Las Gallinas VALLEY SANITARY DISTRICT

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September 15, 2025

Dr. Steve Cliff, Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: Las Gallinas Valley Sanitary District (LGVSD) Comments on the 45-Day Package (Proposed Amendments) to Advanced Clean Fleets Regulations and Low Carbon Fuel Standard

Submitted via: ZEVFleet@arb.ca.gov and CARB's Public Comment Portal

Dr. Cliff:

The Las Gallinas Valley Sanitary District (LGVSD) appreciates the opportunity to comment on the 45-day package proposed amendments to the Advanced Clean Fleets (ACF) Regulations (specifically, Section 2013, State and Local Government Agency Fleet Requirements) and the Low Carbon Fuel Standard (LCFS). LGVSD is a sanitary district in San Rafael serving approximately 30,000 people through the collection and treatment of wastewater while protecting public health and the environment while advancing community resilience through the recovery and recycling of resources (water, biogas, biosolids, nutrients, etc.). Through these efforts we serve as the heart of community resilience, while helping the state achieve carbon neutrality by:

- Reducing carbon intensity of transportation fuel and dependence on fossil fuel-based energy by beneficially using wastewater-derived biogas, a source of renewable natural gas (RNG).
- Increasing soil carbon and carbon sequestration by land applying biosolids and supporting the Healthy Soils Program, Climate Smart Strategy, and Wildfire and Forest Resilience Action Plan.

Reducing Greenhouse Gas Emissions

SB 1383 is a statewide mandate that underpins the goals listed above – CalRecycle intended for SB 1383 to be predominantly achieved by diverting organic waste to composting and anaerobic digestion recycling facilities. While there are not enough emission reduction credits available in air basins to permit the additional composting facility capacity needed to process all divertible organic food waste, the wastewater sector has enough available capacity today to co-digest all divertible and digestible food waste from landfills (SWRCB, 2019) and achieve up to 60 percent of the greenhouse gas (GHG) emissions reduction from landfills mandated by SB 1383.

While our sector has the available anaerobic digestion capacity to process all divertible and digestible food waste, without reliable markets in place (i.e., long term, sustainable uses) for both products – biogas[1] and biosolids, public utility boards and commissions cannot justify the investments needed (i.e.,

[1]Biogas is a renewable non-fossil fuel generated during the natural anaerobic decomposition of organic matter in anaerobic digesters at wastewater treatment plants. Biogas can be cleaned and conditioned into biomethane, or renewable natural gas (RNG).

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ratepayer impacts) for the infrastructure and equipment needed to receive and process diverted food waste. Additionally, as the wastewater sector has worked to increase recovery and beneficial use of biogas to support CARB's targets listed above, our members face increasing pressures to reduce onsite biogas utilization by local air districts, the elimination of credit for low carbon fuel production, and limited or very expensive and challenging access to common carrier natural gas pipelines for injection – all of which create barriers to the implementation of viable and sustainable GHG emission reduction projects. **Pursuant to the last paragraph in CARB Resolution 23-13, we implore CARB to take the lead with CalEPA to form an interagency workgroup to address these barriers to achieving carbon neutrality and community resilience.**

Protecting Public Health & the Environment

As the wastewater sector considers its role in implementation of SB 1383 and SB 1440 using a circular economy approach amidst the above-mentioned barriers, the sector must also ensure its services to protect human health and the environment remain affordable, reliable, and compliant with water quality, air quality, solid waste, and energy-related regulations. In other words, the wastewater sector must have the ability to perform preventive and emergency response measures in all circumstances (including during public safety power shutoff events). Not only are state regulations requiring the sector to invest in capital projects and higher levels of maintenance for public sewers, public agencies are also responding to increasingly frequent extreme weather events that require escalating levels of emergency preparedness and response.

While public fleets represent less than 7% of all medium and heavy-duty fleets in California, they will potentially be the only fleets in California required to transition to zero-emission vehicles in the near term. With the federal administration and equipment manufacturers signaling intolerance for that transition, there is growing fear that public agencies will be forced to purchase vehicles incapable of providing the level of services needed to be reliable, compliant, or responsive in an emergency, putting everyone and the environment at risk.

