

February 9, 2024

Bill Charmley, Director
Assessments and Standards Division
Office of Transportation and Air Quality
United States Environmental Protection Agency
2000 Traverwood Drive
Ann Arbor, Michigan 48105
Charmley.William@epa.gov

Re: Follow-up Letter Regarding the Petition to Reconsider Amendment of the Rulemaking Entitled "Control of Air Pollution from New Motor Vehicles: Heavy-Duty Engine and Vehicle Standards," EPA-HQ-OAR-2019-0055; FRL-7165-02-OAR

Dear Mr. Charmley:

On March 24, 2023, the California Air Resources Board (CARB) filed with the U.S. Environmental Protection Agency (U.S. EPA) a Petition for Reconsideration of EPA-HQ-OAR-2019-0055; FRL-7165-02-OAR (petition). The petition asks U.S. EPA to reconsider two elements of the [Clean Trucks Plan oxides of nitrogen](#) rule (2027 Low NOx), which include:

- (1) An "interim" compliance allowance that allows excess in-use emissions with no sunset date; and
- (2) A "temperature adjustment function" that allows significant increases in off-cycle emissions from trucks operating under ambient temperatures below 25° Celsius.

On July 5, 2023, CARB reached an agreement with the Truck and Engine Manufacturers Association (EMA), the members of EMA that manufacture heavy-duty on-road vehicles and engines, and the Ford Motor Company. That agreement has been referred to as the [Clean Truck Partnership](#) (Partnership). The Partnership serves to advance the development and deployment of heavy-duty zero-emission vehicles, while also providing manufacturers the flexibility to meet California's emissions standards and reach the state's climate and emissions reduction goals.

The Partnership signatories agreed to a solution regarding the two elements that were discussed in the petition. The solution is further described in Appendix B of the Partnership.

As a result of the Partnership, CARB staff intends to propose future amendments to the Heavy-Duty Engine and Vehicle Omnibus (Omnibus) Regulation to generally align the Omnibus Regulation's 2027 and later model year requirements with the 2027 Low NOx rule, with the exception of the provisions that are detailed in Appendix B of the Partnership. In addition, CARB staff will not seek additional changes to the 2027 Low NOx rule, provided that U.S. EPA does not make additional changes to its rule that are inconsistent with the Partnership. CARB staff plans to initiate this rulemaking process with a public workshop to

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be held in the first quarter of 2024, and the notice of rulemaking will be released no later than the third quarter of 2025.

I look forward to working collaboratively with U.S. EPA to reduce emissions from on-road and off-road mobile sources to benefit the public in California.

Sincerely,

A handwritten signature in black ink that reads "Jack Kitowski". The signature is written in a cursive, flowing style.

Jack Kitowski, Chief, Mobile Source Control Division

cc: Kim Heroy-Rogalski, Chief, Mobile Source Regulatory Development Branch