



Air Resources Board



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Edmund G. Brown Jr.
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DATE: July 28, 2017

Mail-Out #MSC 17-16

TO: All Interested Parties

SUBJECT: SECOND PUBLIC WORKSHOP TO DISCUSS PROPOSED CALIFORNIA ADOPTION OF FEDERAL GREENHOUSE GAS (GHG) EMISSIONS STANDARDS FOR MEDIUM- AND HEAVY-DUTY ENGINES AND VEHICLES (PHASE 2) AND POTENTIAL AMENDMENTS TO THE TRACTOR-TRAILER GHG REGULATION

The California Air Resources Board (CARB or Board) invites you to participate in a public workshop to learn more about the proposed California Phase 2 Greenhouse Gas (GHG) regulation. Staff will also discuss potential amendments to CARB's existing Heavy-Duty Vehicle GHG Emission Reduction Regulation (Tractor-Trailer GHG regulation) that may include more stringent emission reduction requirements on 53-foot or longer box-type trailers and new emission reduction requirements on other types of trailers (e.g., box-type less than 53 feet long, tankers, container chassis, and flat beds).

At CARB's Phase 2 first public workshop, held on February 6, 2017, we proposed to adopt a California Phase 2 GHG regulation that harmonizes with the federal Phase 2 rules in structure, timing, and stringency. As discussed at the first workshop, however, there are areas where California Phase 2 may differ from federal Phase 2. California differences are to facilitate enforcement, align with existing California programs, and provide additional incentive for advanced technologies. In addition to these differences, other specific topics to be addressed at this workshop include the California Phase 2 certification and warranty processes.

The workshop will be held at the following date, time, and location:

Date: Thursday, August 31, 2017
Time: 9:30 a.m. to 5:00 p.m. (PST)
Place: Cal/EPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, California 95814

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 our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

This workshop will be available via webcast at <https://video.calepa.ca.gov/> for those unable to attend in person. Information on submitting questions and comments will be provided during the webcast for remote participants.

The agenda and staff presentation will be posted prior to the workshop on CARB's website at <https://www.arb.ca.gov/msprog/onroad/caphase2ghg/caphase2ghg.htm>.

Background

In response to the California Global Warming Solutions Act of 2006 (AB 32), CARB on December 12, 2008, adopted the Tractor Trailer GHG regulation (TTGHG)¹ (title 17 California Code of Regulations sections 95300-95312) to reduce GHG emissions from long-haul tractor-trailer combination vehicles operating in California. The regulation applies to 53-foot or longer dry-van and refrigerated-van trailers and the tractors that pull them on California highways. The regulation requires tractor-trailers operating in California to utilize tractors and box-type trailers that are either United States Environmental Protection Agency (U.S. EPA) SmartWay certified, or retrofitted with SmartWay verified aerodynamic devices (typically skirts, tail devices or undercarriage devices for the trailer) and low rolling resistance tires. The regulation primarily places compliance obligations upon the owners of affected tractors and trailers (both newly purchased and existing). The drivers of such tractors, motor carriers, California-based brokers that dispatch the tractors/trailers, and California-based shippers that ship freight in trailers are also subject to the regulation. The regulation was amended in 2010 to provide compliance flexibilities to fleets.

In August 2011, U.S. EPA and the National Highway Traffic Safety Administration (NHTSA) jointly adopted GHG emission standards and fuel economy standards for medium- and heavy-duty engines and vehicles². These standards, informally known as Phase 1 or federal Phase 1 standards, were phased in from 2014 through 2018 and apply to engines and vehicles with gross vehicle weight ratings greater than 8,500 pounds. The rule regulates trucks based on three groupings, which include a) heavy-duty pickups and vans; b) vocational vehicles; and c) combination tractors. However, the Phase 1 rule does not regulate trailers.

¹ Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation: <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>

² Final Rule for Phase 1 Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles
<https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-phase-1-greenhouse-gas-emissions-standards-and>

In December 2013, California harmonized with the federal Phase 1 requirements³. Adoption of the federal Phase 1 rule provided CARB the ability to certify new heavy-duty vehicles and engines and enforce those requirements in the State. In addition, CARB's adoption of the Phase 1 requirements provided nationwide consistency for vehicle and engine manufacturers. At the same time, CARB amended the TTGHG regulation to align with the Phase 1 rule by sunsetting the 2014 and subsequent model year tractor requirements.