We understand CARB is working to amend the ACF regulations in light of the President signing Resolutions 87, 88, and 89, and manufacturers agreeing with the Federal Trade Commission that the Clean Truck Partnership Agreement can no longer be upheld as a result of the signing of resolutions 87 and 89. Public agencies are taking measures to closely collaborate with CARB on those amendments – not only for the regulation to provide early access to exemptions that are critical to supporting reliable fleets today, but also position fleets to leverage RNG-fueled vehicles to achieve both immediate emissions reductions AND community resilience. To that end, CASA's comments are provided in the sections that follow on the 45-day regulatory package, as well as for topics anticipated to be covered in the 15-day regulatory package that the CARB Chair and Board directed staff to address during the July 24th Public Hearing (including the critical role of RNG).

CASA's Comments Specific to CARB's 45-Day Regulatory Package

LGVSD strongly supports California Association of Sanitation Agencies (CASA) comments on CARB's proposed amendments to the ACF regulations as part of the 45-day regulatory package are focused on:

- The modified definition of the near-zero emission vehicle (NZEV).
- New definition of the *Traditional Utility-Specialized Vehicle*.

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- New Section 2013.1(g) *Traditional Utility-Specialized Vehicle Early Access,* which provides two pathways for granting public agencies early access to the Daily Usage and Zero-Emission Vehicle (ZEV) Purchase Exemptions to maintain reliable essential public services.
- Streamlined ZEV Purchase Exemption List.
- New language requiring the removal of vehicles that have been replaced within 30 days.
- Initial Statement of Reasons – Section F.3 – Wastewater Treatment Provider.

Modified Near-Zero Emission Vehicle (NZEV) Definition

The original definition of NZEV references a "vehicle" as defined in title 13, CCR, section 1963(c), which requires the vehicle to achieve a minimum number of miles, or "all-electric range", as specified in title 13, CCR, section 1963.2(b)(2), which equals or exceeds the criteria specified in title 17 CCR section 95663(d) until the end of the 2029 model year and an all-electric range that equals or exceeds 75 miles or greater starting with the 2030 model year. The definition continues to reference the Advanced Clean Truck (ACT) Regulation which is in litigation. Though the ACT is in litigation, **CASA repeats that request and asks that CARB further modify the definition of NZEV to provide additional flexibility to public agencies** because ZEV specialty vehicles are simply not available that can meet daily operational needs to ensure compliance and reliability for essential public services, all while reducing emissions.

CASA and LGVSD recommend the following modifications to the definition of NZEV (underlined for ease of reference).

"Near-zero-emission vehicle" or "NZEV" means one of the following:

(A) An on-road plug-in hybrid electric vehicle which has the same definition as that in 40 CFR section 86.1803-01, amended on July 1, 2011, incorporated by reference herein, that achieves all-electric range as defined in section 1963(c); or

(B) An on-road hybrid electric vehicle that has the capability to charge the battery from an off-vehicle conductive or inductive electric source and achieves all-electric range as defined in section 1963(c); or

(C) An on-road low NO_x vehicle fueled by biomethane (or RNG) or hydrogen fuel.

Our recommended modification (to add option "(C)") is strongly supported by the University of California Riverside's latest summary of heavy-duty vehicle emissions (June 2025) in two ways – 1) the study shows RNG as a negative carbon intensity fuel demonstrating real world, in-use low NO_x emissions and 2) significantly, the study shows transitioning to ultralow NO_x vehicles between 2025 and 2040 could achieve *an impressive 95% in-use reduction in NO_x emissions*.

In addition to and supporting our recommended modifications to the NZEV definition (above), adding definitions to the regulation is required for biomethane, low NO_x vehicle, and RNG, or directly referencing definitions for biomethane and RNG included in the Low Carbon Fuel Standard as follows:

"Biomethane" means methane derived from biogas, or synthetic natural gas derived from renewable resources, including, but not limited to, the organic portion of municipal solid waste, which has been upgraded to meet standards for injection to a natural gas common carrier pipeline, or for use in natural gas vehicles, natural gas equipment, or production of renewable hydrogen. Biomethane contains all of

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the environmental attributes associated with biogas and can also be referred to as renewable natural gas. (Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 7, Section 95481)

"Low Oxides of Nitrogen (Low NO_x) vehicle" refers to a heavy-duty internal combustion engine vehicle that is certified at 50%, 75%, or 90% below the 0.20 g/bhp-hr NO_x emission standard.

