



OREGON REFUSE & RECYCLING ASSOCIATION

June 20, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality
700 NE Multnomah St.
Portland, OR 97232

Via email only: HDDiesel.2024@DEQ.oregon.gov

Re: NOx Rulemaking Comments – in support of the extension, and requesting exemption under OAR 340-261-0060

Dear Ms. Sakata:

Thank you for this opportunity to comment on the NOx permanent rulemaking that is currently underway. As I have noted previously, the Oregon Refuse and Recycling Association (ORRA) is the statewide trade association representing over 90 solid waste management companies in Oregon. ORRA's regular members collect and process most of Oregon's residential and commercial refuse and recyclables, as well as operate material recovery facilities, compost facilities, and many of Oregon's municipal solid waste transfer stations and landfills. In addition to those regular members, ORRA has over 50 associate members that offer goods and services to ORRA members, including all types of trucks needed to provide solid waste and recycling collection services.

I would like to thank both you, and Eric Feeley, for taking the time to meet on April 23 with a small group of ORRA members and me, during which you provided a high level summary of the draft proposed rules, and took comments and feedback from us.

First, ORRA is supportive of adopting the NOx rules extension. Having more time to meet engine requirements is helpful for the entire transportation sector.

As noted at that meeting, in previous conversations, and in the letters submitted to DEQ by ORRA members and ORRA in January 2024, ORRA again reiterates its request that DEQ revise the draft rules at OAR 340-261-0060, to exempt engines in solid waste and recycling trucks from OAR 340-261-0050. The language exempting solid waste collection vehicles could be added to the exemption found at OAR 340-261-0060, as follows (**new language in bold**):

(3) Emergency vehicles, as defined in ORS 801.260, and ambulances, as defined in ORS 801.115, **and solid waste collection vehicles used to transport solid waste, as defined in ORS 459.005(25)**, are exempt from OAR 340-261-0050.

For reference, the definition of solid waste found at ORS 459.005(25) states:

“Solid waste” means all useless or discarded putrescible and nonputrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid materials, dead animals and infectious waste as defined in ORS 459.386.

In support of the exemption request, ORRA incorporates by reference its letter and those of its members submitted in January 2024, as attached. In addition, as requested by DEQ at its April 23 meeting with ORRA and some ORRA members, I did reach out to ORRA members to ask if they have any updated evidence that this proposed rule is the cause of the inability to obtain trucks. I asked specifically for:

1. Written information including any emails, notes from phone calls, etc., regarding orders that are incomplete, delayed, or have failed, and any reasons given for why;
2. Summaries of any conversations with OEMs/dealers about the rule causing more difficulty in completing orders, and;
3. Anything else that might help show that the rule is a major cause of the difficulties in obtaining trucks.

As expected, there are few additions we can offer, as we explained would be the likely result when we met with you on April 23 - OEMs and dealers are reluctant, and maybe even unwilling, to tell potential buyers that they cannot fulfill orders. This was also noted in some of the discussion at the April 11, 2024, NOx Rulemaking meeting, which also indicated that OEMs and dealers may not have the information themselves. However, ORRA did receive two pieces of updated information that I believe bolster the exemption request:

1. Updating the experience of Roseburg Disposal and its efforts to obtain an electric truck, as noted in the company’s January 2024 letter (**attached**). Roseburg Disposal ordered an electric truck in January 2023, with a projected arrival date of Spring 2024. The dealer then pushed that date to the end of June 2024. This was a critical change – Roseburg Disposal saved \$750,000 to purchase the truck, and if the company did not spend the money by the end of June, there would be a large, and unnecessary, tax to pay. The June 2024 delivery date did not hold up, and the most recent date projected is October 2024. The company had to scramble to find appropriate ways to spend the saved funds before the end of June, and now, is faced with raising the capital again to purchase the truck based on the third projected delivery date of October 2024.
2. An official communication from Freightliner Northwest dated June 17, 2024, with respect to the most likely implementation of these rules and their effect on Oregon customers (**attached**). The memo notes that sales of Internal Combustion Engines (ICE)

into Oregon will be limited by the number of Battery Electric Vehicles (BEVs) sold into Oregon. Without appropriate infrastructure to support these trucks, as well as no track record to show they are capable of collecting solid waste as demanded and required in Oregon, and the inability to obtain the trucks even for those willing to take on all of these unknowns, such as Roseburg Disposal, the supply of ICE trucks is expected to be greatly limited.

These are two examples of updated additional evidence. We are hearing there may be messages similar to those of Freightliner NW, but we do not have any written information to confirm that at this time. I wish we could provide more examples, but our inability to do so should not be taken as a reason to deny the requested exemption for essential service providers in this rulemaking; ORRA and its members have made good faith efforts to provide this information, but it is outside of the control of ORRA and its members to force OEMs and dealers to respond, and the OEMs and dealers may not even have the information to do so at this time.

