



May 20, 2024

Mr. Paul Arneja
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: CASA Recommendations on Incorporating AB 1594 Requirements into the Advanced Clean Fleets Regulations

Submitted via: ZEVfleet@arb.ca.gov

Dear Mr. Arneja:

The California Association of Sanitation Agencies (CASA) appreciates the opportunity to provide input on how to incorporate the requirements of Assembly Bill 1594 (AB 1594) into the Advanced Clean Fleets (ACF) Regulations. CASA is an association of local agencies performing essential public services – collection and treatment of wastewater – to protect public health and the environment while advancing community resilience through the recycling and recovery of resources (water, biogas, biosolids, nutrients, etc.). Through these efforts we help create a clean and sustainable environment for Californians.

Our members are also focused on supporting the state achieve carbon neutrality by 2045:

- Reducing short-lived climate pollutant (SLCP) emissions by accepting and co-digesting diverted organic (food) waste from landfills pursuant to SB 1383
- Reducing carbon intensity of transportation fuel by beneficially using the biogas we generate
- Providing 100 percent of the state’s energy needs from clean and renewable sources
- Increasing soil carbon and carbon sequestration by land applying biosolids and supporting the Healthy Soil Program, Climate Smart Strategy, and Wildfire and Forest Resilience Action Plan

Additionally, federal and state regulations are requiring higher levels of maintenance across public sewer systems, which are increasing demands on fleet vehicles. However, the ACF regulations as written diminish the sector’s ability to provide the level of response necessary to properly maintain essential public services. To ensure our member’s critical services remain reliable and in compliance with water quality, air quality, solid waste, and energy regulations, the wastewater sector must have the ability to perform preventive measures in all circumstances. Example requirements the wastewater sector must be able to reliably respond to include (but are not limited to):

- State Water Board’s Sanitary Sewer System Waste Discharge Requirements (SSS WDR), which now require increased levels of maintenance and faster emergency response, in effort to increase system and community resilience.
- State Water Board’s Water Quality Enforcement Policy, which are further increasing fines for public wastewater systems in the event of sewer spills and violations.
- Maintaining 120,000 miles of collection system piping across the State (a distance equal to traveling halfway to the moon) under changing conditions which are exacerbated by climate change.

To provide the flexibility the wastewater sector and other public agencies need to remain responsive and resilient, CASA supported the development and approval of AB 1594, which authorizes... *“public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life...when needed to maintain reliable service and respond to major foreseeable events, including severe*



weather, wildfires, natural disasters, and physical attacks, without regard to the model year of the vehicle being replaced.”

In order to incorporate AB 1594 requirements into the ACF regulations, CARB staff requested stakeholder input. Staff listed three requests, which are provided in the following bullets. CASA’s preliminary responses were provided verbally during the March 25th workshop and are in written form below with more detail, followed by “other considerations” suggested by CASA under bullet 4.

1. Provide input on the definition of public agency utility and utility-specialized vehicles.
 - a. A wastewater treatment provider as referenced in the regulation is currently defined by [Section 116773.2 of the Health and Safety Code](#) – *A city, county, special district, or joint powers authority that provides wastewater collection, treatment, or disposal service through a publicly owned treatment works. CASA recommends replacing this definition with that in Title 40 Code of Federal Regulations Part 403.3q in section 212 of the Act. The definition explicitly includes “...any devices and systems used in storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature – it also includes sewers, pipes and other conveyances only if they convey wastewater to a publicly owned treatment works or treatment plant...”*, which are critical to the collection and treatment of wastewater. Listing these elements more explicitly acknowledges they too require specialty vehicles to service and maintain operations.
 - b. CASA requests CARB define “traditional utility-specialized vehicles.” A traditional utility-specialized vehicle should be defined as all chassis and equipment within the Class 2-8 weight range capable of driving off-highway and on low traction surfaces, and/or have a vocational power system (power take-off) or auxiliary power.

This category of specialized vehicles encompasses a variety of vehicles (e.g., digger derricks, bucket trucks, cranes, boom trucks, water trucks, cement trucks, dump trucks, heavy haul/lowboy trucks, vacuum trucks). Our members also have specialized/customized vocational utility trucks that are upfitted with cranes, compressors, welders, valve operators, generators, etc. These vehicles must be able to perform in challenging service environments. Hence the need for all-wheel drive, four-wheel drive, and 4x4 configurations to serve diverse utility applications, spanning off-road, off-highway, and limited traction conditions, while meeting specified load carrying capacity and towing requirements.

