



February 22, 2017

Dr. William A. Burke, Chairman and
Members of the SCAQMD Governing Board
South Coast Air Quality Management District
21865 Copley Drive
Diamond Bar, California 91765

Dear Chairman Burke and Governing Board Members:

Re: Proposed Public Fleet Amendments to the 2016 Air Quality Management Plan

The Southern California Alliance of Publicly Owned Treatment Works (SCAP) represents 83 public agencies that provide essential water supply and wastewater treatment to nearly 19 million people in Los Angeles, Orange, San Diego, Santa Barbara, Riverside, San Bernardino and Ventura counties. SCAP's wastewater members provide environmentally sound, cost-effective management of more than two billion gallons of wastewater each day and, in the process, convert wastes into resources such as recycled water and biogas. We understand that the Governing Board concluded public testimony regarding the 2016 AQMP on February 3, 2017, but the administrative record was left open allowing comment letters to be remitted for your consideration.

The purpose of this letter is to express our concerns with the amendments to MOB-07 and MOB-08 proposed at the Governing Board Hearing that requires the accelerated purchase and use of zero emission heavy duty on-road vehicles for public fleets. In addition to the fact that the proposal only captures 2.7 percent of the total on-road heavy duty fleet within the South Coast Air Basin, we are greatly concerned that the proposal does not consider the substantial investment public agencies and their contractors have made in alternative fuel vehicles and fueling infrastructure in response to both SCAQMD and CARB regulations over the years, and how the proposal would greatly impair the ability of our members to respond to emergencies. Moreover, the proposal does not recognize the efforts our member agencies are making towards developing a renewable fuel infrastructure through organic digestion projects in support of state mandates in AB 1383 and CARB's Short-lived Climate Pollutant Reduction Strategy. As a result, we respectfully request that the Governing Board not approve the proposed public fleet amendments to the 2016 AQMP.

Public Fleet Inventory:

The purpose of the AQMP is to outline how SCAQMD will achieve emission reductions required to achieve federal air quality standards. As described in Appendix III of the AQMP, an emission inventory of air pollutants and their sources is essential to identify the major contributors of air contaminants and to identify the measures necessary to reduce air pollution. Unfortunately, the AQMP does not include information about emissions from public fleets. SCAP was able to query

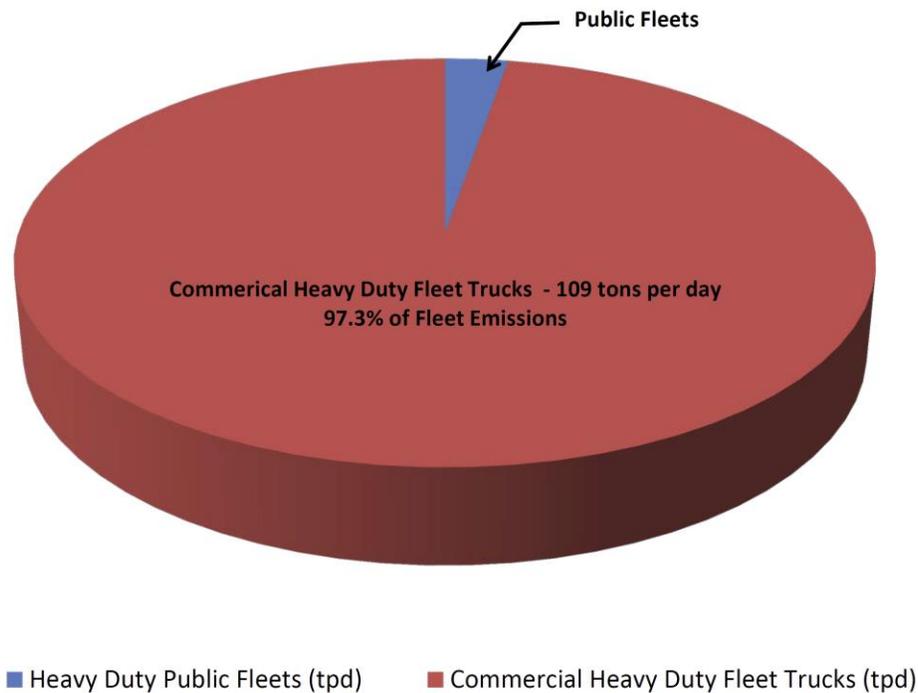
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CARB’s EMFAC2014 model for 2015 on-road heavy duty vehicles from public and commercial fleets. As illustrated in Figure 1, public fleets represent a small fraction of this mobile source category. On the surface, it makes little sense to strictly regulate such a small fraction of the transportation sector, especially when essential public services could be disrupted.