In conclusion, ORRA respectfully requests an exemption to be added to OAR 340-261-0060 as suggested in this letter, to exempt engines in solid waste and recycling trucks from OAR 340-261-0050. As noted previously, this exemption would not require any change that would trigger concerns about Oregon matching CARB's identical language on engine standards, but rather is a recognition that for all the reasons noted, notably the public emergencies that could be created by the inability to collect solid waste, this essential service must be maintained.

Thank you for your consideration, and please don't hesitate to reach out if we may answer questions.

Sincerely,



Kristan S. Mitchell
Executive Director and CEO

Attachments:

- June 17, 2024, Freightliner Northwest email
- ORRA letter with attached ORRA member letters, etc., submitted January 2024

C: ORRA leadership

June 17, 2024

Here is FNW official communication with respect to the most likely implementation on Jan 1st 2025 of CARB and its impact on customers in Oregon.

State of Oregon to Follow California emissions rules in 2025.

The state of Oregon has indicated they will be adopting some of the California Air Resources Board (CARB) rules beginning Jan 1, 2025

Oregon's plan is to adopt the Advance Clean Trucks rule (ACT) that limits truck manufacturer's ability to sell new Internal Combustion Engine vehicles (ICE) into the state based on the number of new Battery Electric Vehicles (BEV) sold and registered within the state the previous year. Additionally, Oregon will adopt the Omnibus Rule relating to reduced NOx levels and the Legacy Engine Rule which will further reduce the availability of ICE engines and limit the choice to DD13 only.

The allocation of ICE engines for Oregon is as follows:

1. eCascadia = 3 ICE powered build slots
1. eM2 = 3 ICE powered build slots

Given the current slow adoption rate of BEV's in Oregon, the availability of ICE engines is forecasted to be extremely constrained. To date, Freightliner Northwest has not sold or registered a BEV in the state of Oregon. We are urging Oregon customers to develop a fleet strategy now to mitigate the impacts of this pending legislative action. It is also advisable to reach out to your state representatives to discuss the impacts on your business from the state adopting these rules and to follow pending litigation by parties opposed to the new rules.

DTNA will be holding customer information webinars next week on June 18 and June 20. The times each day are 8 a.m. and 1 p.m. We will be sharing the link to the webinars as soon as it is provided to us.

Options for customer consideration

- Pre-buy units for delivery prior to 12/31/2024
- Non-ACT State registration feasibility
- Used truck purchases in lieu of new truck.

Freightliner Northwest is working with Daimler Trucks to secure additional build slots in Q4 of 2024 to be able to accommodate customer's pre-buy needs. These units need to be ordered no later than July 31, 2024, to meet the 12/31/2024 deadline. We will also be scheduling in person meetings with customers after the DTNA webinars conclude next week.

Keeping you informed.

Mark R. Christie
Senior Fleet Account Manager



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OREGON REFUSE & RECYCLING ASSOCIATION

January 25, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality
700 NE Multnomah St.
Portland, OR 97232

Via email only to rachel.sakata@deq.oregon.gov

Re: Clean Trucks Rule - New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking. The Oregon Refuse and Recycling Association (ORRA) is the statewide trade association representing over 90 solid waste management companies in Oregon. ORRA's regular members collect and process most of Oregon's residential and commercial refuse and recyclables, as well as operate material recovery facilities, compost facilities, and many of Oregon's municipal solid waste transfer stations and landfills. In addition to those regular members, ORRA has over 50 associate members that offer goods and services to ORRA members, including all types of trucks needed to provide solid waste and recycling collection services.

Historically, solid waste management has been a primary responsibility of cities and counties. It is based on the need to protect the public health, safety, and welfare of citizens, and it stems from the Police Powers of the Constitution. Initially, cities and counties worked to manage garbage to keep it from accumulating, becoming a nuisance and attracting vermin which spread disease. Over time, the additional goals of conservation of energy and conservation of natural resources were recognized as important to protecting and promoting public health and welfare.

When COVID-19 arrived and shut down much of the world, the United States' federal approach included guidance for those who work in a critical infrastructure industry. The US Department of Homeland Security noted critical infrastructure required support to ensure the effective removal, storage, and disposal of residential and commercial solid waste. In Oregon, these essential solid waste services—garbage, composting, and recycling—are primarily provided through franchise or other agreements between cities and counties and solid waste management businesses across the state. ORRA and its members were proud to continue service in their Oregon communities, uninterrupted, during those difficult times.

