

Second Notice of Public Availability of Additional Documents

Proposed Advanced Clean Cars II Regulations

Public Hearing Date: June 9, 2022
Public Availability Date: August 8, 2022
Deadline for Public Comment: August 23, 2022

At its June 9, 2022, public hearing, the California Air Resources Board (CARB or Board) considered the proposed Advanced Clean Cars II Regulations (ACC II), which would adopt the following new sections of Title 13, Division 3, of the California Code of Regulations:

- 1961.4, 1962.4, 1962.5, 1962.6, 1962.7, and 1962.8

and would amend the following sections:

- 1900,¹ 1961.2,² 1961.3, 1962.2, 1962.3, 1965, 1968.2, 1969, 1976, 1978, 2037,³ 2038, 2112,⁴ 2139,⁵ 2140, 2147,⁶ 2317,⁷ and 2903.⁸

This proposal will, if adopted, increase the stringency of existing state regulations to ensure motor vehicle emissions are reduced under a wider range of conditions under which vehicles are used and will transition new light-duty vehicle sales in California are 100-percent zero emission vehicles (ZEV) and plug-in hybrid electric vehicles (PHEV) by 2035, including provisions focused on ensuring battery performance aligned with these goals, and on supporting equitable access to these vehicles and corresponding emissions reductions consistent with environmental justice principles. In addition to the substantive proposals, several conforming changes are proposed to related regulations (predominantly the Low-Emission Vehicle (LEV) regulations) to maintain consistency with existing regulations and maintain existing requirements in regulations that are not being proposed for amendment.

¹ Section 1900 is under Chapter 1, "Motor Vehicle Pollution Control Devices," Article 1, "General Provisions."

² Sections 1961.2 through 1978 are under Chapter 1, Article 2 "Approval of Motor Vehicle Pollution Control Devices (New Vehicles)."

³ Sections 2037 and 2038 are under Chapter 1, Article 6, "Emission Control System Warranty."

⁴ Section 2112 is under Chapter 2 "Enforcement of Vehicle Emission Standards and Surveillance Testing," Article 2.1, "Procedures for In-Use Vehicle Voluntary and Influenced Recalls."

⁵ Sections 2139 and 2140 are under Chapter 2, Article 2.3, "In-Use Vehicle Enforcement Test Procedures."

⁶ Section 2147 is under Chapter 2, Article 2.4, "Procedures for Reporting Failures of Emission-Related Components."

⁷ Section 2317 is under Chapter 8, "Clean Fuels Program."

⁸ Section 2903 is under Chapter 16, Article 2, "Certification Fees for On-Road Mobile Sources."

All regulatory documents for this rulemaking are available online at the following [CARB website: https://ww2.arb.ca.gov/rulemaking/2022/advanced-clean-cars-ii](https://ww2.arb.ca.gov/rulemaking/2022/advanced-clean-cars-ii).

In the interest of completeness and in accordance with Government Code section 11347.1, subdivision (a), and California Code of Regulations, title 1, sections 20(c)(3) and 44, staff has added to the rulemaking record and invites comments on the following additional documents relied upon in adopting the proposed regulations or that are incorporated by reference into the proposed regulations. Staff is not proposing any modifications to the regulatory text as part of this notice. In the Final Statement of Reasons, staff will respond to all written comments received on the record during the public comment period for this Notice, as required by Government Code section 11347.1.

Additional Documents or Incorporated Documents Added to the Record

In the interest of completeness and in accordance with Government Code section 11347.1, subdivision (a), and California Code of Regulations, title 1, sections 20(c)(3) and 44, staff has also added to the rulemaking record and invites comments on the following additional documents relied upon for the proposed ACC II Regulations or that are incorporated by reference into the proposed ACC II Regulations:

Incorporated by reference in Section 1969, title 13, California Code of Regulations

SAE J2534-2/BA_0500_202201, "Pass-Thru Extended Feature – Base Document," January 2022 (subject to copyright)

SAE J2534-2/RE_0500_202201, "Pass-Thru Extended Feature – Resource Document," January 2022 (subject to copyright)

Additional spreadsheets and other references

CARB 2022vvv. California Air Resources Board. 2022. MY2019 Evaporative Running Loss Emission Certification Data. This is a spreadsheet of the data which was used to support the proposed new running loss standard of 0.01 grams / mile.

