasons Availability

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on CARB's website listed below.

## Internet Access

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <https://ww2.arb.ca.gov/rulemaking/2023/hdomnibus2023>

California Air Resources Board



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Steven S. Cliff, Ph.D.  
Executive Officer

Date: July 18, 2022

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB's website](http://www.arb.ca.gov) (www.arb.ca.gov).*