



June 21, 2022

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Re: Proposed Rulemaking to Change Chapters 173-423 and 173-400 WAC

I. BACKGROUND: THE TRANSPORTATION-FUELED CLIMATE CRISIS IN WASHINGTON

Washington, and indeed the entire world, is in the midst of a climate crisis brought on by excessive combustion of fossil fuels. As Washington recognizes, rapid action is vitally needed to blunt the immediate harms brought on by this crisis and mitigate the future threats that continue to magnify as we add to the stock of atmospheric carbon with each passing year. At the same time, the people of Washington, and disproportionately low-income communities and communities of color, currently suffer from unsafe and unhealthy air quality due to carbon monoxide, particulate matter, and smog; action is needed to reduce and resolve the sources of that air pollution. Transportation emissions comprise a huge amount of greenhouse gas emissions in Washington—approximately 45%,¹ and emissions from heavy-duty vehicles especially pollute the air with particulate matter and contribute to smog. The proposed Advanced Clean Cars (ACC) II and Heavy-Duty (HD) Omnibus rules, which would reduce air pollution from the light-, medium-, and heavy-duty vehicle fleets in Washington, are important and much-needed next

¹ Wash. State Dept. of Ecology, *Washington State Greenhouse Gas Emissions Inventory: 1990-2018* at 13 (Jan. 2021), available at <https://apps.ecology.wa.gov/publications/documents/2002020.pdf>.

steps towards addressing both the climate and public health harms caused by the transportation fleet's air pollution. We strongly encourage the Department of Ecology ("DEQ" or "Ecology") to swiftly adopt the proposed rules.

Though Washington has adopted laudable climate goals, Washington has not yet met its first goal of reducing transportation emissions down to 1990 levels; in fact, transportation emissions grew between 2010 and 2018. As detailed in our comments below, DEQ has a clear mandate to finalize the proposed rules as soon as possible to put Washington on the path to meeting its climate goals.

The need for drastic reductions in greenhouse gas emissions has been cruelly demonstrated in Washington by the recent heat waves and unprecedented wildfires. As Washington's 2021 Department of Health states, higher temperatures will increase the number of heat-related hospitalizations and deaths, especially for outdoor workers, children, the elderly, people experiencing poverty, and people with chronic disease.²

In 2020 the Northwest saw the most massive increase in wildfires in history. Ten million acres burned across the American West, with over 700,000 acres, 200 homes, and two children lost to wildfires in Washington, making it the second worst wildfire season in the state in two decades.³ A 2019 study by the National Resources Defense Council found that in 2012, Washington wildfires resulted in 245 deaths, 371 hospitalizations, and 1,897 emergency room visits, resulting in \$2.3 billion in health costs.⁴ The smoke from such devastating fires is linked

² *Extreme Heat and Climate Change*, Wash. State Dept. of Health, <https://doh.wa.gov/community-and-environment/climate-and-health/extreme-heat> (last visited June 17, 2022).

³ Casey Decker, *How 2020 compares to historic Washington wildfire seasons*, KREM 2, Sept. 25, 2020, available at <https://www.krem.com/article/news/local/wildfire/how-2020-washington-wildfire-season-compares-historically/293-50b373ea-6a16-4e99-9a5d-906a42e813a4>.

⁴ Vijay Limaye, *Western Heat and Wildfires Rage On, with Millions at Risk*, National Resources Defense Council, Sept. 10, 2020, available at

to even more health problems, “including respiratory infections, cardiac arrest, lung cancer, stroke, low birth weight, mental health conditions, and exacerbated asthma and chronic obstructive pulmonary disease,” so that even those outside of the immediate danger zone are at risk.⁵

In 2021, hundreds more died in Washington and Oregon from the impacts of a devastating heat wave, which saw temperatures rise over 110 F for three days running, an event that scientists found would have been “virtually impossible without human-caused climate change.”⁶ Most impacted by these climate disasters are disproportionately economically disadvantaged, low-wage outdoor workers, the homeless, and elderly people like those who died from heat stroke in the Northwest heat wave.⁷ These events are a glimpse of the climate disaster that awaits us as temperatures rise.