FIGURE 1
2015 PUBLIC VS. PRIVATE FLEET NO_x EMISSIONS
Sources within the SCAB



Impact of the Proposed Zero-Emission Public Fleet Requirement:

In good-faith, our members, and in many cases contractors, have been purchasing compressed natural gas (CNG) vehicles in-compliance with SCAQMD Rule 1196, as well as building fueling infrastructure. For these vehicles CNG must be readily available during routine maintenance activities, repairs and emergencies. To minimize interruption of water service and to prevent sewage spills, vehicles must have enough fuel range to access our conveyance systems and stay at work sites for an extended period of time. These systems include thousands of miles of conveyance and distribution lines, which can be located in remote areas with rugged terrain. Some of our larger member agencies have constructed CNG fueling stations to support CNG vehicles that provide routine services, but there remains insufficient CNG refueling infrastructure for our unique responsibilities. Due to these limitations, which are anticipated when implementing new technologies, Rule 1196 includes necessary provisions for technical infeasibility to ensure essential public services are not impacted. In many cases our members have had to make use of these provisions and purchase diesel-powered vehicles.

The conversion to clean fuel fleets has been challenging for our membership. In many cases diesel-powered vehicles remain the only choice, as we would be unable to otherwise respond to many emergency situations or continue to adequately maintain critical infrastructure. At the moment, there are no commercially available zero emission heavy duty vehicles that would support the maintenance and operation of our conveyance systems (e.g., vacuum trucks, cranes, semi-tractors, dump trucks, utility trucks, boom trucks, cement mixers, aerial manlift trucks, semi-tractors and water trucks). These vehicles would need to function throughout a prolonged emergency or maintenance/repair event, which would be infeasible with electric or hydrogen vehicles.

Stranded Assets:

If adopted, the proposed public fleet amendments would require our members to abandon their CNG infrastructure and strand valuable public assets. In addition, many members are working to develop a renewable fuel infrastructure through the digestion of organic waste, in support of state mandates in AB 1383 and CARB's Short-lived Climate Pollutant Reduction Strategy. Converting to clean technology requires time for manufacturers to develop commercially available and reliable equipment. Rule 1196 in conjunction with financial incentives has successfully allowed public fleets to advance clean combustion technology. We believe that our existing CNG conversion efforts should not be abandoned with the hope that applicable and reliable zero-emission technologies will be developed in a matter of a few years.

Cost Effectiveness:

SCAP appreciates that staff considered the cost-effectiveness of proposed control measures in the AQMP. However, the proposed public fleet amendments do not appear to consider this important factor. Without financial incentives to support the technology development needed for zero emission public fleets, our agencies will be financially burdened with such a requirement. To attain the federal ozone ambient air quality standards, all mobile and federal sources will need to embrace zero emission technologies. Public fleets have embraced clean technologies and should not be singled-out for further technology-forcing regulation.

CEQA:

The majority of our members are public agencies, which are frequently lead agencies for CEQA purposes. Based upon our experience, SCAP does not believe that potential environmental impacts from the proposed public fleet amendments have been studied. For example, in order to support a fleet of zero emission public vehicles as proposed, a significant number of electric charging or hydrogen fueling stations would need to be constructed in the next few years. The environmental impacts of such a system should be identified and mitigation measures should be assessed, if the Governing Board elects to adopt these amendments.

Legislative Authority:

The proposal presented at the Governing Board Hearing speaks of seeking necessary legislative authority to regulate public fleets. In light of the past legal history associated with SCAQMD's fleet rules and the robust transportation plans developed at the state level, we recommend that the proposed legislation be stepped back to determine whether any additional legislative authority is needed. Rather than creating new unique local requirements for a small fraction of the heavy duty on-road fleet, SCAQMD should pursue greater harmonization with CARB's Mobile Source

Strategy for South Coast. We believe that such a uniform regulatory approach would address the challenges outlined above.

Existing AQMP Public Fleet Control Measures:

We would like to remind the Governing Board that AQMP control measures already includes the following methods of control:

“...District staff will explore the potential to increase the deployment of zero-emission vehicles wherever feasible and near-zero emission vehicles everywhere else. To this end, the District will work with affected stakeholders to develop provisions that will allow for NOx and PM emissions equivalency if an alternative fuel or zero-emission heavy-duty vehicle is not commercially-available or cannot be used in a specific application. In addition, District staff will evaluate the need to expand the existing clean fleet vehicle rules for public and certain private fleets to further the deployment of zero-emission vehicles wherever possible and near-zero emission vehicles everywhere else, including any necessary amendments to State law.”

Based upon these existing control methods, we believe that the AQMP already adequately addresses clean public fleet measures relative to both zero and near-zero emission technologies and that additional amendments are not required. Moreover, as illustrated by this transmittal, any modification to the proposed amendments should be fully vetted to ensure unintended consequences are avoided.

While SCAP has concerns about the proposed AQMP public fleet amendments, we appreciate and support the mission of SCAQMD. We look forward to working with you to implement the AQMP, but respectfully request that the Governing Board not approve these proposed public fleet amendments. Please do not hesitate to contact Mr. David Rothbart of the Los Angeles County Sanitation Districts, SCAP Air Quality Committee Chair, should you have any questions regarding this transmittal at (562) 908-4288, extension 2412.

Sincerely,



Steve Jepsen, Executive Director

cc: Wayne Nastri, SCAQMD
Philip Fine, SCAQMD