Not only did this essential service continue during the COVID pandemic, ORRA businesses and their dedicated employees have persevered and continued service during the September 2020 fires, the flooding in Eastern Oregon in February 2020, and through winter storms, and extreme

heat events. Solid waste management, including garbage, composting, and recycling services, are services essential to the protection of the health, safety and welfare of the community, and ORRA members take those responsibilities seriously, and plan accordingly to do the necessary work even in the most difficult of conditions.

Now, ORRA members are faced with the very real possibility that the Clean Trucks rules may affect their ability to provide these essential services. The haulers, as consumers that need to buy engines, are finding extreme uncertainty on truck purchases, and the Clean Trucks/CARB rules are sowing more questions about how many CARB-certified engines will be available to Oregon purchasers. The truck market has been off balance post-COVID, and the supply chain now has a lack of certified engines. Some vocational truck engines are being taken off the table by the manufacturers due to the Omnibus standards, making a highly specialized waste and recycling collection vehicle that must operate efficiently even harder to procure.

Attached to this letter is the testimony from some ORRA members describing their operations and truck usage, and their current experience trying to replace trucks, as well as their concerns that the Clean Truck rules are having on replacement timelines. These members are a sampling of Oregon companies, including large, publicly-traded companies as well as small, privately-owned businesses, providing services in metropolitan areas and the I-5 corridor, as well as from the coast out to eastern parts of the state. **Within just this group of ORRA members submitting letters, the number of Oregon customers served is over 850,000.**

One other point worth noting is the near-future expectation of moving to electric trucks for solid waste collection services. ORRA members are often called upon by their city and county authorities to implement changes for environmental outcomes, even when those changes are more expensive. This is possible because under a franchise model, the costs of better, safer, more environmentally beneficial services are spread over the entire customer base, making it more affordable to implement. ORRA members are always ready and willing to meet those demands, with the understanding that the communities served are ready to participate in the costs. ORRA members are concerned that the costs for converting to electric trucks, once those trucks are available and the infrastructure is in place to support them, may still be too great for some cities and counties. A recent example is the City of Corvallis, where the city asked the franchised collector to explore an electric truck, the city surveyed customers and found support for the costs, and yet the council still voted against the rate that would be required to pay for it (see attached article). Any federal or state monies that could be used to lower these costs to ratepayers are vitally important to the efforts to bring electric trucks forward.

In conclusion, ORRA respectfully requests an exemption from the timelines of the Clean Truck rules. This exemption would not require any change that would trigger concerns about Oregon matching CARB's identical language on engine standards, but rather is a recognition that for all

the reasons noted, notably the public emergencies that could be created by the inability to collect solid waste, this essential service must be maintained.

Thank you for your consideration, and please don't hesitate to reach out if we may answer questions.

Sincerely,



Kristan S. Mitchell
Executive Director and CEO

Attachments:

B&B Leasing Co.
Dahl Disposal Service
Garbarino Disposal & Recycling
Heiberg Garbage & Recycling
Nestucca Valley Sanitary Service
North Lincoln Sanitary Service
Pendleton Sanitary Service
Pride Disposal Company
Recology
Roseburg Disposal Company
Thompson's Sanitary Service
Waste Connections
WM (Waste Management)
Corvallis Gazette Times article, November 9, 2023

C: ORRA leadership



B&B
LEASING

January 22nd, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking. B&B Leasing Co. is a garbage and recycling collection company serving Oregon City, Gladstone, Molalla, and Clackamas County. We serve approximately 32,000 commercial and residential customers, collecting garbage and recycling six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
25	Side Load	Commercial & residential garbage, recycling, organics
7	Roll-Off	Drop Boxes (construction, industrial use)
4	Front Load	Commercial garbage and recycling
3	Rear Load	Commercial & residential garbage, recycling, organics

We usually replace our trucks every 10-13 years, but this year we'll only be able to purchase two new trucks due to their limited availability. In the past, we used to buy up to four trucks per year to maintain our fleet's optimal condition. Unfortunately, our company is facing various challenges due to the rapidly increasing prices of trucks. Since early 2022, the cost of purchasing new trucks has gone up by 33% or more, and finding new vehicles is becoming increasingly difficult. When we place orders, we're uncertain about the delivery time of the trucks. We purchase our trucks from a single manufacturer, by line of business, which helps alleviate costs. I am concerned that if the Clean Trucks Rule is implemented, it could worsen the challenges we are already facing. It may even compel us to look for other manufacturers in the future to meet our vehicle replacement needs, or even limit our ability to acquire the necessary number of new trucks.

As fleet end-users and consumers, we're directly and negatively affected by the Clean Trucks rules related to engines and vehicles. Thank you for considering our concerns. If you have any questions, please contact me at the phone/email address provided.