Beyond the transportation sector’s outsized contribution to the climate crisis, air pollution from fossil-fueled medium- and heavy-duty vehicles is directly responsible for extremely serious negative impacts to public health that disproportionately harm environmental justice communities. The fossil-fueled transportation sector emits dozens of harmful pollutants, including carbon monoxide, black carbon, nitrogen oxides (NOx), and fine and coarse particulate

<https://www.nrdc.org/experts/vijay-limaye/western-heat-and-wildfires-rage-millions-risk>.

⁵ *Id.*

⁶ Sjoukje Philip et al., *Rapid Attribution Analysis of the Extraordinary Heatwave on the Pacific Coast of the US and Canada June 2021* (World Weather Attribution June 2021), available at <https://www.worldweatherattribution.org/wp-content/uploads/NW-US-extreme-heat-2021-scientific-report-WWA.pdf>.

⁷ Nicholas K. Geranios, *Pacific Northwest strengthens heat protections for workers*, AP News, July 9, 2021, available at <https://apnews.com/article/business-science-health-environment-and-nature-washington-c463fc55ab6b601cf70b2fd73644f973>; Danny Peterson, *New data shows scope of heatwave-related homeless deaths*, KOIN, July 23, 2021, available at <https://www.koin.com/news/special-reports/new-data-shows-scope-of-heatwave-related-homeless-deaths/>; Timothy Bella, *Historic heat wave in Pacific Northwest has killed hundreds in U.S. and Canada over the past week*, Wash. Post, July 1, 2021, available at <https://www.washingtonpost.com/nation/2021/07/01/heat-wave-deaths-pacific-northwest/>.

matter (PM2.5 and PM10), as well as a range of toxic air substances like benzene and formaldehyde.⁸ Worldwide, exhaust from diesel vehicles causes roughly half of the more than 350,000 premature deaths per year attributable to exhaust from transportation.⁹ Moreover, air pollution levels are highest in areas adjacent to major roadways or facilities with significant vehicle volumes, like ports and rail yards (of which Washington has many). People who live, work, or go to school near such areas—often environmental justice communities—“have an increased incidence and severity of health problems associated with air pollution exposures related to roadway traffic” like asthma, cardiovascular disease, childhood leukemia, and premature death.¹⁰ Although data for Washington does not appear to be available, Oregon DEQ analyses demonstrate that diesel truck exhaust disproportionately affects low-income communities and communities of color due to their proximity to transportation and freight infrastructure.¹¹

A 2010 comprehensive review concluded that exposure to traffic-related air pollution caused significant human health problems, noting that:

[T]he evidence is sufficient to support a causal relationship between exposure to traffic-related air pollution and exacerbation of asthma. It also found suggestive

⁸ See Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles—Phase 2, 81 Fed. Reg. 73,478, 73,836-57 (Oct. 25, 2016).

⁹ See Susan Anenberg et al., *A global snapshot of the air pollution-related health impacts of transportation sector emissions in 2010 and 2015* (Int’l Council on Clean Transp. Feb. 26, 2019), available at <https://theicct.org/publications/health-impacts-transport-emissions-2010-2015>.

¹⁰ See Office of Transp. and Air Quality, EPA, *Near Roadway Air Pollution and Health: Frequently Asked Questions* at 1, 2 (Aug. 2014), available at https://www.epa.gov/sites/production/files/2015-11/documents/420f14044_0.pdf.

¹¹ Or. DEQ, Notice of Proposed Rulemaking at 8 (Aug. 31, 2021), available at <https://www.oregon.gov/deq/Regulations/rulemaking/RuleDocuments/ctr2021pnp.pdf> [hereinafter “Proposal”] (citing Or. DEQ, *Portland Air Toxics Solutions Committee Report and Recommendations* (Apr. 2012), available at <https://www.oregon.gov/deq/FilterDocs/PATS2012.pdf>); *Id.* at 17; see also Dana Lowell et al., M.J. Bradley & Associates, *Oregon Clean Trucks Program* at 12 (2021), available at <https://www.ucsusa.org/sites/default/files/2021-09/or-clean-trucks-report.pdf>.

evidence of a causal relationship with onset of childhood asthma, nonasthma respiratory symptoms, impaired lung function, total and cardiovascular mortality, and cardiovascular morbidity.¹²

As Oregon DEQ explains, “exposure to diesel exhaust is associated with [] increased risk of certain cancers...[and] heart attacks, ...decreased lung functions, ...and neurodevelopmental effects including decreased cognitive function and decreased birthweight.”¹³ PM2.5 emissions from vehicles are particularly dangerous to human health; PM2.5 exposure can increase the risk of death from multiple distinct causes, including cardiovascular disease, chronic kidney disease, lung cancer, and pneumonia.¹⁴ Oregon DEQ also estimates that 176 premature deaths, 24,910 lost work days, and annual costs resulting from exposure to diesel engine exhaust cost Oregonians a combined \$3.5 billion every year.¹⁵ It is fair to assume that these impacts are just as dire for Washington.