Building on the success of the federal Phase 1 rule, in August 2016, U.S. EPA and NHTSA jointly adopted the federal Phase 2 rule⁴, which is more stringent than Phase 1. The federal Phase 2 rule is phased-in over the 2018 through 2027 model years. The structure of the federal Phase 2 rule is generally similar to Phase 1, establishing GHG emission standards for tractors, vocational vehicles, and heavy-duty pickups and vans, and the engines used in tractors and vocational vehicles. However, the federal Phase 2 rule also establishes standards for certain trailers used in combination with tractors. The trailer types included in Phase 2 are box-type trailers (dry van and refrigerated van trailers of all lengths), flat bed trailers, tank trailers, and container chassis. The trailer requirements include aerodynamic improvements and tire requirements for box-type trailers, but only tire requirements for the other trailer types. Although this marks the first time trailers have been regulated at the federal level, trailers have been regulated in California since 2010.

On December 22, 2016, the Truck Trailer Manufacturer Association (TTMA) filed a lawsuit that challenges and seeks to vacate the provisions of the federal Phase 2 rule that apply to trailers. That lawsuit however, does not affect California's authority to establish standards for trailers hauled by heavy-duty tractors and CARB is accordingly proposing to establish specific requirements for trailers as described in greater detail below.

California's Proposed Plan to Regulate Trailers

CARB staff is proposing two primary alternatives to regulate trailers. The first alternative would establish trailer requirements that essentially harmonize with the trailer requirements in the existing federal Phase 2 rule in terms of timing, structure, and stringency, but incorporates minor differences to facilitate enforcement and align with existing California programs. This proposal would also sunset the 2018 and subsequent model year trailer requirements in the TTGHG regulation.

³ California Phase 1 GHG Regulation <https://www.arb.ca.gov/msprog/onroad/phase1ghg/phase1ghg.htm>

⁴ Final Rule for Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2. <https://www.epa.gov/regulations-emissions-vehicles-and-engines/final-rule-greenhouse-gas-emissions-and-fuel-efficiency>

The alternative described above is staff's preferred alternative. However, if the trailer requirements in the existing federal Phase 2 rule are significantly impacted in any way (i.e., delayed, weakened, or rescinded), CARB staff proposes to establish its own trailer requirements. The requirements of this second alternative would likely differ significantly from those in the federal Phase 2 rule. Specifically, the requirements could potentially be more stringent than those in the federal Phase 2 rule, accompanied by an accelerated implementation schedule. The structure of this alternative would also differ. That is, similar to California's TTGHG regulation, the requirements would apply to owners of affected trailers (both newly purchased and existing), the drivers of such tractors, motor carriers, California-based brokers that dispatch the tractors/trailers, and California-based shippers that ship freight in trailers subject to the regulation.

Contact

We welcome and encourage your participation in this workshop. If you have any questions regarding the proposed California Phase 2 regulation or potential regulatory changes to Tractor-Trailer GHG Regulation, please contact Mr. Alex Santos, Staff Air Pollution Specialist, at (626) 575-6682 or by email at alex.santos@arb.ca.gov or Ms. Mitzi Magtoto, Air Resources Engineer, at (916) 323-8975 or by email at mitzi.magtoto@arb.ca.gov.

If you wish to receive future information, please sign up on the following email lists:

- Proposed California Phase 2 GHG regulation
https://www.arb.ca.gov/listserv/listserv_ind.php?listname=caphase2ghg
- Potential amendments to tractor-trailer GHG regulation
https://www.arb.ca.gov/listserv/listserv_ind.php?listname=hdghg

Special Accommodations

If you require a special accommodation or need this document in an alternate format (i.e., Braille, large print), please visit <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the Americans with Disabilities Act Coordinator by telephone at (916) 323-4916 no later than 10 business days before the scheduled meeting. If you are a person who needs assistance in a language other than English, please visit www.arb.ca.gov/eo/bilingual-services.htm or contact the Bilingual Coordinator by telephone at (916) 322-0473 no later than 10 business days before the scheduled meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

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- Un intérprete que esté disponible en la audiencia.
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- 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 (916) 324-0342 o envíe un fax a (916) 327-8524 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

Sincerely,

/s/

Jack Kitowski, Chief
Mobile Source Control Division

cc: Alex Santos
Staff Air Pollution Specialist
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Mitzi Magtoto
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