Sincerely,

Pamela J. Bloom, President
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December 1, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Dahl Disposal Service, is a garbage and recycling collection company serving Lincoln County and the cities of Siletz, Toledo, Waldport, and Yachats. Dahl Disposal service serves over 5,400 commercial and residential customers, collecting garbage and recycling five days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
8	Automated side load	Commercial & residential garbage, recycling, organics
2	Roll off	Drop boxes (construction, industrial use)
3	Tractors	Haul collected materials to landfill & recycling markets

We replace our trucks every 10 years, approximately, with the last 2-3 years of the truck's use in our fleet being as a spare truck and not a primary truck. This requires the purchase of one to two new trucks per year. We have experienced issues with purchasing trucks for the last several years, with those issues only getting worse in the past 2 years. For example, we currently have an automated side loader on order that was ordered in September 2022 and has a tentative delivery date of May 2024. Due to these delays, we had to buy two used diesel trucks to supplement our fleet. We attempt to keep each line of business with the same chassis manufacturer for ease of parts inventory on our shelves, efficiency in dealing with one vendor for immediate parts needs and cost savings, but the used trucks purchased are a variation from the manufacturer of choice for that line of business.

Over the last two years the dealers (Autocar, Peterbilt, Kenworth) have told us that they are not taking orders or are very limited due to supply chain issues, staffing issues, and plants trying to prepare and move to manufacturing electric vehicles. In March 2023 we were told by a large dealer that their allocation was reduced for 2023 and that all were spoken for, and orders were being placed for the second quarter of 2024.

Parts costs have increased significantly, and supply chain issues have made parts availability difficult. We have experienced between a 50% to 60% increase in parts costs, including tires, since 2019. We had to replace an engine in a front-line automated side loader at a cost of \$54,000 in 2023, in 2019 that same engine replacement would have cost \$28,000.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

Zach Dahl
President
Dahl Disposal Service
541-336-2151, z.dahl@dahl Disposalservice.com



December 1st, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking. Our company, Garbarino Disposal & Recycling, is a garbage and recycling collection company serving North Plains, Beaverton, Hillsboro and Washington County. Garbarino Disposal serves over 6,000 of commercial and residential customers, collecting garbage and recycling six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

of Trucks Type of Truck Service Provided by Truck

9	Drop Box/ Roll Off	Drop Box for Commercial & Residential
6	Front Load	Commercial Garbage & Recycling
6	Automated Side Load	Residential Garbage, Recycling, & Yard Debris
4	Unique	Residential Garbage, Recycling, & Yard Debris

Our goal is to replace our fleet on a five-to-seven-year cycle depending on the type of truck. As a small, third generation, family-owned business we do our best to keep up with the larger organizations in the industry who have the necessary capital to sustain such a rigorous purchasing schedule. While this is our goal, we do run into unforeseen issues or cost increases that do not always allow us to stay in line with this goal.

For example, with the current state of inflation, high fuel prices, rising insurance costs in our industry, and increased corporate taxes in Oregon including Paid Family Leave, Metro Supportive Housing, and the Corporate Activity Tax to name a few, our capital to purchase new vehicles has reduced over the last two years. Currently, we are trying to purchase two to four trucks a year for the next five years to bring this desired schedule of a five-to-seven-year plan up to date.

We set this goal with the intention of keeping our fleet up to date, ensuring our organization has the latest technology, the most effective equipment for the environment, and the safest operations for our employees. We strive to implement these elements into our organization, however, when requirements like the Clean Truck Rule are placed on our small family-owned business it creates issues of flexibility in cash flow and our operations and does not allow us to compete with the larger, corporate operations in the industry. Unfortunately rules like the Clean Trucks Rule that offer a blanket solution to a problem have a direct impact on small business's ability to operate alongside the larger corporations.

Garbarino Disposal Letter re: DEQ Clean Truck Rules

December 1, 2023

Page 2 of 2

We have applied for grants to assist with the gap in funding between large corporations and small businesses and applied for the Diesel Emission Mitigation Grant with no avail. While we will not give up on these opportunities, I want to make it clear that the Clean Trucks Rule has a direct impact on the success of operation for small businesses like mine.

Regarding recent truck orders, in 2022 we initiated an order for three drop box trucks and as of November 2023 we have not received any of these vehicles. Not to mention, because of the delays the costs continue to rise with inflation. In November of 2023 we placed orders for one front load truck and one side load automated truck, the expected delivery dates for these trucks are Q3 of 2024 with potential of a longer lead time. The dealers have informed us that the delays are still due to bottlenecks in the supply chain and in the actual manufacturing process. In addition, for majority of the trucks we order a chassis from one manufacturer, have a long delivery delay due to the aforementioned issues, and then run into the same issues with the second manufacturer who installs the body or boom system onto that chassis. The speed at which the Clean Trucks Rule requires operations to replace trucks is not in line with current industry standards of manufacturing lead time.