CARB 2022www. California Air Resources Board. 2022. Estimate of percentage of new vehicles sold in the California which have a Non-Integrated Refueling Canister Only System (NIRCOS).

CARB 2022xxx. California Air Resources Board. 2022. PEMS data of MY2020 Ford F250 class 2b gasoline used for MAW analysis. This is a spreadsheet of PEMS data collected by CARB for further analysis of chassis-certified gasoline MDVs.

CARB 2022yyy. California Air Resources Board. 2022. PEMS data of MY2021 Silverado 2500 Class 3 gasoline used for MAW analysis. This is a spreadsheet of PEMS data collected by CARB for further analysis of chassis-certified gasoline MDVs.

CARB 2022zzz. California Air Resources Board. 2022. Calculations for FCL and MAW data of MY2020 Ford F250 gasoline class 2b. This is a spreadsheet of the data used to perform the MAW analysis for the MY2020 Ford F250 gasoline.

CARB 2022aaaa. California Air Resources Board. 2022. OEM Cost Calculator for 75% ZEVs by 2030. This workbook estimates total OEM costs and ZEV technology sales fractions associated with the 75% in 2030 scenario described in the 15-day notice.

CARB 2022bbbb. California Air Resources Board. 2022. VMT and Fuel Calculations for 75% ZEVs by 2030. This workbook estimates total energy consumption and downstream energy demand for calculation of upstream emissions associated with the 75% in 2030 scenario described in the 15-day notice.

CARB 2022cccc. California Air Resources Board. 2022. Criteria Tailpipe Emissions for 75% ZEVs by 2030. This workbook summarizes downstream criteria emissions (i.e., PM_{2.5}, NO_x) associated with the 75% in 2030 scenario described in the 15-day notice.

CARB 2022dddd. California Air Resources Board. 2022. Greenhouse Gas Tailpipe Emissions for 75% ZEVs by 2030. This workbook summarizes downstream GHG emissions associated with the 75% in 2030 scenario described in the 15-day notice.

CARB 2022eeee. California Air Resources Board. 2022. Upstream Emissions for 75% ZEVs by 2030. This workbook summarizes upstream GHG and criteria emissions associated with the 75% in 2030 scenario described in the 15-day notice.

Abhyankar et al. 2021. Abhyankar, Nikit, Umed Paliwal, Taylor McNair, David Wooley, Michael O'Boyle, and Amol Phadke. 2021. Powering America's Clean Economy: A Supplemental Analysis of the 2035 Report. University of California, Berkeley Goldman School of Public Policy. <https://energyinnovation.org/wp-content/uploads/2021/04/2030-Report-FINAL.pdf>.

Consumer Reports 2022b. Consumer Reports. 2022. *Press Release: More Americans Would "Definitely" Get Electric Vehicles, Consumer Reports Survey Shows*. July 7. Accessed August 8, 2022. https://advocacy.consumerreports.org/press_release/more-americans-would-definitely-get-electric-vehicles/

CPUC 2020. California Public Utilities Commission 2020. Decision 20-06-017: Decision Adopting Short-Term Actions to Accelerate Microgrid Deployment and Related Resiliency Solutions. June 17. Accessed August 8, 2022. <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M340/K748/340748922.PDF>

CPUC 2022. California Public Utilities Commission. 2022. *Rule 21 Interconnection*. Accessed August 8, 2022. <https://www.cpuc.ca.gov/Rule21/>.

Dunn et al. 2022. Dunn, Jessica, Alissa Kendall, and Margaret Slattery. 2022. "Electric vehicle lithium-ion battery recycled content standards for the US - targets, costs, and environmental impacts." *Resources, Conservation & Recycling* 185. <https://doi.org/10.1016/j.resconrec.2022.106488>.

