

WSPA

For the record, my name is spelled Jim, J-I-M, Verburg, V-E-R-B-U-R-G. I am the Fuels Director with WSPA, a trade organization representing companies in Washington and for the Western states that we provide vital traditional and renewable transportation fuels and other energy supplies. We believe that Washingtonians should be able to choose a vehicle technology including electric vehicles that best fits their needs based on availability, affordability, and personal necessities. We will be submitting written comments but today I will just briefly highlight some issues. First, the ACC II's technical difficulties remain unchanged. The California ACC II being adopted by Washington is not an emission standard, but rather a technology mandate. Ecology has stated, since statute directs them to adopt California's vehicle admission standards, a comprehensive review under CPA and the Administrative Procedures Act is not required. We disagree with this assertion notwithstanding because Ecology's approach, major items such as the required build-out of electrical transmission, distribution, infrastructure, charging infrastructure are cumulative impact on mineral resources, and life cycle emissions for transition to EVs were left completely off the table. I'll point out that, also the fact that the lifecycle emissions for EVs are only better if you ignore the advancement of low CI liquid fuels and the such. This leaves Washington with no clear plan for implementing a transition to EVs, including the key issue of equitable distribution and infrastructure. Second, this approach left out likely economic impacts to Washington citizens, particularly for low and moderate-income households and businesses who will all be hit the hardest and inadequately captured. Ecology only evaluated the cost of reporting for regulated entities resulting in a meager estimate of \$890,400 compared to the billions of dollars for previously mentioned infrastructure that will be required for implementation. This leaves a series of questions about if Washington can adopt ACC in an affordable manner. Lastly, the proposed rule raises important legal questions that should be considered as we point out in our comment letter, including required analysis under CPA, the APA, and Federal preemption under the Energy Policy and Conservation Act and others. In closing, we continue to broadly recommend a technology-neutral performance-based, all-of-the-above approach that allows for innovation and reduces emissions in the transportation sector. rather than force some Washingtonians to become overreliant on just one energy system, electricity. Incentives and innovation help make policies affordable. A mandate does not. Sincere thank you for your time and the opportunity to comment.