

Natural Resources Defense Council

Washington Department of Ecology
Chapter 173-423 WAC, Clean Vehicles Program rulemaking
P.O. Box 47600
Olympia, WA 98504-7600

Re: Comments in Support of Amendments to Clean Vehicles Program

Dear Department of Ecology staff:

The Natural Resources Defense Council (NRDC) submits these comments in strong support of Ecology's adoption of amendments to update Washington's Clean Vehicles Program in line with California's evolving Advanced Clean Trucks (ACT) and Heavy-Duty Low-Nox Omnibus (HDO) regulations. The health of Washington's communities, the integrity of its climate commitments, and the economic vitality of its clean transportation sector depend on swift and unwavering action. We urge you to adopt these amendments promptly and decisively.

I. ABOUT US

NRDC is a 501(c)(3) nonprofit organization with over three million members that works to safeguard the earth—its people, its plants and animals, and the natural systems on which all life depends.

II. Support for ACT and HDO Amendments

It is more urgent than ever for Washington to have robust and effective ACT and HDO regulations. National attacks on clean transportation policies, including the recent misuse of the Congressional Review Act to rollback the ACT and HDO waivers, have created legal uncertainty and jeopardized climate and public health progress. NRDC commends the Department of Ecology for its continued leadership, including its June 6th guidance affirming the implementation of ACT and HDO, and for Washington joining the multi-state lawsuit challenging the Congressional Review Act's inappropriate application to these standards.

These proposed amendments offer important updates that streamline implementation and provide manufacturers with greater compliance flexibility. Specifically, these include clarifications to existing rule language, an extension of the shortfall makeup period from one year to three years, and a shift in compliance metrics from vehicles delivered to ultimate purchasers to reported deliveries into Washington. These changes will modernize the rules and ease the path for manufacturers while preserving the integrity of the program. We urge Ecology to adopt the amended ACT and HDO rules without delay.

III. A Pragmatic Path Forward in Urgent Times

Transportation remains Washington's largest source of greenhouse gas emissions (39%). Medium and heavy-duty vehicles (MHDVs), though just 10% of on-road vehicles, are responsible for

roughly 30% of on-road greenhouse gas emissions. The ACT rule alone is projected to cut reduce 47 million metric tons of CO₂ through 2050, cut 47% of NO_x pollution, lower particulate matter (PM_{2.5}) emissions by 43%, and prevent roughly 100 hospital visits and premature deaths each year. Similarly, HDO is projected to result in a reduction of 35,640 tons of NO_x emissions in Washington through 2050. These figures underscore the critical role these regulations play in combating climate change and protecting public health.

The transition to zero-emission vehicles will provide substantial cost savings for fleets and consumers through lower fuel and maintenance costs and more durable vehicle components. Aligning with California's updated rules will help Washington accelerate economies of scale, drive down ZEV costs, and foster clean transportation innovation.

The public health implications of these regulations are especially crucial for communities located near freight corridors and distribution centers. Diesel pollution from MHDVs contains a harmful mix of particulate matter, nitrogen oxides, carbon monoxide, and toxic air pollutants. These pollutants contribute to asthma, heart disease, cancer, and premature death—harms that fall disproportionately on low-income communities and communities of color, such as those living in the Duwamish Valley. According to the American Lung Association's most recent "State of the Air report", people of color in the U.S. are more than twice as likely as white individuals to live in areas with failing air quality grades; Hispanic communities are nearly three times as likely to live in areas with three failing grades. By adopting these amendments, Washington can address long-standing environmental injustices and provide urgently needed health protections for vulnerable populations.

IV. Conclusion

NRDC strongly urges the Department of Ecology to finalize these critical amendments and to continue resisting any efforts to undermine ACT and HDO standards. We also encourage continued collaboration with stakeholders to ensure equitable implementation of these rules. In doing so, Washington will solidify its leadership in climate action, drive economic opportunity, and improve air quality in the communities most burdened by freight-related pollution.

Thank you for the opportunity to provide these comments. We look forward to continuing our collaboration with the Department of Ecology as you work to implement these vital regulations.

Sincerely,

Guillermo Ortiz, Senior Clean Vehicles Advocate
Natural Resources Defense Council (NRDC)

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