

## Notice of Preparation

**To:** California Office of Planning and Research, Responsible Agencies, Trustee Agencies, and Other Interested Parties

**Subject:** Notice of Preparation of a Draft Substitute Environmental Document

**Project Title:** Transport Refrigeration Unit Regulation

**Lead Agency:** California Air Resources Board

**Date:** July 31, 2019

**Review Period:** July 31, 2019 – August 30, 2019

As the Lead Agency, the California Air Resources Board (CARB) will prepare a substitute environmental document (referred to as an "Environmental Analysis" or "EA") as part of the Staff Report prepared for the proposed project identified above. CARB would like to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. If the proposed project has no relevance to you or your organization, no action on your part is necessary.

Information on the project description, location, and potential environmental effects, as currently known, are contained in the attached materials, including the notice for public workshops to be held on August 28, 2019 in Fontana, September 3, 2019 in Fresno, and September 11, 2019 in Sacramento, California. In addition to soliciting input on the proposed project, this workshop will also serve as a CEQA scoping meeting to solicit input on scope and content of the EA to be prepared for the proposed project. Additional information on this proposed project is available for review on the [Program webpage](#).

The Notice of Preparation (NOP) is available for review and comment for 30 days, per CEQA Guidelines (14 CCR 15082(b)). The comment period for this NOP begins July 31, 2019 and ends on August 30, 2019. Due to the limits mandated by State law, responses should be sent at the earliest possible date, but no later than 5:00 PM on August 30, 2019.

Please submit your written comments to [ceqa.unit@arb.ca.gov](mailto:ceqa.unit@arb.ca.gov) or via mail to Rebecca Fancher, Air Resources Board Legal Office/CEQA Unit, P.O. Box 2815 Sacramento, CA

Transport Refrigeration Unit Regulation  
July 31, 2019  
Page 2

95812-2815. In your response, please indicate the public agency or other entity you represent, and the name and phone number of a contact person.

Date: 7/31/2019

Signature: Rebecca Fancher

Rebecca Fancher  
Staff Air Pollution Specialist  
California Air Resources Board  
Legal Office/CEQA Unit  
P.O. Box 2815  
Sacramento, CA 95812-2815  
ceqa.unit@arb.ca.gov

### List of Agencies to Review

Distributed to agencies marked with an "X" below:

STATE AGENCIES	
<input type="checkbox"/> Boating & Waterways, Department of <input checked="" type="checkbox"/> California Highway Patrol <input checked="" type="checkbox"/> CalRecycle <input checked="" type="checkbox"/> Caltrans <input type="checkbox"/> Caltrans Planning <input checked="" type="checkbox"/> Coastal Commission <input type="checkbox"/> Conservation, Department of -- Oil, Gas & Geothermal Resources <input type="checkbox"/> Delta Protection Commission <input checked="" type="checkbox"/> Energy Commission <input checked="" type="checkbox"/> Fish & Wildlife, Department of <input checked="" type="checkbox"/> Food & Agriculture, Department of <input type="checkbox"/> Forestry and Fire Protection, Department of <input type="checkbox"/> Health Services, Department of <input type="checkbox"/> Housing & Community Development <input checked="" type="checkbox"/> Integrated Waste Management Board <input checked="" type="checkbox"/> Native American Heritage Commission <input checked="" type="checkbox"/> California Environmental Protection Agency <input type="checkbox"/> Department of General Services <input checked="" type="checkbox"/> Strategic Growth Council <input type="checkbox"/> California High Speed Rail Authority <input type="checkbox"/> Department of Conservation – Division of Land Resource Protection	<input checked="" type="checkbox"/> OEHHA <input type="checkbox"/> Office of Historic Preservation <input checked="" type="checkbox"/> Office of Emergency Services <input checked="" type="checkbox"/> Parks & Recreation, Department of <input type="checkbox"/> Pesticide Regulation, Department of <input checked="" type="checkbox"/> Public Utilities Commission <input type="checkbox"/> Regional Water Quality Control Board #____ <input checked="" type="checkbox"/> Resources Agency <input type="checkbox"/> SF Bay Conservation & Development Commission <input type="checkbox"/> State Lands Commission <input checked="" type="checkbox"/> State Water Resources Control Board <input checked="" type="checkbox"/> Tahoe Regional Planning Agency <input checked="" type="checkbox"/> Toxic Substances Control, Department of <input checked="" type="checkbox"/> University of California <input type="checkbox"/> Water Resources, Department of <input checked="" type="checkbox"/> Building Standards Commission <input checked="" type="checkbox"/> Department of Public Health <input type="checkbox"/> Tahoe Nature Conservancy <input type="checkbox"/> Sierra Nevada Nature Conservancy <input type="checkbox"/> Delta Conservancy <input checked="" type="checkbox"/> Other: <u>Governor's Office of Planning and Research</u> <input checked="" type="checkbox"/> Other: <u>California State Transportation Authority</u>
AIR DISTRICTS	
<input checked="" type="checkbox"/> Amador County APCD <input checked="" type="checkbox"/> Antelope Valley AQMD <input checked="" type="checkbox"/> Bay Area AQMD <input checked="" type="checkbox"/> Butte County AQMD <input checked="" type="checkbox"/> Calaveras County APCD <input checked="" type="checkbox"/> Colusa County APCD <input checked="" type="checkbox"/> County of El Dorado AQMD <input checked="" type="checkbox"/> Eastern Kern APCD <input checked="" type="checkbox"/> Feather River AQMD <input checked="" type="checkbox"/> Glenn County APCD <input checked="" type="checkbox"/> Great Basin Unified APCD <input checked="" type="checkbox"/> Imperial County APCD <input checked="" type="checkbox"/> Lake County AQMD <input checked="" type="checkbox"/> Lassen County APCD <input checked="" type="checkbox"/> Mariposa County APCD <input checked="" type="checkbox"/> Mendocino County AQMD	<input checked="" type="checkbox"/> Monterey Bay Unified APCD <input checked="" type="checkbox"/> North Coast Unified AQMD <input checked="" type="checkbox"/> Northern Sierra AQMD <input checked="" type="checkbox"/> Northern Sonoma County APCD <input checked="" type="checkbox"/> Placer County APCD <input checked="" type="checkbox"/> Sacramento Metropolitan AQMD <input checked="" type="checkbox"/> San Diego County APCD <input checked="" type="checkbox"/> San Joaquin Valley APCD <input checked="" type="checkbox"/> San Luis Obispo County APCD <input checked="" type="checkbox"/> Santa Barbara County APCD <input checked="" type="checkbox"/> Shasta County AQMD <input checked="" type="checkbox"/> Siskiyou County APCD <input checked="" type="checkbox"/> South Coast AQMD <input checked="" type="checkbox"/> Tehama County APCD <input checked="" type="checkbox"/> Tuolumne County APCD <input checked="" type="checkbox"/> Ventura County APCD

STATE AGENCIES	
<input checked="" type="checkbox"/> Modoc County APCD	<input checked="" type="checkbox"/> Yolo-Solano AQMD
<input type="checkbox"/> Mojave Desert AQMD	
OTHER INTERESTED PARTIES	
<input checked="" type="checkbox"/> Ohlone/Costanoan-Esselen Nation	

### PROJECT DESCRIPTION AND ENVIRONMENTAL EFFECTS

A copy of an Initial Study is not attached because CARB complies with the California Environmental Quality Act (CEQA) through its regulatory program certified by the California Secretary for Natural Resources under Public Resources Code section 21080.5 (14 CCR 15251(d)). Public agencies with certified regulatory programs are exempt from certain CEQA requirements, including but not limited to, preparing environmental impact reports, negative declarations, and initial studies (14 CCR 15250).

The Environmental Analysis (EA) will evaluate the potential for impacts to the environment as a result of the proposed project: Transport Refrigeration Unit (TRU) Regulation. The project and the nature of potential impacts that could result from the project are described below.

