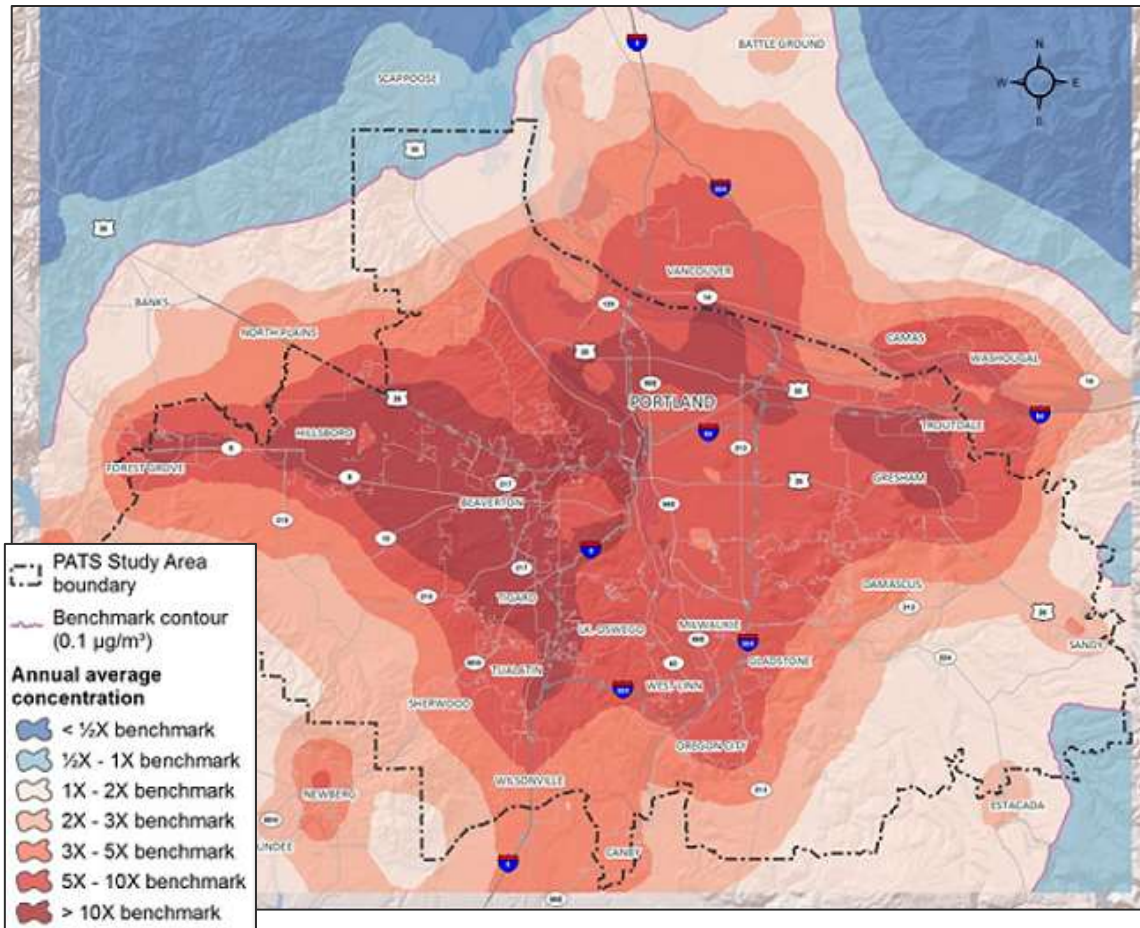


Environmental Quality Commission meeting

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



MULTI-STATE MEDIUM- AND HEAVY-DUTY ZERO EMISSION VEHICLE

MEMORANDUM OF UNDERSTANDING

WHEREAS, the Signatory States and the District of Columbia¹ recognize the importance of state leadership and coordinated state action to ensure national progress in the effort to reduce greenhouse gas (GHG) emissions and stabilize global warming;

WHEREAS, the Signatory States have statutory obligations or otherwise seek to significantly reduce statewide GHG emissions by 2050, consistent with science-based targets;

WHEREAS, transportation is now the nation's largest source of GHG emissions, and, after light-duty vehicles, medium- and heavy-duty trucks are the next largest source of transportation sector GHG emissions;

WHEREAS, the Signatory States have a statutory obligation to provide their citizens with air quality that complies with national health-based air quality standards, which are required to be protective of health and the environment with an adequate margin of safety;

WHEREAS, fossil fuel related emissions from medium- and heavy-duty vehicles (MHDVs) are a major source of nitrogen oxides (NOx), particulate matter, and toxic air emissions, which are preventing many densely populated areas from achieving compliance with federal ambient air quality standards;

WHEREAS, emissions from MHDVs are a widely acknowledged, but unaddressed, environmental justice problem that directly and disproportionately impacts disadvantaged communities located near freight corridors, ports and distribution centers;