Furthermore, when a new truck comes into operation, we recently have seen many issues with the new vehicle. Our mechanic states that it seems because of the backlog of orders the same care, intention, and attention to detail is not being taken on these new vehicles. On our most recent truck purchases there have already been over \$12,000 of repairs and parts in just the year and half we have had the truck. In addition, the new parts for these vehicles are significantly more expensive. This is another reason why the Clean Trucks Rule raises issues for our industry, if we were able to wait out the supply chain issues or make forecasted truck purchases based on our own companies needs, we would likely wait out a few of these ill-manufactured trucks. However, because of the pressure of the Clean Trucks Rule we have to continue to order these trucks.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,



Lexy Garbarino

Owner | Garbarino Disposal & Recycling

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November 13, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking. Our company, Heiberg Garbage & Recycling, is a garbage and recycling collection company serving the city of Portland. Heiberg Garbage & Recycling serves approximately 19,000 commercial and residential customers, collecting garbage, recycling and composting, six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
6	Front Load	Commercial garbage and recycling
6	Rear Load	Commercial garbage and recycling
22	Side Load	Residential/commercial collection
4	Roll Off	Drop Boxes (construction, industrial)

We replace our trucks approximately every 10-12 years. Currently, we are trying to purchase 3-4 trucks a year, and this has been our experience: Currently when we order, we're not given a delivery date. Only an estimate of which quarter we may receive the truck. We're currently at a year and half of waiting on a truck that was ordered in June of 2022. We're being told there are supply chain disruptions and unavailable parts as to why there's such a delay. We shop the truck market each year, and for the last 10 years we've purchased Mack chassis from TEC Equipment or Peterbilt chassis from Jackson Group Peterbilt. Once a truck is delivered, we then need time to insure, register, decal, install side guards and in cab cameras.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

Bruce Heiberg, Partner
Heiberg Garbage & Recycling
503-793-4842, bheiberg54@aol.com



January 19, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager

Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

We appreciate this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Nestucca Valley Sanitary Service, celebrates 74 years of service in unincorporated South Tillamook County. My parents and grandparents started this business in 1950 with a 1930 Ford Model A truck with a wooden flatbed. As a fourth generation small, independent company on the rural Oregon coast, I echo the statements my fellow haulers and our Executive Director, Kristan Mitchell, have brought to your attention to consider.

NVSS serves approximately 2300 commercial and residential clients, collecting garbage five days a week, and cardboard recycling every other week, year-round.

The trucks we purchase are highly customized to meet the specific demands of our service area.

The engine we select must meet our topographical and environmental needs in order to haul heavy loads up steep grades, but must also provide reliability, longevity, and fuel economy.

To provide the required services, we have a fleet of trucks in the following categories:

Number of Trucks	Type/Service	Service
3	20 yard Rear Loader	Commer/Residential
2	Chain Rolloff	Drop Boxes Mixed Use
1	Hook Lift	Drop Boxes Mixed Use

We purchase trucks every five years. Our least reliable unit will be used less frequently (3 days per week). This is not always our oldest truck, however. The new technology matched with the emissions are NOT meeting our reliability needs. Often, the older equipment proves to be our most reliable workhorse.

My company struggles also mimic my fellow haulers. By the time these trucks are fully loaded and ready to go into service they are already two years old.

My Operations Manager, Brett Dye and I both attended the Zoom meeting conducted by DEQ in October. I submitted a question about the availability and accessibility of an infrastructure to support our trucks' energy needs on the coast. DEQ's answer was 'there will be great support along the I-5 and I-84 corridors'. This was not only an inadequate answer, but not relevant to coastal businesses as well. My question was completely sidestepped, I assume because DEQ does not have the answer to that question.

NVSS Letter re: DEQ Clean Truck Rules
January 19, 2024
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Regulations designed for metropolitan areas are NOT appropriate for small rural communities. Our terrain is not flat, nor are we densely laid out in the grid format which populates urban and suburban communities. Two lane highways, mountain ranges and distance to transfers, landfills and material recovery facilities virtually negate the alternatives suggested for our trucks.

Again, our location is relative to everything.

The fact is, we went INTO the pandemic being stalked by a number of challenges.

Early in 2020, inflation began its historic climb pushing everything up to record breaking numbers. A lack of licensed, commercial truck drivers plagued many of us pre-pandemic. The Portland Haulers Association took on this issue by initiating a training program, Driving Diversity in Portland, through partnership with Worksystems, SE Works, and Interstate Trucking Academy. The program has been supported by funding from the City of Portland, the Portland Haulers Association and grants.

