



119 Washington Avenue, Suite 103
Albany, NY 12210
518.432.1405
info@aceny.org | www.aceny.org

March 12, 2021

Commissioner Basil Seggos
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Deputy Commissioner Jared Snyder
Office of Air Resources, Climate Change & Energy
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Re: **Adopt California's Clean Medium- and Heavy-Duty Vehicles Regulations**

Dear Commissioner Seggos and Deputy Commissioner Snyder:

The Alliance for Clean Energy New York (ACE NY) recognize and appreciates the work of the New York State Department of Environmental Conservation (NYS DEC) to protect the environment and advance the transition to a clean transportation sector in New York. We are writing today to urge the NYS DEC to move ahead with adoption of California's clean medium-duty and heavy-duty vehicle regulations as soon as possible.

ACE NY is a not-for-profit membership organization with a mission to promote the use of clean, renewable electricity technologies, energy efficiency, and the electrification of transportation in New York State, in order to increase energy diversity and security, boost economic development, improve public health, and reduce air pollution.

In New York, as the DEC well knows, transportation is the largest source of greenhouse gas emissions.¹ It also significantly contributes to harmful air pollutants, which adversely impacts public health. New York State spent over \$7.9 billion in health costs including premature deaths, heart attacks, asthma, emergency room visits and lost workdays resulting from transportation pollution in 2015.² Moreover, tailpipe emissions from the sector, especially from medium- and heavy-duty diesel trucks and buses disproportionately impacts environmental justice communities.³

¹ The transportation sector accounts for 36% of statewide greenhouse gas emissions in New York State.

<https://www.nysed.gov/-/media/Files/EDPPP/Energy-Prices/Energy-Statistics/greenhouse-gas-inventory.pdf>

² Holmes-Gen, B and W. Barrett, *Clean Air Future: Health and Climate Benefits of Zero Emission Vehicles*, American Lung Association in California (October 2016), <https://www.lung.org/getmedia/b4231b57-878c-4263-8c2b-8c4cb80d86ca/2016zeroemissions.pdf.pdf>

³ Union of Concerned Scientists, *Inequitable Exposure to Air Pollution from Vehicles in New York State* (June 21, 2019), <https://www.ucsusa.org/sites/default/files/attach/2019/06/Inequitable-Exposure-to-Vehicle-Pollution-NY.pdf>

For all of these reasons, ACE NY supports New York's adoption of a comprehensive regulatory framework to reduce pollution from transportation and fulfil the goals of the New York's climate law, the Climate Action and Community Protection Act (CLCPA). The foundation of this framework should continue to be New York's adoption of California's regulations for clean medium- and heavy-duty vehicles of all classes and types, specifically, the Advanced Clean Trucks (ACT) and Heavy-Duty Low NOx Omnibus rules.

For many years, New York State policies have been consistent with California's zero emission standards and our law should be updated to reflect this recent development. The ACT and Omnibus rules will further stimulate market development and investment in electric vehicles (EVs) and charging infrastructure throughout New York State. This will thereby hasten widespread EV adoption by New Yorkers. Transportation electrification is a critical piece of the overall strategy to transition to this clean energy future. In addition to the CLCPA goals, New York has a target of having 850,000 zero emission vehicles (ZEVs) on the road by 2025 and 2 million by 2030. However, as of February 2021, the state is only 7%⁴ of the way to meeting this goal.

By promoting the transition to ZEVs, these regulations will minimize criteria pollutants from medium- and heavy-duty vehicles. This will improve air quality and yield public health benefits, in particular for low-income and communities of color adjacent to ports, highways, and other transportation infrastructure that have been unduly burdened by diesel vehicle emissions. The American Lung Association estimates that transportation electrification can yield significant public health benefits saving the New York over \$4 billion in health impact costs and avoiding 351 premature deaths, 5,000 by asthma attacks, and 18,735 workdays lost in 2050.⁵

The regulations will also complement state initiatives to advance the transition to zero-emission medium- and heavy-duty vehicles including the Clean Transportation NY⁶ and the Truck Voucher Incentive program.⁷ Moreover, they would provide a mechanism for achieving the New York's commitment to ensure that 30% ZEV sales all new medium- and heavy-duty sales be zero-emission vehicles by 2030 and 100% by 2050. This commitment was included in the Multi-State Medium- and Heavy-Duty ZEV Memorandum of Understanding signed by New York and 14 other states and the District of Columbia.⁸

It is critical that NYS DEC act quickly to issue and implement California's ACT and Omnibus rules. Other states have already begun to recognize the potential climate and public health benefits of these regulations. In 2020, New Jersey became the first state outside of California to announce plans to adopt the ACT and Heavy-Duty Omnibus rules.⁹ New York should adopt California's rules by end of 2021 to open and grow the EV market in New York State right away, which is so important for continuing and growing EV adoption by New Yorkers.

⁴ As of February 1, 2021, New York had 63, 677 registered electric vehicles on the road, <https://atlaspolicy.com/rand/evaluateny/>

⁵ American Lung Association, *The Road to Clean Air: Benefits of a Nationwide Transition to Electric Vehicles* (September 2020), <https://www.lung.org/getmedia/99cc945c-47f2-4ba9-ba59-14c311ca332a/electric-vehicle-report.pdf>

⁶ Clean Transportation Pan: NYS Beneficiary Mitigation Plan, <https://www.dec.ny.gov/chemical/109784.html>

⁷ New York Truck Voucher Incentive Program, <https://www.nyserda.ny.gov/All-Programs/Programs/Truck-Voucher-Program>

⁸ Multi-State Medium- and Heavy-Duty ZEV MOU, <https://www.nescaum.org/documents/multistate-truck-zev-governors-mou-20200714.pdf>

⁹ NRDC, *New Jersey Leads the East Coast on Electric Trucks* (December 22, 2020), <https://www.nrdc.org/experts/kathy-harris/new-jersey-leads-east-coast-electric-trucks>



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Thank you for the opportunity to provide comments on NY's adoption of California's ACT and Omnibus Heavy-Duty Low NOx Standards. ACE NY look forward to continuing to work with the NYS DEC to achieve the state's emission reduction targets and secure a clean and equitable transportation sector future for New York.

Sincerely,

A handwritten signature in cursive script that reads 'Anne Reynolds'.

Anne Reynolds
Executive Director
The Alliance for Clean Energy New York
119 Washington Avenue, Suite 1G,
Albany, NY 12210

cc: MHDZEVPlan.Air@dec.ny.gov