Environmental Quality Commission meeting

Proposed Clean Trucks Rule

Agenda Item C, Action Item
Nov. 17, 2021
Diesel Background – Impacts

- Diesel PM causes cancer and other health effects
- Diesel trucks are a major contributor to smog-forming pollution
- Diesel engine exhaust disproportionately impacts communities of color
- Transportation, including freight, is the largest source of GHG emissions in Oregon
Diesel Background – Strategy

Replace and retire the oldest diesel engines

Adopt new and cleaner technologies

Support owners and operators transitioning their fleets
Oregon’s Strategy to Address GHG Emissions from Transportation

Governor’s Executive Order 20-04
Legal authorities – Onroad trucks

Emissions standards for new engines

• **Oregon cannot establish emission standards** for new onroad engines separate from federal requirements – **except when adopting California standards** (Section 177 of the Clean Air Act).

• Oregon is one of 16 Section 177 states who have opted-in to California’s standards
Proposed rules – California’s Advanced Clean Trucks (ACT) Rule

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<tr>
<th>Class 2b-3</th>
<th>Class 4-8</th>
<th>Class 7-8 Tractors</th>
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<td><img src="image1.png" alt="Class 2b-3 Tractor" /></td>
<td><img src="image2.png" alt="Class 4-8 Tractor" /></td>
<td><img src="image3.png" alt="Class 7-8 Tractor" /></td>
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<td><img src="image4.png" alt="Class 2b-3 Truck" /></td>
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DEQ
Proposed Rules – California’s Advanced Clean Trucks Rule

Figure 1: Zero-emission sales percentage schedule by vehicle group and model year.

Proposed Rules - Fleet Reporting Requirement

• One-time reporting requirement on existing fleet operations. Affects:
  – Fleet owners, with 5 or more trucks with a facility in Oregon
  – Large employers (gross annual revenue above $50M)
  – State, local and federal government agencies
  – Brokers that dispatch 5 or more vehicles that operate in Oregon

• Collect vehicle usage information to:
  – Support future ZEV fleet rules
  – Better assess infrastructure needs
Proposed Rules – CARB’s Heavy-Duty Low NOx Omnibus Rule

• Omnibus Program Elements
  – Lower NOx and PM$_{2.5}$
  – New low load standard
  – Longer Useful Life and Warranty Periods
  – In Use Testing
  – Phase 2 GHG standards
  – Exemptions
Proposed Rules – CARB’s Low Emission Vehicle (LEV) Rule updates

• Updates to maintain existing identicality with LEV rules
  – On-Board Diagnostic (OBD II) requirements for light-duty vehicles
Stakeholder Involvement

- Early stakeholder and public meetings - March through August 2021
- Advisory committee meetings – July and August 2021
Public comment

- Public comment period August 31, 2021 – October 1, 2021
  - 2 public hearings
  - Extended public comment 1 week
  - Outreach via Facebook, Twitter, GovDelivery, coordinated with stakeholders to reach out to various affected communities

- Received 143 public comments
Public comment

• Overall strong support for rules
  – Received over 580 comments
Public comment

• Opposition to rules
  – Delay rulemaking until 2022
    • Wait for federal regulations
    • Wait for updates to CARB rules
    • Wait for CARB rules to be finalized
- Opposition to rules
  - Increased truck costs
  - Pre-buy/no-buy concerns
  - Decrease truck sales in Oregon

Response:
Public comment – Key issues (Omnibus)

- Transit bus diesel engine exemption
- Emergency vehicle exemption
- Extended warranty costs
- Impact of diesel emissions on low income and people of color communities
Public comment – Key Issues (ACT)

- Rule opposition – Concern about truck availability
- Rule opposition - Lack of charging infrastructure to meet needs
- Need incentives to minimize impact (vehicle and charging)

Photo: Daimler Trucks NA & PGE
Public comment – Rule changes (ACT)

• Fleet reporting requirements
  – Fleet reporting clarification
  • Define common ownership and control
Implementation

• One-time fleet reporting requirement
  – Outreach to affected fleets
  – Training materials for how to report
  – Submit information to DEQ by June 30, 2022
Requested EQC Action

DEQ recommends that the Environmental Quality Commission adopt the proposed rules in pages 66 through 107 of the report along with changes as shown in Addendum A for this item as part of Chapter 340, Divisions 12, 257, and 261 of the Oregon Administrative Rules.