- **PROJECT TITLE:**

Transport Refrigeration Unit Regulation

- **PROJECT LOCATION:**

The project has statewide applicability.

- **PROJECT DESCRIPTION:**

TRUs subject to the proposed project are independently powered refrigeration systems designed to control the environment of temperature sensitive products transported in trucks, trailers, shipping containers, and railcars. TRU generator sets are internal combustion engine-powered generators designed to provide power to electrically driven refrigeration units. TRUs and TRU generator sets emit diesel particulate matter, oxides of nitrogen, greenhouse gases, and other pollutants while in transit and during stationary operation at refrigerated warehouses, distribution centers, grocery stores, seaports, intermodal rail yards, truck stops, and other locations that are often in close proximity to sensitive receptors, such as schools, hospitals, elder care facilities, and residential neighborhoods.

The proposed project may require truck TRUs to transition to zero-emission technology, trailer TRUs to utilize zero-emission operation while they are stationary for

more than 15 minutes at applicable facilities in California, and applicable facilities to install electric charging or fueling infrastructure. Additionally, the proposed project may require trailer TRUs, domestic shipping container TRUs, railcar TRUs, and TRU generator sets to meet an emission standard; and trailer TRUs, domestic shipping container TRUs, and railcar TRUs to use refrigerants with a global warming potential  $\leq 2,200$ .

- **PROBABLE ENVIRONMENTAL EFFECTS:**

The EA will evaluate the potential for impacts on the environmental resource areas found in Appendix G of the CEQA Guidelines. Potential adverse impacts would be associated with the reasonably foreseeable compliance responses related to the regulation, which may include but are not limited to the introduction of new zero-emission and partially zero-emission equipment; new charging and fueling infrastructure; battery second life; and water consumption of hydrogen production.

The reasonably foreseeable compliance responses associated with the Transport Refrigeration Unit Regulation could potentially adversely or beneficially affect the following resource areas, which will be further evaluated in the EA:

- o Aesthetics
- o Agricultural and Forest Resources
- o Air Quality and Odors
- o Biological Resources
- o Cultural Resources
- o Geology, Seismicity, and Soils
- o Greenhouse Gases
- o Hazards and Hazardous Materials
- o Hydrology and Water Quality
- o Land Use and Planning
- o Noise
- o Transportation and Traffic
- o Utilities and Service Systems

Potential cumulative impacts and potential for growth inducement will be evaluated in the EA, as well as alternatives, including the No Project Alternative.

July 30, 2019

To All Interested Parties:

California Air Resources Board (CARB) staff invites you to participate in public workshops to discuss the draft concept for the new Transport Refrigeration Unit (TRU) Regulation.

At the workshops, staff will present a regulatory concept that may require truck TRUs to transition to zero-emission technology, trailer TRUs to utilize zero-emission operation while they are stationary for more than 15 minutes at applicable facilities in California, applicable facilities to install electric charging or fueling infrastructure, as well as emission standard and refrigerant requirements. Additionally, staff will discuss charging and fueling infrastructure considerations, enforcement and compliance mechanisms, and preliminary health risk estimates. Staff will also solicit input on scope and content of the environmental analysis, as well as alternative regulatory concepts for consideration in the environmental analysis and standardized regulatory impact analysis that will be prepared for this regulatory action.

### Workshop Information

The workshops are open to the public and we encourage participation by all parties. The workshops will be held at the locations and dates shown in the table below. Each workshop will follow the same format and present the same materials. For those unable to attend in person, the Sacramento workshop will be webcast. Information on submitting questions and comments will be provided during the webcast for remote participants.