"Renewable Natural Gas (RNG)" is an alternate term for "biomethane."
(Title 17, Division 3, Chapter 1, Subchapter 10, Article 4, Subarticle 7, Section 95481)

New Definition: Traditional Utility-Specialized Vehicle

CASA and LGVSD generally support the proposed definition for a Traditional Utility-Specialized Vehicle, which is…

"*an ICE vehicle owned and operated by a public agency utility that meets all the following criteria:*

(A) Has a GVWR >10,000 lbs;

(B) Has a body configuration that is not designed to primarily carry cargo or passengers;

(C) Has maximum limits for tongue weight, axle loading, and a gross combination weight rating;

(D) Is operated >50 percent of the time to maintain reliable public utility services as defined in Section 224.3 of the Public Utilities Code, Section 116275 of the Health and Safety Code, Section 20200 of the Water Code, and Section 116773.2 of the Health and Safety Code; and

(E) Is either:

1. *Equipped with a power take-off device that draws power directly from the engine or transmission, or*
2. *Equipped with four-wheel drive or six-wheel drive capable of providing torque and power to all wheels simultaneously."*

CASA previously proposed that this definition include Class 2B vehicles, since those vehicles are also required for maintaining reliable systems. **CASA requests that CARB consider the following specific examples of Class 2B vehicles for which there are no ZEV options available that are critical to sewer maintenance and preventive care to avoid blocked lines and sewage backups**:

- CCTV vehicles can be Class 2B vehicles that often see low mileage and higher power demand while conducting essential inspection work of sewers to identify required maintenance or to respond to emergency overflows or blockages. The higher power demand is related to launching motorized cameras; powering video equipment on the mobile camera; running lights, video equipment, air conditioning, as well as heating or cooling for operators within the vehicle; and powering lights outside the vehicle.
- Vehicles towing a trailer that operate for an extended period of time and in extreme weather conditions. Examples of equipment commonly towed in the water/wastewater sector:
  - Vacuum combo trailer.
  - Emergency generator (to power a pump station).
  - Emergency bypass pump(s).

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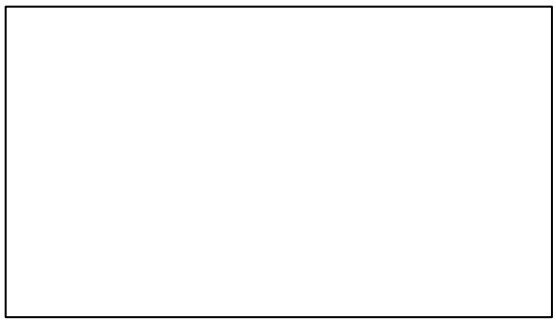
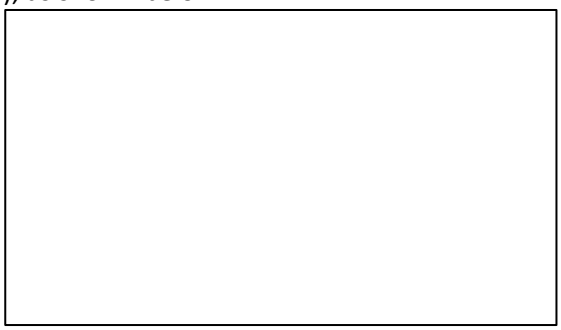
  - Emergency response trailers with confined space entry and rescue/safety equipment, pipeline repair equipment, excavation shoring safety equipment or spill control and containment supplies (sandbags).
- Snowplow truck with tilt bed.
- Service truck with crane.
- Traffic control truck (typically 10,000 lbs GVWR), as shown below





As part of the definition of configuration in the regulation, CARB listed example configurations and **CASA requests including the following wastewater fleet vehicles as examples – valve truck, service truck with crane, CCTV truck, traffic control truck, vacuum truck, jetter truck, and combination vacuum-jetter truck.**

