



DEPARTMENT OF THE NAVY

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

IN REPLY REFER TO

5090

N45R/00/011

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 TRUCKS PROGRAM REGULATION**

As the Navy Region Mid-Atlantic Environmental Program Director for the U.S. Environmental Protection Agency (EPA) Region I, along with Commander, Navy Region Mid-Atlantic (CNRMA), 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 Trucks Program regulation.

Maine's Advanced Clean Trucks Program regulation proposes to establish a program to reduce emissions from on-road vehicles over 8,500 pounds gross vehicle weight rating (GVWR) by incorporating the requirements of the California Advanced Clean Truck regulation, and is intended to accelerate sales of zero-emission vehicles over 8,500 pounds GVWR.

The rulemaking includes, in part, incorporation by reference a number of rules contained in California Code of Regulations (CCR) that were adopted in recent years to accomplish the same objective. The DoD acknowledges that the intent of the proposal is to further reduce air pollution; however, the DoD is concerned that the proposal could unintentionally infringe on the ability of the military to fully and effectively use military tactical vehicles and equipment, and ultimately adversely impact military training and readiness activities, as well as national security.

In reviewing the proposed regulation, DoD noticed that a list of exemptions was not included, and, in particular, there was no exemption for military tactical vehicles and equipment. Also, a review of the sections of the CCR, Title 13 proposed for incorporation by reference within the table in Appendix A showed that Section 1905 is not included, which specifically allows an exemption for military tactical vehicles and equipment.

Separate, but related, DoD noticed that an express exemption for military tactical vehicles and equipment was included within Maine's proposed Advanced Clean Cars II Program. Clarity and consistency would follow should Maine amend the proposed Advanced Clean Truck

Program regulation to include the same explicit exemption for military tactical vehicles and equipment as noted in the proposed Advanced Clean Cars II Program regulation.

Accordingly, DoD respectfully requests that an express exemption for military tactical vehicles and equipment, as well as incorporation by reference of CCR, Title 13, Section 1905, be added to Maine's Advanced Clean Trucks Program rulemaking. Including both exemptions would make Maine's regulations consistent with California's rules governing emission control standards and requirements for on-road vehicles over 8,500 pounds GVWR.

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)