My point in noting the Driving Diversity program is that, this industry does not sit on its hindquarters, we are innovators and entrepreneurs who think outside of the box when handed these challenges. However, what DEQ is currently proposing is beyond our reach to fix and we already know what the repercussions of making these emissions adjustments will spell out.

Our newest truck, a 2024 Volvo, was ready for transport and upfit to the roll-off manufacturer this last November. Our Operations Manager, Brett Dye, personally traveled to Eugene taking delivery, while enroute to the system installer he experienced several emission related check engine lights, senseless time was wasted plugging in computers and re-calibrating sensors. This is a legacy engine manufacturer struggling to meet current emission standards. Let me be clear, this is not an engine problem but an emissions component problem.

When he researched the legacy engine manufacturers, they offered no specific, measurable, or attainable objectives. Their narrative is vague at best while they articulate they are trying.

His experience as a technician and an operator leads him to believe that the emissions of the internal combustion engine have reached the law of diminishing returns. The emissions benefits are proportionally smaller as more energy and resources are needed to overcome the stifling effects of more emission controls. Our records indicate that 90% of our fleet's downtime is emissions related.

Let this industry and the people who do it so well come out of this quagmire and get back to stabilizing our companies, which includes purchasing truck fleets powered by reliable engines. As was stated in several other letters of appeal, we are already dealing with the downstream effect of truck manufacturers' allotments for our state.

NVSS Letter re: DEQ Clean Truck Rules
January 19, 2024
Page 3 of 3

Let's also not forget the evolving RMA timelines which DEQ was anticipating to publicly roll out in July 2025. This system-wide update requires more financial outlay which includes expanding access to recycling services for the public (again, trucks, crews, carts), upgrading facilities accepting these materials and many more "adjustments and additions" impacting the rate payers.


It is our hope and expectation that DEQ will accept the experience, wisdom and knowledge of the industry professionals as we move forward in rebuilding our operations for the good of all of the residents of the state of Oregon.

It is only common sense to provide an exemption for essential service providers at this juncture. To place additional obstructions on the recovery of this industry will not benefit the mission which is to protect the health, safety and welfare of the public. To achieve this goal, we will need to work together as regulators and stakeholders.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles.

Thank you for your consideration of our concerns. If you have any questions, please feel free to contact us at the phone/email addresses provided below.

Sincerely,



Sandra L. Dye
Owner/President
Nestucca Valley Recycling
Garbage Service, Inc.
(503)392-3438, sandy@nvssgarbage.com

Brett Dye
Operations Manager
NVRGS, Inc
(503)392-3438, brett@nvssgarbage.com



Lon French

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November 3, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, North Lincoln Sanitary Service, is a garbage and recycling collection company serving North Lincoln County, Lincoln City, and Depoe Bay. North Lincoln Sanitary Service serves about 9,000 commercial and residential customers, collecting garbage and recycling five days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
8	Rear Load	Residential and Commercial Garbage
8	Side Load	Res and Com Garbage and Recycling
4	Roll Off	Drop Boxes for Res and Com
3	Box Vans	Deliver and Pick Up of Containers

We replace our trucks on a schedule where our trucks that are used every day are no older than 10 years, they are then moved to backups for the next 10 years. Because we HAVE to pick up waste daily, and cannot miss it, we have to have backups to the backups. Currently, we are trying to purchase two International trucks through Peterson Trucks to put in to service this year. In the past I would make the call to order the truck and one year later it would be on the route in service. The last International I just received just a week ago took two and a half years from when I made the phone call to getting the truck in service.

We are currently trying to get a new truck ordered. I made the phone call in May of 2023 to start the process, and I was told there were no trucks being built for Oregon due to the change in the laws for emissions. Now in Oct of 2023, I am just now told they might be able to get it on the “board” to get a slot to be built.

Every product that we use in society touches a truck somehow, either receiving the raw materials or making the product. Delays in trucks being built means delays in every product that we use. The trickle-down effects of fewer new trucks available means fewer products available, like the parts to fix the old trucks we will have to keep running if we can't purchase new trucks. We aren't a dump truck business where we just don't deliver as many loads of rock because we don't have as many trucks. For the health and safety of our community, we HAVE to remove waste every day. We HAVE to have trucks that run, and they need parts, fuel, etc., delivered to do that. Making emissions specifications so onerous that OEM's can't build the engine is going to have wide spread supply and demand issues that are still reeling from COVID. Since 2007, NOx emissions have been vastly lowered. What is the hurry right now to ram this down the consumers' throats? All the trickle down costs for these much more expensive new trucks and the added costs to keep an old fleet running gets passed directly to the customer. At some point they may say, "No." and throw their waste away illegally.