New Section: 2013.1(g) Traditional Utility-Specialized Vehicle Early Access

While CASA supports the addition of the new section 2013.1(g), pathway 1 is largely ineffective, as many of our members have traditional utility-specialized vehicles that will not reach the mileage or hour threshold (listed in Table A copied below) before they reach 13 years of age (the current requirement). That said, pathway 2 is essential and provides a public agency early access to the Daily Usage and the ZEV Purchase Exemptions, assuming the traditional utility-specialized vehicle being considered for replacement is included in a vehicle replacement plan that establishes vehicle age, vehicle miles traveled, or engine hours as criteria for replacement prior to using or requesting the exemption. During the workshop held October 3rd, 2024, CARB staff acknowledged that each public agency has a unique approach (and criteria) to their vehicle replacement. Vehicle replacement plans are compiled by public agencies in an effort to estimate the timing and cost of vehicle replacement to ensure responsible investments of ratepayer funds. **CASA and LGVSD strongly support the inclusion of Pathway 2, copied below**.

Pathway 1 – *Table A. Usage Thresholds for Traditional Utility-Specialized Vehicles*:

Vehicle Class	***Mileage or Hour Threshold***
Class 3 and 4	*70,000 miles*
Class 5 and 6	*115,000 miles*
Class 7 and 8	*175,000 miles*
Trucks with PTO	*4,000 hours*

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Pathway 2 – *A public agency utility that requests or uses the exemptions in sections 2013.2(b) and 2013.2(d)(2) must submit the information specified…to TRUCRS@arb.ca.gov in their exemption application. A public agency utility that uses the exemption in section 2013.2(d)(1), prior to making the vehicle purchase, must submit to TRUCRS@arb.ca.gov the VIN of the existing vehicle being replaced, the TRUCRS ID of the fleet, and the information specified in section 2013.1(g)(2)(A) that meets the criteria specified in section 2013.1(g)(2)(B):*

A. *An attestation signed by the fleet owner that the vehicle meets replacement criteria that includes minimum vehicle age, vehicle miles traveled, or engine hours as criteria to replace the vehicle and was established prior to using or requesting the exemption;* ***and***
B. *The replacement criteria must have been approved by the fleet owner's governing board, chief executive, or the chief executive's designee in an established written plan, policy, or document.*

Updating the Streamlined ZEV Purchase Exemption List

Regarding the development of the Streamlined ZEV Purchase Exemption List of vehicle configurations only available as internal combustion engines that CARB originally posted January 1, 2025, and most recently updated March 20, 2025, CASA fully supports the formation of this list and greatly appreciates the inclusion of the Class 8 vacuum truck. However, public agencies frequently use Classes 4 through 7 vacuum trucks as well (images of Classes 4 and 7 provided below), which are not available as ZEV. Classes 4 and 5 are frequently used for skid-mounted vacuum units (combined with jetter) and also include pipeline inspection units. The Class 6 truck is used for the non-commercial driver's license (CDL) vacuum-combo machines, hydro-excavation units, and jetters which are 3- to 5-yard debris bodies. The Class 7 truck is used when 5- to 10-yard debris bodies are needed. **CASA requests that Classes 4 through 7 vacuum trucks, as well as Classes 4 through 8 jetter and combination vacuum-jetter trucks, be added to the Streamlined ZEV Purchase Exemption List**.

Class 4 Vacuum Truck

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Class 7 Vacuum Truck

Combination vacuum-jetter trucks are used by water, wastewater and stormwater agencies for critical infrastructure maintenance, repair, and emergency response during planned and unplanned power outages and extreme weather events, for flood and sewer system overflow prevention and response, as well as regular (typically daily) wastewater pipeline and pump station cleaning and maintenance. These specialty vehicles are already at maximum vehicle weight limits for roadways set by Department of Transportation (DOT). The combination vacuum-jetter truck is the workhorse of a wastewater collection system. Typical practice for a combination vacuum-jetter truck is for the truck to deploy with its water tank filled and the debris tank empty. As the pipeline and pump station wet well cleaning commences, the water tank empties as the debris tank fills. This technique allows for the vehicle to remain below today's DOT weight limit. Additionally, combination vacuum-jetter trucks are built on a Class 4 through 8 truck chassis (photo of a Class 8 truck is provided below). In speaking with manufacturers, we learned there are no plans to assemble battery electric combination vacuum-jetter trucks since the manufacturers determined the battery electric capacity versus the power demand of the vacuum and pumping systems would deplete the battery in one hour.