In addition, pollutants directly emitted from transportation can react in the ambient air to create secondary pollutants that are likewise dangerous for public health. For example, ground-level ozone, commonly referred to as smog, forms when volatile organic compounds (VOCs) react with NOx in the presence of heat and sunlight. Ozone is a corrosive air pollutant that inflames the lungs, constricts breathing, and likely kills people.¹⁶ It causes and exacerbates

¹² See HEI Panel on the Health Effects of Traffic-Related Air Pollution, *Special Report 17 - Traffic-Related Air Pollution: A Critical Review of the Literature on Emissions, Exposure, and Health Effects* at xv (Health Effects Inst. Jan. 12, 2010), available at <https://www.healtheffects.org/system/files/SR17TrafficReview.pdf>.

¹³ Proposal, *supra* note 11, at 8.

¹⁴ See Benjamin Bowe et al., *Burden of Cause-Specific Mortality Associated with PM2.5 Air Pollution in the United States*, 2 JAMA Network Open 1, 1 (Nov. 20, 2019), available at <https://jamanetwork.com/journals/jamanetworkopen/fullarticle/2755672>.

¹⁵ Proposal, *supra* note 11, at 17 (citing The Concerns about Diesel Engine Exhaust, Oregon DEQ, 2015).

¹⁶ See National Ambient Air Quality Standards for Ozone, 80 Fed. Reg. 65,292, 65,308/3-309/1 (Oct. 26, 2015); EPA, *Integrated Science Assessment for Ozone and Related Photochemical Oxidants* at 2-20 to 2-23 tbl.2-1 (Feb. 2013), available at

asthma attacks, emergency room visits, hospitalizations, and other serious health harms.¹⁷

Ozone-induced health problems can force people to change their ordinary activities, require children to stay indoors, and force people to take medication and miss work or school.¹⁸

Ozone can harm healthy adults, but others are more vulnerable.¹⁹ Because their respiratory tracts are not fully developed, children are especially vulnerable to ozone pollution, particularly when they have elevated respiratory rates, such as when playing outdoors.²⁰ People with lung disease and the elderly also have heightened vulnerability.²¹ Those with asthma suffer more severe impacts from ozone exposure than healthy individuals and are more vulnerable at lower levels of exposure.²²

Ozone is a pollutant of concern in Washington. Although Washington has met the national standard for ozone since the mid-90s, Ecology continues to monitor levels in the Tri-Cities area for periods of relatively high levels.²³ Adverse effects of ozone pollution include respiratory illness and lung damage, as well as exacerbating existing health conditions like asthma, bronchitis, emphysema, and heart disease.²⁴ By reducing ozone precursor emissions from light-, medium-, and heavy-duty vehicles, both the ACC II and Omnibus rules will protect health and help ensure ozone levels in Washington stay in compliance with the national standard.

https://ofmpub.epa.gov/eims/eimscomm.getfile?p_download_id=511347 [hereinafter “2013 Integrated Science Assessment”].

¹⁷ See, e.g., EPA, *Policy Assessment for the Review of the Ozone National Ambient Air Quality Standards* 3-18, 3-26 to -29, 3-32 (Aug. 2014) [hereinafter “2014 Policy Assessment”]; See, e.g., 2013 Integrated Science Assessment, *supra* note 16, at 2-16 to -18, 2-20 to -24 tbl.2-1.

¹⁸ See, e.g., 2014 Policy Assessment, *supra* note 17, at 4-12.

¹⁹ See National Ambient Air Quality Standards for Ozone, 80 Fed. Reg. at 65,310/1-3.

²⁰ See, e.g., 2014 Policy Assessment, *supra* note 17, at 3-81 to -82.

²¹ See National Ambient Air Quality Standards for Ozone, 80 Fed. Reg. at 65,310/3.

