

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text and Availability of Additional Documents and/or Information

PROPOSED AMENDMENTS TO THE NEW PASSENGER MOTOR VEHICLE GREENHOUSE GAS EMISSION STANDARDS FOR MODEL YEARS 2017-2025 TO PERMIT COMPLIANCE BASED ON FEDERAL GREENHOUSE GAS EMISSIONS STANDARDS AND ADDITIONAL MINOR REVISIONS TO THE LEV III AND ZEV REGULATIONS

Public Hearing Date: November 15, 2012

Public Availability Date: November 19, 2012

Deadline for Public Comment: December 4, 2012

Deadline for Public Comment Period has been extended to December 5, 2012

At its November 15, 2012, public hearing, the Air Resources Board (ARB or Board) approved amendments to the California Code of Regulations, title 13, sections 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, and 1976; and to the following documents incorporated by reference therein: "California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles," adopted March 22, 2012; "California 2001 through 2014 Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2009 through 2016 Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Model Passenger Cars, Light Duty Trucks, and Medium Duty Vehicles," as last amended March 22, 2012; "California Non-Methane Organic Gas Test Procedures," as last amended March 22, 2012; "California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles," as last amended March 22, 2012; "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines," as last amended March 22, 2012; "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles," as last amended March 22, 2012; "California Exhaust Emission Standards and Test Procedures for 2009 through 2017 Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," as last amended March 22, 2012; and "California Exhaust Emission Standards and Test Procedures for 2018 and Subsequent Model Zero-Emission Vehicles and Hybrid Electric Vehicles, in the Passenger Car, Light-Duty Truck and Medium-Duty Vehicle Classes," adopted March 22, 2012.

These amendments allow California to accept manufacturer-demonstrated compliance with the final national passenger motor vehicle greenhouse gas regulations for the 2017

through 2025 model years¹, as an alternative option to achieve compliance with California's regulations. This proposal also makes minor changes related to California passenger motor vehicle regulations. In general these proposed changes correct errors, and update procedures to reflect information received since Board approval of the Advanced Clean Car regulations in January, 2012.

At the hearing November 15, the staff presented, and the Board approved modifications to the regulations originally proposed in the Staff Report released on September 14, 2012. These modifications include revisions to the sections of the regulations and test procedures that reference the 2017 – 2025 model year National Greenhouse Gas Program to reference the date that this rule was published in the Federal Register. They also include a number of modifications to the original proposal, in response to comments received after the Staff Report was published, including: allowing 2015-2019 model year Low-Emission Vehicle II (LEV II) super-ultra-low-emission vehicles (SULEV) that receive a partial zero-emission vehicle (ZEV) allowance and 2015 – 2016 model year vehicles that are allowed to certify to LEV II SULEV standards using “carryover” of emission test data to certify to combined non-methane organic gas plus oxides of nitrogen (NMOG+NOx) standards instead of separate NMOG and NOx standards; clarifying that LEV II vehicles that certify to combined NMOG+NOx standards must meet the combined standards at 150,000 miles; clarifying that determination of a manufacturer's compliance with the 2018 and subsequent model year partial ZEV anti-backsliding requirement that is based on a three year average of the manufacturer's partial ZEV production will start with the 2020 model year; clarification that fleet average emission credits provisions that apply to LEV III will be applicable starting in the 2015 model year, which is when the LEV III program begins; and a number of non-substantive modifications.

The Board approved Resolution 12-35 with modifications to sections 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, and 1976; and to the incorporated test procedures. The resolution and all other regulatory documents for this rulemaking are available online at the following ARB website:
<http://www.arb.ca.gov/regact/2012/leviiidtc12/leviiidtc12.htm>.

In accordance with the Government Code, section 11346.8, the Board directed the Executive Officer to adopt the proposed amendments set forth in Attachments A through I to the Resolution, including incorporated documents, with the modifications set forth in Attachment J to the Resolution after making the modified regulatory language, with such other conforming modifications as may be appropriate, and additional supporting documents and information, available to the public for comment for a period of at least fifteen days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall

¹ “2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards” final rule, published in the Federal Register on October 15, 2012, available at <http://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf>

present the regulations to the Board for further consideration if warranted.

A summary of the proposed modifications are attached to this notice as Enclosures A and B.

Additional Document Added to the Record

In the interest of completeness, staff has also added to the rulemaking record and invites comments on the “2017 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions and Corporate Average Fuel Economy Standards” final rule, published in the Federal Register on October 15, 2012, available at <http://www.gpo.gov/fdsys/pkg/FR-2012-10-15/pdf/2012-21972.pdf>.

Written comments will only be accepted on the modifications identified in this notice and may be submitted by postal mail or electronic mail submittal as follows:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Gov. Code § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

In order to be considered by the Executive Officer, comments must be directed to ARB in one of the two forms described above and received by ARB by 5:00 p.m., on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

If you need this document in an alternate format or another language, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 no later than five (5) business days from the release date of this notice. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Si necesita este documento en un formato alternativo u otro idioma, por favor llame a la oficina del Secretario del Consejo de Recursos Atmosféricos al (916) 322-5594 o envíe un fax al (916) 322-3928 no menos de cinco (5) días laborales a partir de la fecha del lanzamiento de este aviso. Para el Servicio Telefónico de California para Personas con Problemas Auditivos, ó de teléfonos TDD pueden marcar al 711.

Enclosures

The energy challenge facing California is real. Every Californian needs to take immediate action to

reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see ARB's website at www.arb.ca.gov.