There are 1,100 public wastewater collection system agencies in the state of California. There are over 120,000 miles of wastewater collection system pipelines and thousands of wastewater pumping facilities. Wastewater agencies invest significant public funds on system redundancy, reliability, and resilience to protect public health and the environment, as well as comply with State and Federal water quality regulations. Use of combination vacuum-jetter trucks is essential to continued maintenance and emergency response for these systems.

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Class 8 Vacuum-Jetter Truck

Removal of Vehicles That Have Been Replaced

In Sections 2013.2(b)(7) and 2013.2(d)(3), **CASA requests the following edits be applied (CASA's added text is underlined and removed text is shown with a ~~strikethrough~~ and both are highlighted for ease of distinguishing that text from CARB's edits)** to account for the time needed to upfit the replacement vehicle before it is placed into service and provide at least 30 days for the actual sale and transfer of ownership of the vehicle that is being replaced (which often is more than 30 days after the replacement vehicle is placed in service):

A vehicle being replaced pursuant to the exemption in section 2013.2(b) must be removed from service~~the California fleet~~ within 30 calendar days of placing~~receiving~~ the replacement vehicle in service. Fleet owners must meet the reporting requirements specified in section 2013.3(c)(2)(N).

CASA requests that CARB apply the following edits to Section 2013.3(c)(2)(N) for consistency:

~~ZEV Purchase~~Exemption Reporting. Fleet owners that are replacing a vehicle pursuant to the ~~ZEV Purchase Exemption~~ exemptions specified in sections 2013.~~1~~2(b) and (d) must identify which vehicle is being replaced~~.~~ within 30 calendar days of purchasing a vehicle pursuant to these exemptions, and must remove the identified vehicle from the TRUCRS system and the California fleet within 30 calendar days of placing~~receiving~~ the replacement vehicle in service.

Initial Statement of Reasons: Section F.3 – Wastewater Treatment Provider

CASA and LGVSD request the following modifications be made to Section F.3 of the Initial Statement of Reasons (ISOR) to replace the inaccurate text with data from the State Water Resources Control Board's published Volumetric Annual Report, the latest one being published in November 2024 for 2023 data. Specifically, we request the following edits to the third paragraph:

In California, wastewater is ~~transferred~~ collected through over 1200,000 miles of sanitary sewer lines and treated at more than 750~~900~~ wastewater treatment plants that manage the roughly 3 billion gallons of wastewater generated in the state each day.~~31~~ Across the state, ~~there are more than 130~~ local public agencies are engaged in the collection and treatment ~~and recycling~~ of wastewater to protect public

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health and the environment and over 90% of the sewered population participate in the recovery of renewable resources (water, biosolids, biogas, nutrients, etc.) to support community resilience.

Closing

We are committed to working collaboratively with CARB executives and staff toward the 15-day amendments to the ACF regulations following the September 25th Public Hearing, including addressing the critical role of RNG and need for further modifying the NZEV definition to provide flexibility for public agencies, which are essential for maintaining reliable and resilient (public agency) wastewater treatment systems and communities. We will continue to prioritize resilient essential public service operations to protect public health and the environment.

Please contact me with any questions at cpaxton@lgvsd.org or at 415-526-1511.

Sincerely,

Curtis Paxton
General Manager

cc: The Honorable Liane Randolph – CARB Board Chair
The Honorable Dr. Steven Cliff – CARB Executive Officer
Christopher Grundler – CARB Deputy Executive Officer, Mobile Sources & Incentives
Rajinder Sahota – CARB Deputy Executive Officer, Climate Change & Research
Matt Botill – CARB Division Chief, Industrial Strategies
Michelle Buggington – CARB Division Chief, Mobile Source Control
Jason Hill-Falkenthal – CARB Assistant Chief, Mobile Source Control
Tony Brasil – CARB Branch Chief, MSC Transportation & Clean Technology
Paul Arneja – CARB Manager, MSC Transportation & Clean Technology
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Zoe Heller – CalRecycle Director
Chris Hyun – SWRCB, Climate Lead
Adam Link – CASA, Executive Director
Maile Lono-Batura – CASA, Director of Renewable Resource Programs