²² *Id.* at 65,311/1 n.37, 65,322/3.

²³ *Ground level ozone in Washington’s air*, Wash. Dept. of Ecology, <https://ecology.wa.gov/Air-Climate/Air-quality/Air-quality-targets/Air-quality-standards/Ozone-pollution> (last visited June 17, 2022).

²⁴ *Id.*

II. WASHINGTON HAS THE LEGAL AUTHORITY TO ADOPT ACC II, OMNIBUS, AND FLEET REPORTING RULES

A. *Clean Air Act Section 177*

The Clean Air Act allows Washington to adopt the ACC II and HD Omnibus Rules because it has nonattainment and maintenance plan provisions approved by the U.S. Environmental Protection Agency (EPA). Clean Air Act Part D, Section 177 specifies, “any State which has plan provisions approved under this part may adopt and enforce for any model year [California] standards relating to control of emissions from new motor vehicles or new motor vehicle engines.” 42 U.S.C. § 7507 (emphasis added). The term “[p]lan provisions approved *under this part*” applies both to nonattainment plan provisions and maintenance plan provisions, as both such plan types are approved by EPA under Clean Air Act Part D. *See* 42 U.S.C. §§ 7502(c), 7505(a) (concerning nonattainment and maintenance plans, respectively, both under Part D); *see also Am. Auto. Mfrs. Ass’n v. Comm’r, Mass. Dep’t of Env’t Prot.*, 31 F.3d 18, 23 n.2 (1st Cir. 1994) (Section 177 allows “any State which has plan provisions [for the attainment and maintenance of the NAAQS] [to] adopt and enforce for any model year standards . . .”). Since EPA has approved multiple Washington nonattainment and maintenance plan provisions,²⁵ Washington satisfies the Section 177 requirement to adopt California’s vehicle emissions rules.

B. *Washington Law Requires the Department of Ecology to Adopt California Vehicle Emission Standards and Update Its Rule to Maintain Consistency with California’s Rules*

Under state law, DEQ must adopt California’s vehicle standards in order to achieve the state’s goals of eliminating adverse effects of motor vehicle air pollution. Finding broadly that

²⁵ *See, e.g., Approved Regulations in the Washington SIP*, EPA, <https://www.epa.gov/sips-wa/washington-sip-epa-approved-regulations-table-1-statewide> (last visited June 20, 2022).

“motor vehicles are the largest source of air pollution in the state of Washington and motor vehicles contribute approximately fifty-seven percent of criteria air pollutant emissions [and] eighty percent of air toxics emissions”; that “[a]ir pollution levels routinely measured in the state of Washington continue to harm public health, the environment, and the economy”; and that “opting into the California motor vehicle standards will provide significant and necessary air quality benefits to residents of the state of Washington,” the legislature directed Ecology to improve air quality through adoption of motor vehicle standards. Specifically, Ecology “shall adopt rules to implement the motor vehicle emission standards of the state of California, including the zero-emission vehicle program, and shall amend the rules from time to time, to maintain consistency with the California motor vehicle emission standards and 42 U.S.C. Sec. 7507 (Section 177 of the federal Clean Air Act).”²⁶ Ecology also has broad authority to adopt emission standards and regulate air quality under the Washington Clean Air Act.²⁷

Other state directives strongly support Ecology’s authority to adopt the ACC II, Omnibus, and Fleet Reporting rules, and will help provide the necessary companion pieces for those programs. Importantly, RCW 70A.45.020 requires the state to limit greenhouse gas emissions including the following:

- By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels;
- By 2030, reduce overall emissions of greenhouse gases to forty-five percent below 1990 levels;
- By 2040, reduce overall emissions of greenhouse gases to seventy percent below 1990 levels;
- And achieve net zero greenhouse gas emissions by 2050.

²⁶ RCW § 70A.30.010 (emphasis added).

²⁷ RCW § 70A.15.

