



DEPARTMENT OF THE NAVY

COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK VA 23511-2737

IN REPLY REFER TO

5090
N45R/00/012
August 18, 2023

Lynne Cayting, Chief, Mobile Sources Section
Bureau of Air Quality
Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

Dear Ms. Cayting:

SUBJECT: DEPARTMENT OF DEFENSE COMMENT ON THE MAINE ADVANCED CLEAN CARS II PROGRAM REGULATION

As the Navy Region Mid-Atlantic Environmental Program Director for the U.S. Environmental Protection Agency Region I, along with Commander, Navy Region Mid-Atlantic, I am responsible for coordinating responses on state environmental legislative and regulatory matters of interest on behalf of the military services. The Department of Defense (DoD) takes very seriously its dual responsibility to carry out its military mission while protecting the environment. The DoD appreciates the opportunity to provide comments for your consideration in response to Maine's Advanced Clean Cars II Program regulation.

Maine's Advanced Clean Cars II Program regulation proposes to establish motor vehicle emission standards for new passenger cars, light-duty trucks, and medium-duty vehicles by incorporating the requirements of the California Advanced Clean Cars II regulations, beginning with model year 2027. The rulemaking includes, in part, incorporating by reference a number of rules contained in California Code of Regulations (CCR) that were adopted in recent years to accomplish the same objective.

In reviewing the proposed regulation, DoD noticed that a list of exemptions, to include military tactical vehicles or equipment, is written in Section 5.B.(5). DoD appreciates the addition of the military tactical vehicle exemption within the text of the proposal.

However, in addition, DoD respectfully requests that CCR Title 13, Section 1905 (Exclusion and Exemption of Military Tactical Vehicles and Equipment) be expressly incorporated by reference within the table in Appendix A of the proposal, as it is not currently included. Including Section 1905 in the list of CCRs incorporated by reference would make Maine's regulations consistent with California's rules governing motor vehicle emission standards for new passenger cars, light-duty trucks, and medium-duty vehicles.

As noted in a separate comment letter for Maine's Advanced Clean Truck Program regulation, addition of CCR Title 13, Section 1905 to the Advanced Clean Cars II Program regulation will ensure uniformity throughout the regulations and prevent confusion as to their applicability to military tactical vehicles and equipment. The DoD's concerns directly relate to the potential adverse effects on national security and military training and readiness activities if the proposed regulation, as written, becomes effective.

Thank you in advance for your support on this matter. If you have any questions, you may contact Mr. Blake Waller at blake.e.waller.civ@us.navy.mil or Commander Cara Hoy at cara.a.hoy.mil@us.navy.mil.

Sincerely,

KELLY K. KNIGHT
Environmental Program Director
By direction of the Commander

Copy to:

DoD and Department of Navy REC Director, Region I (Mr. Blake Waller)
U.S. Army Regional Program Coordinator, Region I (Mr. Kevin Kennedy)
U.S. Air Force REC, Region I (Ms. Amanda Sherman)