

November 1, 2024

Mr. Tony Brasil California Air Resources Board 1001 | Street Sacramento, CA 95814

## Re: CASA Comments on the Advanced Clean Fleets Regulations Assembly Bill 1594 Amendments

Submitted via: <u>ZEVFleet@arb.ca.gov</u> and <u>CARB's Public Comment Portal</u>

Dear Mr. Brasil:

The California Association of Sanitation Agencies (CASA) appreciates the opportunity to comment on the Assembly Bill 1594 (AB 1594) amendments to 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 by:

- 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

To ensure our member's critical services remain reliable while also compliant with water quality, air quality, solid waste, and energy-related regulations, the wastewater sector must have the ability to perform preventive and emergency response measures in all circumstances. Not only are there state regulations (e.g., the updated Sanitary Sewer System Waste Discharge Requirements as well as the Water Quality Enforcement Policy) requiring the sector to increase levels of required maintenance across public sewers, but the sector is also experiencing an increase in frequency of extreme events requiring increased levels of emergency preparedness and response.

With regard to CASA's comments on CARB's proposed AB 1594 amendments, they are focused on the new Section 2013(u), entitled *Traditional Utility-Specialized Vehicle Early Access*. The new section identifies two pathways for being granted early access to the Daily Usage and Zero-Emission Vehicle (ZEV) Purchase Exemptions (copied below).

A. By meeting usage thresholds as shown in Table A.

Table A. Usage Thresholds by Vehicle Class:

Vehicle Class	Mileage or Hour Threshold
Class 3 and 4	70,000 miles
Class 5 and 6	115,000 miles
Class 7 and 8	175,000 miles
Trucks with power take off device	4,000 hours

B. Providing proof that the vehicle is included in the Vehicle Replacement Purchase Plan. Specifically, a public agency must provide:

An attestation signed by the fleet owner's governing board, chief executive, or the chief executive's designee stating that the vehicle meets the replacement criteria stated in a written vehicle replacement purchase plan signed by the fleet owner's governing board, chief executive, or the chief executive's designee.

While CASA supports the addition of the new section 2013(u), Pathway A is ineffective, as CASA members have traditional utility-specialized vehicles that will not reach the mileage or hour threshold before they reach 13 years of age (the current requirement). That said, Pathway B is essential and provides a public agency early access to the Daily Usage and the ZEV Purchase Exemptions, assuming the traditional utility-specialized vehicle being considered for replacement is included in their Vehicle Replacement Purchase Plan. During the October 3<sup>rd</sup> workshop, CARB acknowledged that each public agency has a unique approach (and criteria) to their Vehicle Replacement Purchase Plan. These plans are compiled in effort to estimate the timing and cost of vehicle replacement to responsibly invest ratepayer funds. **CASA strongly supports the inclusion of Pathway B, as it is written**.

Regarding the proposed definition of a traditional utility-specialized vehicle, CASA proposed it include all classes (2B through 8), since those classes of vehicles are required for maintaining a reliable system. While CARB intends to limit the definition to include Classes 3 through 8 (i.e., those greater than 10,000 lbs), we ask that CARB consider the following examples of Class 2B vehicles for which there are no ZEV options available because they are critical to sewer maintenance and preventive care to avoid blocked lines and sewage backups:

- CCTV vehicle. These Class 2B vehicles often see low mileage and higher power demand while conducting essential inspection work of sewers to identify required maintenance or to respond to emergency overflows or blockages. These vehicles use significant levels of power to: launch motorized cameras; power video equipment on the mobile camera; run lights, video equipment, air conditioning, as well as heat for operators within the vehicle; and power lights outside the vehicle.
- Vehicles used to tow a trailer that can operate for an extended time duration and in extreme weather conditions. Examples of equipment commonly towed in the water/wastewater sector:
  - Vacuum/combo trailer.
  - Emergency generator (to power a pump station).
  - Emergency bypass pump(s).

