



February 22, 2023

New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3254
Attn: James Clyne, P.E.

Re: Proposed Regulations for Medium- and Heavy-Duty Diesel Vehicle Emission Standards
I.D. No. ENV-52-22-00016-EP
Filing No. 1037

Dear Mr. Clyne:

On behalf of the Long Island Gasoline Retailers Association (LIGRA), we are writing regarding the concerns with the above referenced emergency and proposed regulations that would adopt California's Omnibus Low-NOx (nitrogen oxide) regulations for heavy-duty on-highway (HDOH) engines and vehicles (Omnibus regulations). If this regulation is permanently adopted, it will impact our businesses by [loss of jobs, increased costs, etc.] and for these reasons, we urge the New York State Department of Environmental Conservation (DEC) to not adopt this regulation.

We understand that if this regulation goes into effect, it will substantially limit the availability of new HDOH trucks for sale in New York State, starting as early as 2026. Our businesses, and others like ours, need to be able to buy new trucks to maintain and grow our businesses, and we cannot compete without the means to produce, transport, and sell our goods. If the Omnibus regulations are adopted in New York, we will be forced to keep older, higher emitting trucks in service for longer periods of time. As a result, we will have to undertake costly extended maintenance of older trucks, lose business when those older trucks can no longer function, and New York truck sales will be lost to other states – all while producing no net emissions reductions, and likely producing more emissions than if New York simply aligns with the nationwide low-NOx regulations adopted by EPA, as discussed below.

We are especially concerned about the impact this will have upon [type of industry]. [Include any data or information describing the loss of jobs, impact to consumers, etc.].

The EPA has now adopted regulations (part of the federal Clean Trucks Program) that implement comprehensive emissions-control requirements for the same HDOH vehicles and engines covered by the Omnibus regulations. They establish the most stringent low-NOx standards that can be achieved, taking costs and other important factors into account. Those



Federal regulations level the playing field with my interstate competitors – and will not put our businesses at a competitive disadvantage - and will provide a cost-effective, environmentally sound alternative to the Omnibus regulations.

We are further advised that even if truck manufacturers are able to build and offer California-compliant trucks in New York, the relative sales prices of those limited-available trucks is expected to increase dramatically compared to federally-certified trucks, by approximately \$35,000 per-truck. For our and other businesses that are already struggling due to the pandemic and the current surge in inflation, that would be overwhelming and would result in the potential shuttering of businesses, lost jobs and adversely impacted communities throughout the state.

If the DEC adopts the Omnibus regulations, our businesses will be harmed.

For these reasons, we urge the DEC to reject the Omnibus regulations. Thank you for your careful consideration of these comments and the impact the proposed regulations will have on New York jobs, communities and environment. Please feel free to reach out to me if you have any questions.

Sincerely,

Chris Daniello

Chris Daniello
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