

December 13, 2024

Department of Ecology  
State of Washington  
P.O. Box 47600  
Olympia, WA 98504-7600

**RE: Fourth Informal Comment Period for Washington State Department of Ecology Planned Rulemaking for the Clean Fuels Program (Washington Administrative Code Chapter 173-424)**

Department of Ecology Staff,

The Electric Vehicle Charging Association (EVCA) appreciates the opportunity to once again provide informal comments to the proposed amendments to the Washington Clean Fuel Standard (CFS). EVCA is a not-for-profit trade organization of 22 leading EV charging industry member companies and two zero-emission autonomous fleet operators. The association was established in 2015 to comprehensively represent the entire EV charging value chain and provide a collective industry voice for policymakers throughout the West Coast.

EVCA sincerely appreciates Ecology's willingness to consider several of the changes requested by our members during the last informal comment period. We believe many of these amendments will help to reduce costs and promote investment in new fast-charging infrastructure and would like to reiterate the following points for further consideration as the Department begins its formal rulemaking process.

**Support Changes to the Light- and Medium-Duty FCI Pathway**

EVCA supports Ecology's recent changes to the newly restructured LMD-FCI pathway, including the decision to shift medium-duty charging into the LD-FCI pathway and to maintain the existing pathway deadline of December 31, 2029. As our member companies continue to develop fast-charging infrastructure throughout Washington, these most recent changes will help to provide certainty that the state remains committed to supporting fast-charging infrastructure for passenger vehicles through the end of the decade. To further encourage long-term investments, EVCA would also suggest conforming the CFS LMD-FCI deadline with the December 31, 2030 deadline being considered for California's Low Carbon Fuel Standard.

## **Replace Site Visit Requirements for EV Charging Stations with Desktop Reviews for Third-Party Verification**

EVCA understands and appreciates the intent of third-party verification requirements to maintain the integrity of the CFS. As noted in our previous comments, however, unlike liquid fuels, EV charging networks are inherently widespread and diffuse, and stations do not feature the on-site data management systems needed for third-party verifiers to access cumulative fuel reporting data. EVCA would recommend that Ecology consider removing the requirement for verifiers to conduct in-person site visits, and to instead allow verifiers to confirm the integrity of quarterly fuel transaction reports remotely. EVCA encourages Ecology to consider broad alignment with the provisions in the California Air Resources Board's Final Regulation Order for the Low Carbon Fuel Standard that require visits to a central records location where fuel reporting data is collected, with additional site visits to EV charging stations being left to the discretion of the third-party verifier.<sup>1</sup>

## **Ensure Robust Third-Party Verification Compliance through a Public Registry of Approved Verification Bodies**

To support implementation of the CFS program's new third-party verification requirements, EVCA would also recommend Ecology maintain a public registry of qualified verification bodies, to include up-to-date contact information for reference by responsible entities.

Prior experience from similar CFS programs in other jurisdictions has shown both the lack of sufficient verification service providers, and the inability to locate or contact such providers, can make compliance with third-party verification requirements considerably more difficult. Maintenance of a registry, as done by the California Air Resources Board for the Low Carbon Fuel Standard, would help responsible entities meet their obligations and allow Ecology the opportunity to monitor the availability of providers to ensure there are a sufficient number of approved verification bodies to meet market demand.

## **Allow for Expanded Flexibility within the HD-FCI Pathway**

As noted in EVCA's previous comments, MHD fleets operate across a diverse range of business models, each with unique operational and charging needs. EVCA appreciates Ecology's latest amendments to allow HD sites the flexibility to install FSE of varying power ratings as desired by fleet operators. Authorizing HD sites to install FSE with a nameplate power ratings of as low as 50kW would allow charging providers to serve fleets that employ long-dwell or overnight charging, while also installing charging

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<sup>1</sup> [https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2024/lcfs2024/lcfs\\_fro\\_atta-1.pdf](https://ww2.arb.ca.gov/sites/default/files/barcu/regact/2024/lcfs2024/lcfs_fro_atta-1.pdf)

equipment at a higher nameplate rating to cater to fleets that need faster charging for en-route operations.

Similarly, EVCA would request Ecology consider expanding HD-FCI eligibility to include private sites utilized by a single MHD fleet operator. Such an approach would align with CARB's proposed rules for the Low Carbon Fuel Standard, which do not restrict MHD FCI based on public or private site status.

## **Conclusion**

The Electric Vehicle Charging Association would like to once again thank the Department of Ecology for thoroughly considering stakeholder feedback as part of the most recent update to the Clean Fuel Standard. We believe many of the recent amendments will help to accelerate infrastructure deployment in Washington and look forward to continuing to work with the Department as it begins the formal rulemaking process.

Sincerely,

**Reed Addis**

Governmental Affairs

Electric Vehicle Charging Association