Technology is rapidly changing, and in the near future we can have lower NOx emissions and Electric Vehicles and the infrastructure to support them, but we are not there yet.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed below.

Sincerely,

Lon French
North Lincoln Sanitary Service
1726 SE Hwy 101
Lincoln City, Or 97367
Office 541-994-5555
LFrench@northlincolnsanitary.com

Pendleton Sanitary Service, Inc.

5500 NW Rieth Road • P.O. Box 1405 • Pendleton, Oregon 97801
Phone (541) 276-1271 • Fax (541) 276-1927

November 7, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on Clean Trucks permanent rulemaking.

Our company, Pendleton Sanitary Service, Inc. is a solid waste and recycling collection company serving Pendleton, Oregon and Umatilla County. Pendleton Sanitary Service, Inc serves 5,800 commercial, residential, and industrial customers, collecting garbage and recycling six days a week, year-round including all holidays. Additionally, we operate a recycling processing operation and transfer station serving customers within a 100 mile radius in rural eastern Oregon.

The trucks we buy are highly customized to meet the demands of our industry and service area. That includes the engine selection, which is needed to haul heavy loads up and down extremely steep grades, but must also deliver fuel economy. To provide the required services, we have the following fleet of trucks:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
3	Front load	Commercial garbage & recycling collection
4	Automated side load	Residential garbage & recycling collection
3	Roll off	Drop boxes—industrial & construction garbage & recycling collection
4	Semi Tractor	Transfer Station - haul to regional landfill

We replace our front-line route trucks on a six-year schedule. Once a truck comes out of full-time service, it becomes either a recycle route truck or a backup/spare truck for covering breakdowns. Currently, we are trying to purchase a Peterbilt 520 chassis, for a front load commercial truck, and a Peterbilt 567 chassis for a roll off truck. During 2023, we were told by both Kenworth in Pendleton, OR and Dobb's Peterbilt in Pasco, WA that there were NO BUILD SLOTS AVAILABLE for trucks in 2023, and very likely none in 2024. We normally replace 1-2 trucks per year, and are now at least one year behind on our equipment replacement schedule because of the lack of availability of this equipment.

Pendleton Sanitary Service, Inc. – DEQ Clean Trucks Rule
November 7, 2023
Page 2 of 2

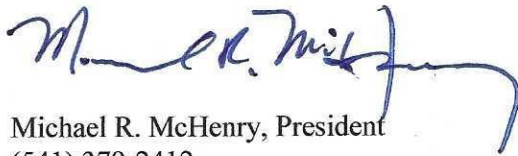
Please understand the nature of what we do is an extremely abusive environment on equipment, and once a truck reaches the end of its useful life, breakdowns come in huge waves. The downtime cost, repair cost, cost escalation of parts, limited availability of parts, etc. creates a very difficult environment to keep the garbage and recycling collected every day, six days a week, year around.

Additionally, the last new route truck we were able to obtain was ordered in August of 2020 from Dobbs Peterbilt in Pasco, WA and delivered 16 months later. It is a 2022 Peterbilt 520 chassis with a Labrie automated side loader. We've been unable to attain any build slots for Peterbilt or Kenworth since that time due to the issues mentioned above.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

PENDLETON SANITARY SERVICE, INC.



Michael R. McHenry, President
(541) 379-2412
mike@pendletonsanitaryservice.com



January 19, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Pride Disposal Company, is a garbage and recycling collection company serving Unincorporated Washington County and the cities of Sherwood, Tigard, Hillsboro, Beaverton, Durham, and King City. Pride Disposal Company serves over 37,000 commercial and residential customers, collecting garbage and recycling six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
8-9	Front load	Commercial garbage and recycling collection
20	Automated side load	Residential garbage, recycling, organics collection
6	Roll off	Drop boxes (construction, industrial use)
4	Unique	Recycling collection (Glass, motor oil, batteries, expanded recycling)

We replace our trucks every 10 years, approximately. During the last 2-3 years of those 10 years, those older trucks in our fleet are used as spare trucks, rather than primary trucks that run every day. We have experienced issues with purchasing trucks for several years, with those issues only getting worse in the past 2 years.

Year to date: we are just getting most of our trucks now that we ordered over the last few years.

All of the following orders are compressed natural gas (CNG) trucks:

12/2020 ordered 4 Peterbilt 520 chassis with McNeilus front load bodies.