Statewide Transportation Strategy: A 2050 Vision for Greenhouse Gas Reduction



Multi-Agency Implementation Work Plan

June 2020 - June 2022

OREGON DEPARTMENT OF TRANSPORTATION, OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT, OREGON DEPARTMENT OF ENERGY, OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

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
 - Oregon adopted California's Low Emission Vehicle and Zero Emission Vehicle standards for passenger cars and trucks (2005)

Proposed rules – California’s Advanced Clean Trucks (ACT) Rule

Class 2b-3	Class 4-8	Class 7-8 Tractors
   	    	  

Proposed Rules – California’s Advanced Clean Trucks Rule

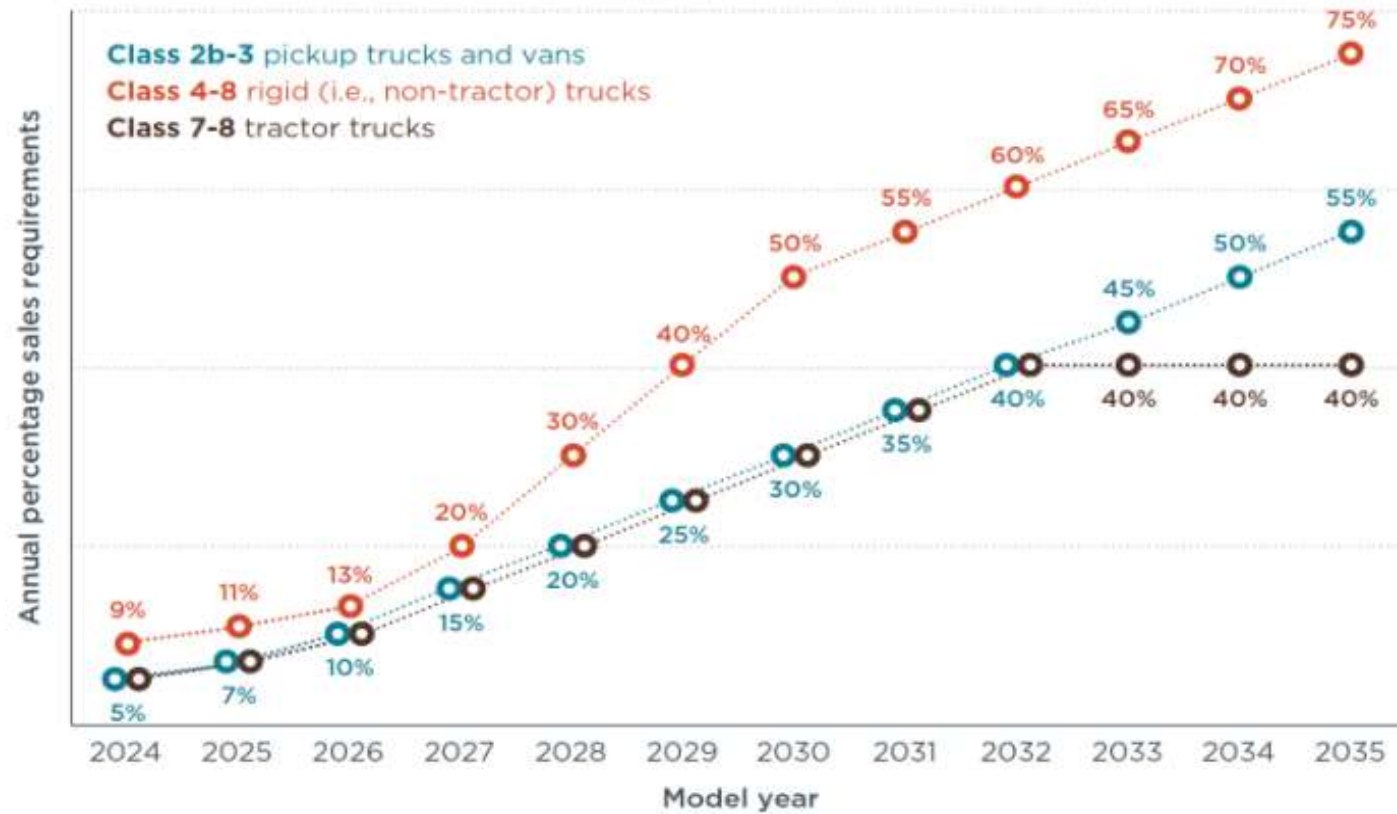


Figure 1: Zero-emission sales percentage schedule by vehicle group and model year.

Source: <https://theicct.org/sites/default/files/publications/CA-HDV-EV-policy-update-jul212020.pdf>

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



Image courtesy of Shutterstock

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



Photo: VIA Motors



Photo: Mack Trucks

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



Photo credit: Forbes

Public comment

- Opposition to rules
 - Increased truck costs
 - Pre-buy/no-buy concerns
 - Decrease truck sales in Oregon

Response:



Lion Electric Scores Its Largest EV Truck Order To Date
100 LionE and Lion8 trucks to be delivered in 2021-2022 for Pristie Group Enterprises.



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)



Photo: Daimler Trucks NA & PGE

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

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