- Emergency response trailers with confined space entry and rescue/safety equipment, pipeline repair equipment, excavation shoring safety equipment or spill control and containment supplies (sandbags).
- Snowplow truck with tilt bed.
- Service truck with crane.
- Traffic control truck.

Additionally, CARB listed examples of Class 3 through 8 vehicle types for the benefit of the reader. **CASA** requests including the following wastewater fleet vehicle types – valve truck, service truck with crane, traffic control truck, vacuum truck, jetter truck, combination jetter-vacuum truck.

Regarding the development of a Streamlined List of vehicle configurations only available as internal combustion engines that CARB is compiling by January 1, 2025, CASA supports the formation of this list and formally requests that a vacuum truck, jetter truck, and most important for our sector the combination jetter-vacuum truck be included on the list. Combination jetter-vacuum trucks are used by water, wastewater and stormwater agencies for critical infrastructure maintenance, repair, and emergency response during planned and unplanned power outages and extreme weather events, for flood and sewer system overflow prevention and response, as well as regular (if not daily) wastewater pipeline and pump station cleaning and maintenance. These specialty vehicles are already at maximum vehicle weight limits for roadways set by Department of Transportation (DOT). The combination jettervacuum truck is the workhorse of a wastewater collection system. Typical practice for a combination jetter-vacuum truck is for the truck to deploy with its water tank filled and the debris tank empty. As the pipeline and pump station wet well cleaning commences, the water tank empties as the debris tank fills. This technique allows for the vehicle to remain below today's DOT weight limit. Additionally, combination jetter-vacuum trucks are built on a Class 8 truck chassis. In speaking with manufacturers, we learned there are no plans to assemble battery electric combination jetter-vacuum trucks since the manufacturers determined the Class 8 battery electric capacity versus the power demand of the vacuum and pumping systems would deplete the battery in one hour.

There are 1,100 public wastewater collection system agencies in the state of California. There are over 120,000 miles of wastewater collection system pipelines and thousands of wastewater pumping facilities. Wastewater agencies invest significant public funds on system redundancy, reliability, and resilience to protect public health and the environment as well as comply with State and Federal water quality regulations. To reiterate - water, wastewater and stormwater agencies rely on internal combustion powered jetter-vacuum trucks as an essential tool for protecting public health and the environment, as well as comply with State and Federal water environment, as well as comply with State and Federal water quality regulations.

Regarding Section 100 changes applied to the ACF Regulations prior to the release of the proposed AB 1594 amendments; specifically, use of the term "dispatch" under Section 2013(a)(3) when speaking of Hiring Entities, **CASA wants to confirm that CARB's original interpretation remains intact**. That is, the language *"hires and operates or hires and dispatches"* is intended to cover situations where a public agency is hiring specific vehicles AND operating them themselves with their own drivers OR the public agency is otherwise directing the operation of those vehicles day-to-day. This language was originally intended to cover situations (for example) where a general contractor is hiring a dump truck company or fleet to place road base at a specific project, and they are directing those vehicles where to go, when to be there, and other day-to-day operational decisions. It was not intended to capture those vehicles that a public wastewater agency hires (for example) to haul their recovered resources (like biosolids) to an

Mr. Tony Brasil November 1, 2024 Page 4 of 4

agreed upon destination since the public wastewater agency does not direct day-to-day operations of the hired entity. Please confirm that this continues to be CARB's interpretation of section 2013(a)(3).

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

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

Sincerely,

arah a. La Causters.

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 Jack Kitowski – CARB Division Chief, Mobile Source Control Craig Duehring – CARB Manager, Mobile Source Control Paul Arneja – CARB Manager, Mobile Source Control Chris Franceschi – CARB Jill Firch – CARB Zoe Heller – CalRecycle Charlotte Ely – SWRCB Chris Hyun – SWRCB Adam Link - CASA, Executive Director Greg Kester – CASA, Director of Renewable Resource Programs Maile Lono-Batura – CASA, (Onboarding) Director of Renewable Resource Programs