



(Submitted online at <https://ww2.arb.ca.gov/public-comments/comment-log-advanced-clean-cars-ii-amendments-june-workshop>)

July 26, 2024

Re: CARB's June 2024 Workshop on Amendments to Advanced Clean Cars II Regulation

Dear Sir or Madam,

Cummins appreciates the opportunity to provide comments regarding amendments to CARB's Advanced Clean Cars II (ACC II) regulation. Cummins actively engaged in CARB's rulemaking process for ACC II. In our May 2022 written comments, we expressed technical concerns with adopting in-use testing requirements and standards which CARB had developed for the Heavy-Duty (HD) Omnibus Low Oxides of Nitrogen (NOx) rule for HD engine certification and compliance and applying them directly to chassis-certified medium-duty vehicles (MDV) in LEV IV.<sup>1</sup> Since then, in April 2024 the U.S. Environmental Protection Agency (EPA) finalized Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles which include new NOx certification and in-use standards for MDV.<sup>2</sup> Also, in July 2023, CARB and HD manufacturers including Cummins entered into the Clean Truck Partnership which includes a commitment by CARB to align their 2027 HD Omnibus Low NOx regulation with EPA's 2027 HD NOx regulation.<sup>3</sup>

Cummins supports amendments to ACC II that would address our previous concerns and take into consideration the new developments mentioned above. We appreciate CARB's efforts to consider alignment with EPA's Multi-Pollutant Final Rule and submit these additional requests for further alignment:

- Cummins supports CARB's proposed amendments to align with EPA's Two-Bin Moving Average Window (2B-MAW) protocol and off-cycle standards for diesel vehicles, which is

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<sup>1</sup> See <https://www.arb.ca.gov/lists/com-attach/396-accii2022-UDMBcl0xVWsAbwNt.pdf>.

<sup>2</sup> See <https://www.govinfo.gov/content/pkg/FR-2024-04-18/pdf/2024-06214.pdf>.

<sup>3</sup> See <https://ww2.arb.ca.gov/news/carb-and-truck-and-engine-manufacturers-announce-unprecedented-partnership-meet-clean-air>.



consistent with the Clean Truck Partnership. CARB should further align with EPA's 2B-MAW start timing of model year (MY) 2031 rather than MY 2027 due to leadtime needed by manufacturers to factor the proposed amendments, which won't be finalized until mid-2025 or later, into their product plans. CARB should also align with EPA's GCWR threshold of 22,000 lbs rather than 14,000 lbs and adopt the Portable Emissions Measurement System (PEMS) accuracy margins adopted by EPA for in-use testing.

- EPA's Multi-Pollutant Final Rule offers two pathways for Tier 4 MDV compliance: 1) the 'default phase-in' at 40 CFR 86.1811-27(b)(6)(ii) where manufacturers meet the fully phased-in Tier 4 standards in a single step on all vehicles in MY 2031, and 2) the 'alternative early phase-in' at 40 CFR 86.1811-27(b)(6)(iii) where manufacturers phase-in the final standards with increasing percentage volumes of Tier 4 vehicles from MY 2027 through 2033. Cummins requests CARB to offer a LEV IV phase-in option with timing aligned to EPA's default phase-in to enable manufacturers who choose EPA's default phase-in to offer 50-state vehicles that comply with both Tier 4 and LEV IV.
- EPA's Multi-Pollutant Final Rule allows optional HD engine certification for criteria pollutant emissions for all MDVs with GCWR > 22,000 lbs whether Class 2b or 3, while CARB proposes to maintain the ACC II requirement for chassis certification for Class 2b vehicles. CARB should align with EPA's HD engine certification option so that manufacturers choosing the option for EPA can use the same certification method for CARB.

Additional alignment between ACC II and EPA Multi-Pollutant MDV regulations is essential to assure the greatest improvements are achieved in the most cost-efficient manner and to provide vehicle and engine manufacturers, suppliers, and end-users with the certainty necessary for investment in technologies to improve emissions. Cummins is committed to continuing to work with CARB and looks forward to discussing more details of the recommendations above. For any questions, please contact me at [jackie.m.yeager@cummins.com](mailto:jackie.m.yeager@cummins.com).

Sincerely,

*Jackie M. Yeager*

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*Director – Emissions and Fuel Efficiency Policy*

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*Cummins Inc.*