Date and Time	Location
August 28, 2019 3:00 – 6:00 pm	Fontana - <a href="#">Fontana City Hall</a> Council Chambers 8353 Sierra Avenue Fontana, CA 92335
September 3, 2019 1:00 – 4:00 pm	Fresno - <a href="#">San Joaquin Valley Air Pollution Control District</a> 1990 East Gettysburg Avenue Fresno, California 93726

Date and Time	Location
September 11, 2019 1:00 – 4:00 pm	Sacramento - <a href="#">CalEPA Headquarters Building</a> Coastal Hearing Room 1001 I Street Sacramento, California 95814  Live Video/Audio Webcast Option: The <a href="#">webcast</a> can be accessed on the day of the meeting.

Workshop related materials will be posted on the [TRU Regulation webpage](#) prior to the first workshop.

## Background

TRUs are independently powered refrigeration systems designed to control the environment of temperature sensitive products transported in trucks, trailers, shipping containers, and railcars. TRU generator sets are internal combustion engine-powered generators designed to provide power to electrically driven refrigeration units. TRUs and TRU generator sets emit diesel particulate matter, oxides of nitrogen, greenhouse gases, and other pollutants while in transit and during stationary operation at refrigerated warehouses, distribution centers, grocery stores, seaports, intermodal rail yards, truck stops, and other locations that are often in close proximity to sensitive receptors, such as schools, hospitals, elder care facilities, and residential neighborhoods.

CARB adopted the existing Airborne Toxic Control Measure (ATCM) for In-Use Diesel-Fueled TRUs, TRU Generator Sets, and Facilities where TRUs Operate (title 13, California Code of Regulations, section 2477) in 2004 (amended in 2010 and 2011) to reduce diesel particulate matter emissions from TRUs and TRU generator sets. Despite the progress made, TRU and TRU generator set emissions still contribute to health risk and must be further reduced to protect nearby communities. The State of California has recently placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens. The new regulatory efforts go beyond the existing TRU ATCM to achieve greater emission reductions needed to minimize community exposure to air pollution, as well as meet air quality and climate mitigation goals.

## Environmental Analysis

This workshop will serve as a scoping meeting as required by the California Environmental Quality Act (CEQA). Pursuant to CEQA and CARB's Certified

Regulatory Program (Cal. Code Regs., Title 14, §15251(d); Cal. Code Regs., Title 17, §§ 60000–60008), staff will review the Transport Refrigeration Unit Regulation to determine if the proposed project will result in any potentially significant adverse environmental impacts. Staff will provide an overview of CARB's process for preparing the environmental analysis (EA) and its content. Staff welcomes public input at the workshop on the appropriate scope and content of the EA at the beginning of our process, including the reasonably foreseeable methods of compliance with the proposed Transport Refrigeration Unit Regulation, the potential significant adverse impacts, potential feasible mitigation measures, and feasible alternatives to the proposal that could reduce or eliminate any significant adverse impacts. A Draft EA will be released for a 45-day public review and comment period with the proposed Transport Refrigeration Unit Regulation. Comments received at this public workshop will be considered when preparing the CEQA document.

### **Special Accommodation Request**

If you require a special accommodation or need this document in an alternate format (i.e. Braille, large print) or another language, please contact Lea Yamashita at (916) 323-0017 or email [Lea.Yamashita@arb.ca.gov](mailto:Lea.Yamashita@arb.ca.gov), no later than 10 business days before the scheduled meeting. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Para solicitar estas comodidades especiales o necesidades de otro idioma, favor de contactar a Stephen Cutts al (916) 323-1603 o [scutts@arb.ca.gov](mailto:scutts@arb.ca.gov) no menos de 10 días de trabajo antes de la junta programada. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

### **For More Information**

For more information, visit CARB's [TRU Regulation webpage](#). To receive updates and notices of upcoming meetings, sign up for our [email subscription service](#).

If you have questions about the workshops, please contact Lea Yamashita, Air Pollution Specialist, at (916) 323-0017 or email [Lea.Yamashita@arb.ca.gov](mailto:Lea.Yamashita@arb.ca.gov).

Sincerely,



Cari Anderson, Chief  
Freight Transport Branch  
Transportation and Toxics Division