The Clean Energy Transportation Act (CETA), which sets a goal of moving towards 100% renewable energy by 2045,²⁸ requires Ecology to establish requirements for energy transformation project investments, including incentives for the sale or purchase of electric vehicles and installation of charging infrastructure for electric vehicles.²⁹ Clean Cars 2030 requires Ecology to develop numerous incentives promoting EV market share growth and expanded EV charging infrastructure.³⁰ The bill authorizes Ecology to grant credits to non-utilities that install EV charging stations,³¹ as well as utilities whose customers charge their electric vehicles within their service areas.³² Finally, the Governor has taken steps to reduce vehicle emissions in Washington via Executive Order 18-01, which directs the largest carbon-emitting agencies to prioritize electric vehicles in all new leases and purchases of state vehicles, and to pursue opportunities to conduct state operations from zero-emissions electricity sources.

III. MEDIUM- AND HEAVY-DUTY STANDARDS

A. Benefits of the Omnibus Rule

Adoption of California's Omnibus Rule will eventually lead to a 90% reduction in the NOx limit.³³ Harmful PM in the air will be reduced by 50% the first year the rule is in effect.³⁴

²⁸ *Clean Energy Transformation Act*, Wash. Util. and Transp. Comm., <https://www.utc.wa.gov/regulated-industries/utilities/energy/conservation-and-renewable-energy-overview/clean-energy-transformation-act> (last visited June 20, 2022).

²⁹ Clean Energy--Electric Utilities--Various Provisions, Laws of 2019, ch. 288, § 10.

³⁰ S.B. 5974, 67th Leg., 2022 Reg. Sess. (Wash. 2022).

³¹ *Id.* at 83.

³² *Id.* at 79.

³³ Since the rule requires a two-year notice period, Washington's adoption of the rule will apply to model year 2026 vehicles. Int'l Council on Clean Transp., *California's Heavy-duty omnibus regulation: Updates to emission standards, testing requirement, and compliance procedures at 1-2* (Jan. 4, 2022), available at <https://theicct.org/publication/california-us-hdv-omnibus-reg-jan22/> [hereinafter "ICCT Report"].

³⁴ Dept. of Ecology, Clean Vehicles Program - Chapter 173-423 WAC, General Regulations for Air Pollution Sources - Chapter 174-400 WAC, February 28, 2022 Stakeholder Meeting at slide 29, (Feb. 28, 2022), available at <https://ecology.wa.gov/DOE/files/64/64340437-ea49-4cba-bd5a-4e08b887929b.pdf>.

The rule will require that vehicles comply with emission standards for longer durations that more accurately reflect the useful life of these vehicles,³⁵ and it will also extend warranty periods for heavy-duty vehicles in order to encourage proper maintenance and durability of the emission control system. By 2031, warranty periods will have roughly doubled from current standards for all classes of truck.³⁶

Adoption of the Omnibus Rule will lead to tremendous benefits for the state of Washington, and most importantly, for the overburdened communities near highways and ports that bear the brunt of medium- and heavy-duty emissions. The ICCT Report projects that implementing these rules will lead to a 30% reduction in NOx emissions from heavy-duty vehicles in California by 2050.³⁷ We can reasonably assume that adoption of these rules in Washington will have similarly beneficial impacts. Although these rules would impose additional costs on manufacturers, they would also result in an estimated \$36.8 billion in health benefits, resulting in a total of \$33 billion net benefit.³⁸

B. Phase 2 GHG and Tractor-trailer Regulations

Adopting California's Phase 2 greenhouse gas emissions and fuel efficiency standards will introduce new standards for trailers and amend existing regulations for tractors, vocational vehicles, public utility vans, glider vehicles, and medium- and heavy-duty engines.³⁹ The new regulations and amendments would generally align Washington's GHG emission standards and test procedures with those of the federal Phase 2 GHG regulations in structure, timing, and stringency, thereby providing nationwide consistency for engine and vehicle manufacturers;

³⁵ *Id.* at 2.

³⁶ *Id.* at 6.

³⁷ *Id.* at 9.

³⁸ *Id.* at 10.

³⁹ *CARB Passes 'California Phase 2' Regulations*, National Trailer Dealers Association, <https://ntda.org/advocacy/carb-and-ghg-phase-2/> (last visited June 20, 2022).

there are some minor distinctions between the two sets of regulations and Washington would gain the ability to independently verify certification information.⁴⁰

IV. ADVANCED CLEAN CARS II

By reducing and eventually eliminating emissions from the country's largest source of greenhouse gas emissions, ACC II is a huge step in addressing the climate crisis and tackling unhealthy air that harms communities. The zero-emission vehicle (ZEV) component of ACC II requires auto manufacturers to deliver for sale a specific number of ZEVs each year.