2. Provide input on necessary changes to the ZEV Purchase & Daily Usage Exemptions to allow replacements *without regard to the model year of the vehicle being replaced*.
 - a. As written, the State & Local Government Agency (SLGA) fleet regulations require vehicles to be 13+ years and the High Priority & Federal (HPF) fleet regulations require vehicles to be 16+ years to be eligible for any Flexibility Provision, including ZEV Purchase and Daily Usage Exemptions. Vehicles are generally replaced for reliability purposes well before reaching 13 years of age. In fact, the useful life of vehicles is highly variable, typically ranging between 5 and 10 years, but can be less than 5 years. Therefore, as written, the vehicle age requirements in the regulation will force older, unreliable internal combustion vehicles with higher emissions to remain on the road longer versus be replaced with newer lower-emitting vehicles. This, in turn, will significantly compromise the wastewater sector’s ability to reliably service community



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collection and treatment systems. Vehicle replacements must occur when vehicle reliability is compromised and/or availability of parts is limited. Thus, vehicle age is inappropriate and should not be used as a criterion. CASA suggests considering other criteria to represent reliability including hours of operation (both stationary at a job site and transit between job sites), odometer reading, type of service, Original Equipment Manufacturer (OEM) configuration changes, Cal OSHA vehicle safety requirements, affordability of maintenance, availability of vehicle parts, susceptibility to theft and vandalism, and any other established criteria set by the utility to assess vehicle criticality.

- b. Most public agency vehicles (crew transport, traffic control vehicles, utility trucks, cranes, vacuum trucks/sewer jettors, pumping trucks, excavators) are critical response vehicles functioning as a team. They must be immediately deployable and capable of being fueled during critical response operations or rapidly at the end of each shift to be ready to respond to critical events before they become public safety emergencies. If any vehicle required in the maintenance of a wastewater system becomes unreliable, regardless of age, it must be replaced as quickly as possible. For example, vacators/sewer jettors are critical for maintaining the integrity of our sanitation systems. These vehicles must transport water to a job and haul sewage back to the treatment facility – because of their weight, they are unable to be modified to be electric vehicles since they will exceed weight restrictions for bridges and roadways.
 - c. Additionally, we have member agencies in southern California whose heavy-duty fleet vehicles rely on compressed natural gas (CNG) to comply with Federal Clean Air Act and South Coast Air Quality Management District's (SCAQMD's) regulatory deadlines for achieving ozone reductions in an extreme nonattainment zone. In the absence of Zero-Emission Vehicle (ZEV) alternatives and without access to Flexibility Provisions, the fleet vehicles, and the critical systems they maintain, are also at risk.
3. Provide input on necessary changes to the Daily Usage Exemption to allow for usage data that does not rely on the lowest mileage reading and exclude the highest usage days.
 - a. CASA supports using the full usage history (including the three highest usage days) and we recommend CARB staff consider the number of hours operated. Many of our sector's medium- and heavy-duty fleet vehicles incur low mileage but a high number of operating hours in any given year because they drive to sites within their service area where the engine must run (idle) to perform their function (e.g., provide power for pumping, vacuuming and other operations). Over the lifetime of a vehicle (typically ranging between 5 and 10 years), they operate on the order of 4,000 hours.
4. We offer the following additional input and recommendations for CARB's consideration:
 - a. CASA recommends the regulation include an exemption for full-size combination trucks providing sewer, water and storm drain repair and flood response.
 - i. The dual-engine truck exemption requires the second engine be 50+ hp. Many dual-engine trucks within wastewater fleets do not satisfy this requirement but are needed to perform emergency response, meeting specific lift and capacity requirements. Combo truck manufacturers have investigated Class 8 battery electric chassis capabilities; however, under full power demand, the battery is depleted within an hour (and emergency response durations typically exceed 8



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hours). This is inadequate and unacceptable for essential public service providers. Additionally, existing combo trucks are already closing in on their weight limit for existing roadways and bridges. Adding batteries will result in weight exceedance, limiting roadway and bridge-crossing access, which is also unacceptable for emergency response.

- ii. Two types of vac trucks are found in wastewater sector fleets – centrifugal and positive displacement. Positive displacement trucks are more often utilized in high lift situations and generally require a single engine (vs dual-engine). However, ZEV options are unavailable for the foreseeable future and Flexibility Provisions are unavailable since these vehicles are not reliably useful for 13 years.
- iii. Additionally, manufacturers have cancelled orders placed two to three years ago due to supply chain issues, have been unable to deliver orders (vehicles) due to road test failures (related to electrical and other unidentified issues as they are being beta tested before delivery), and have stated they simply do not have Class 8 ZEVs available.

We are committed to working collaboratively with you on incorporating the requirements of AB 1594 into the ACF regulations, which are critical for maintaining reliable and resilient wastewater treatment systems. We will continue to prioritize resilient essential public service operations to protect public health and the environment.

Please contact me with any questions at sdeslauriers@casaweb.org or at 925-705-6404.

Sincerely,

A handwritten signature in black ink that reads "Sarah A. Deslauriers". The signature is fluid and cursive.

Sarah A. Deslauriers, PE, ENV SP
Director of Air, Climate, & Energy Programs, CASA

cc: Liane Randolph – Chair, CARB Board
Dr. Steven Cliff – CARB Executive Officer
Rajinder Sahota – CARB Deputy Executive Officer, Climate Change & Research
Matt Botill – CARB Division Chief, Industrial Strategies
Sydney Vergis – CARB Division Chief, Mobile Source Control
Tony Brasil – CARB Division Chief, Transportation and Clean Technology
Zoe Heller – CalRecycle
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Adam Link – CASA, Executive Director
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