Ford 2022b. Ford Motor Company. 2022. *Ford Releases New Battery Capacity Plan, Raw Materials Details to Scale EVs; On Track to Ramp to 600k Run Rate By '23 and 2m+ by '26, Leveraging Global Relationships*. July 21. Accessed August 8, 2022. <https://media.ford.com/content/fordmedia/fna/us/en/news/2022/07/21/ford-battery-capacity-raw-materials-scale-evs.html#>.

Ford 2022c. Ford Motor Company. 2022. *F-150 Lightning™ General Product Frequently Asked Questions (FAQs)*. Accessed August 8, 2022. <https://www.ford.com/support/how-tos/owner-resources/f-150-lightning/f-150-lightning-product-frequently-asked-questions/#11>.

Gaton 2019. Gaton, Bryce. 2019. *California car stats – and what they mean for the rest of the world*. August 20. Accessed August 8, 2022. <https://thedriven.io/2019/08/20/californian-market-stats-what-it-means-for-the-rest-of-the-world/>

Redwood Materials 2022. Redwood Materials, Inc. 2022. *California Electric Vehicle & Hybrid Battery Recycling Program*. Accessed August 8, 2022. <https://www.redwoodmaterials.com/california-recycling-program#>.

Shepardson 2022. Shepardson, David. 2022. *U.S. Energy Department set to loan GM battery joint venture \$2.5 bln*. July 25. Accessed August 8, 2022. <https://www.reuters.com/business/autos-transportation/exclusive-us-energy-department-set-loan-gm-battery-joint-venture-25-bln-2022-07-25/>.

US DOT 2022. U.S. Department of Transportation Federal Highway Administration. 2022. *Bipartisan Infrastructure Law - 5-year National Electric Vehicle Infrastructure Funding by State*. February 10. Accessed August 8, 2022. https://www.fhwa.dot.gov/bipartisan-infrastructure-law/evs_5year_nevi_funding_by_state.cfm.

World Energy 2022. World Energy. 2022. *Newsroom: World Energy Secures Permits to Greatly Expand SAF Production in Southern California*. April 24. Accessed August 8, 2022. <https://www.worldenergy.net/newsroom/world-energy-secures-permits-to-greatly-expand-saf-production-in-southern-c/>.

These documents are available for inspection at the California Air Resources Board, 1001 I Street, Sacramento, California, 95814, between the hours of 9:00am to 4:00pm, Monday through Friday (excluding holidays). To inspect these documents please contact Bradley Bechtold, Regulations Coordinator, at Bradley.Bechtold@arb.ca.gov or (279) 208-7266.

Environmental Analysis

The inclusion of these additional documents to the rulemaking record does not change implementation of the proposed regulations in any way that is anticipated to affect the conclusions of the environmental analysis included in the Staff Report. As stated previously, staff is not proposing any modifications to the regulatory text as part of this notice. The addition of these documents to the rulemaking record would not result in any of the

circumstances requiring recirculation of the analysis as set forth in section 15088.5 of the CEQA Guidelines.⁹

Agency Contacts

Inquiries concerning the substance of the proposed regulation may be directed Anna Wong, Manager, ZEV Market Advancement Section, at (279) 208-7203 or (designated back-up contact) Belinda Chen, Manager, Low-Emission Vehicle Regulations Section, at (279) 208-7251.

Public Comments

Written comments will only be accepted on the modifications identified in this Notice. Comments may be submitted by postal mail or by electronic submittal no later than the due date to 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>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and verbal 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.

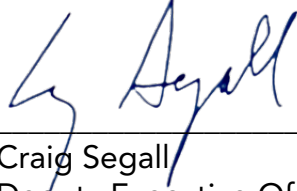
To be considered by the Deputy Executive Officer, comments must be directed to CARB in one of the two forms described above and received by CARB no later than the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Deputy Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerks' Office at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

⁹ Cal. Code Regs., tit. 14, § 15088.5.

California Air Resources Board



Craig Segall
Deputy Executive Officer, Mobile Sources and
Incentives

Date: August 8, 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).