Automakers are well-positioned in Washington to comply with ACC II's ZEV requirements. Washington ZEV sales are robust at 7.7% for MY2021, and the state's Move Ahead Washington transportation funding package, ESSB 5974, provides numerous additional incentives to promote EV market share growth and build out EV charging infrastructure. As Ecology notes, although other recent-adopter states gave automakers some version of early action or proportional credits, the ZEV sales in those states are lower than in Washington, which has consistently ranked second in the nation for ZEV market share.

ACC II includes numerous flexibilities and crediting mechanisms, which can be sold and traded among manufacturers, including early compliance values, pooled ZEV credits, ACC I credits, and environmental justice flexibilities. When the flexibilities are considered, ACC II's Model Year 2026 requirements are not significantly greater than the 17% ZEVs that will result

⁴⁰ State of Calif. Air Resources Board, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking* at ES-3 to ES-4 (Dec. 17, 2019), available at https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2018/phase2/isor.pdf?_ga=2.203652373.483122592.1655730035-1688791409.1649872342.

from the federal standards in that Model Year.⁴¹ Automakers can also carry deficits to future years.

The ACC II program allows automakers to use a portion of their credits from the first Advanced Clean Cars Program (ACC I) toward their annual requirement in Model Years 2026-2030. Since Washington adopted the ACC I program in 2021, it will take effect for Model Year 2025, allowing automakers to bank excess ACC I credits for that Model Year. Because other states that adopted the ACC I program in 2018 have larger banks of historical credits that can be used toward compliance with ACC II in those early model years, and because Ecology projects that automakers will need to rely on some form of credits to meet ACC II requirements in the early model years, Washington is considering options to give automakers credits to establish more equal footing with other states.

Washington's early action proposal would provide early action credits for MY2023 and MY2024. This option is most appropriate of all the crediting options considered since it would encourage automakers to deliver more ZEVs in Washington. Though it does not appear that automakers will need to maximize all available credits and flexibilities in order to comply with ACC II in Washington, incentivizing the placement of ZEVs in Washington over use of pooled credits from other states is a laudable policy goal should the data show that credits are necessary for compliance.

⁴¹ EPA, *Revised 2023 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions Standards (Dec. 2021)*, available at <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1013NRF.pdf>.

V. FLEET REPORTING

The Sierra Club, along with coalition partners,⁴² supports the comments and requests provided by Earthjustice, Duwamish River Community Coalition, and the Natural Resource Defense Council⁴³ calling for a strong, regular, and comprehensive fleet reporting rule. The data collected from this rule will be essential to inform future actions to electrify medium- and heavy-duty vehicles.

We applaud Ecology's proposal to require fleets with five or more trucks to report. Including fleets of five or more will make certain that the reporting requirement matches the scope and scale of truck fleets in Washington, and ensure strategic deployment of incentives and resources for charging infrastructure, load management, and parking infrastructure. Capturing smaller fleets, including drayage truck dispatchers, in the reporting requirement will also guarantee that resources are allocated appropriately for a just environmental and economic transition to an electrified freight sector.

While a one-time fleet reporting requirement can establish a baseline, an annual reporting requirement is needed to provide decision makers with relevant and timely data for ongoing program development and innovation. A regular, multi-year reporting process will allow Washington to track indirect medium- and heavy-duty vehicular pollutant distribution changes over time, and ensure that these changes are improving public health outcomes in overburdened communities. The data can also be used for the continual improvement of local and state government programs focused on securing a just clean energy transition for all.

⁴² Climate Solutions et al., *Joint comments on the draft rule language for the large entity reporting requirement, WAC 173-423-083* (June 9, 2022), available at <https://tinyurl.com/mvcfzz2y>.

⁴³ DRCC, NRDC & Earthjustice, *Comment Letter Regarding Proposed Rulemaking to change Chapter 173-423 WAC and Chapter 173-400 WAC* (Apr. 8, 2022), available at <https://tinyurl.com/5x3pb2ha>.

Ecology should publish clear guidelines on its website and offer staff assistance to help fleets determine whether they are required to report, and what their reporting requirements are. This will greatly simplify the requirement for fleet operators and also ensure relevant information is collected to help alleviate public health impacts from over-burdened neighborhoods.

Sincerely,

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