2021 ordered 4 Peterbilt 520 chassis with McNeilus zero-radius, automated side loader bodies

2021 ordered 2 Peterbilt 520 chassis with McNeilus front loader bodies

2022 ordered 4 Peterbilt 520 chassis for Stellar system drop box systems

We had a few of the front loaders trickle in one at a time and now in the last 6 months we have been bombarded with our truck orders coming in. Due to these delays, we had to buy 6 used

diesel trucks to supplement our fleet. We also were able to work with McNeilus to buy 2 Freightliner chassis (2016 and 2017) that had been ordered by another company and no longer needed and had been sitting unused. We then had those chassis sent to McNeilus to add zero-radius, automated side loader bodies, which took 18 months to receive.

Over the last two years the dealers (Mack, Peterbilt, and Freightliner) have told us that they are not taking orders right now or are only taking very limited orders due to supply chain issues, staffing issues, and plants trying to plan for and move to manufacturing electric vehicles.

When we do receive trucks, they have the incorrect or missing parts (4 trucks with the wrong braking system for our application), mismatched tires (whatever style the dealers can get), cross threaded or missing bolts in the chassis and other issues. We are having to work with the dealers and body builders to get all of our issues resolved, often causing further delays in putting these trucks on the road.

Out of 6 front loaders, we have received (1 in 2020 and the other 5 in the last 12 months we still are not able to run 2 of them). Out of 6 Automated sideloaders in the last 12 months we still have 5 of them down waiting on parts from the dealers and body builders so we can make them route ready. Out of 4 drop box trucks we are still waiting on the stellar roll off systems so we can start on installations to make them route ready.

This situation has created a daily ritual where our Fleet Manager must call and email the dealers and body builders to try and keep the progress moving forward to try and get millions of dollars of trucks up and running. This must all be done while trying to keep and maintain an older fleet of trucks and equipment running (equipment that should have been phased out) and taking parts from some trucks to keep others up and running because we are being told that many parts are obsolete, even for trucks that are only a few years old. This has also added costs because we have to perform repair work 2 and 3 times just to keep trucks on the road.

Parts costs have also increased significantly. Replacement arms on some of our side loader trucks were \$12,000 in 2019, and in 2023, the cost is now over \$21,000. We see similar increases with tires, brakes, suspension systems, etc.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

Kristin Leichner
President
Pride Disposal Company
503-625-6177, kristinL@pridedisposal.com



November 27, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Recology is a 100% employee-owned waste hauling and processing company, managing recycling, organic waste, and solid waste collection, processing, and disposal services for multiple communities throughout Oregon.

Recology is committed to transitioning away from fossil fuels and applauds Oregon DEQ in its efforts to move towards a zero-emission future. We believe this goal can be met in time, but that the current limitations of emerging technologies and the challenges of existing market conditions must be considered carefully when implementing the Clean Trucks rules relating to engines and vehicles.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy payloads up steep grades but must also deliver fuel economy. To provide required services, we have a fleet of approximately 250 vehicles operating throughout the state that collects commercial and residential garbage, recycling, and organics from more than 60,000 customers.

For our industry, it's important to note that zero-emission vehicles are an emerging technology. Unlike light duty vehicles, such as passenger cars and trucks, a collection vehicle requires a unique combination of a zero-emission chassis with an appropriate specialized body to perform the task of safely collecting and transporting waste. Our company believes in finding the best and highest use for all resources and reducing environmental impacts in all aspects of our business. To that end, we have had the opportunity to proactively test several different types of vehicles. Unfortunately, at this time, none of them are able to perform to the level needed to service our customers in the manner they are served today.

For example, a zero-emission automated side load garbage truck was tested and could only operate approximately 5 hours before needing to recharge. This is far below the approximately 10 hours needed to complete a full collection route. Due to battery constraints and the weight of the batteries, these trucks also collect less waste at a time, impacting their payload.

Since it would be unreasonable and inefficient to have a driver wait for their vehicle to fully charge in the middle of their workday, and less waste could be collected at a time due to payload constraints, this combination of challenges would require a hauling company to increase the number of trucks within their fleet just to maintain the level of service required by our customers (Recology estimates adding one truck for every four within a fleet). A typical internal combustion engine collection vehicle may cost \$350,000 - \$400,000; however, a single zero-emission collection vehicle costs over \$750,000 (this cost is for the vehicle only, not including the infrastructure to provide charging).

Increasing the number of trucks within a fleet not only means higher capital costs, but higher expenses in terms of additional drivers and mechanics to operate and service the equipment, increasing space required for parking, and more. These increased costs are eventually borne by our customers.

As is the case with other solid waste hauling companies across the country, our new truck and equipment orders have been subject to extended lead times. Prior to the pandemic, our experience was approximately one year from the time of ordering a new truck to the time of delivery. Today, all trucks and equipment that have been ordered for Oregon can expect to be delivered at least two years after the date of order. These extremely long lead times seem to be the norm now, rather than the exception. With the expectation that truck manufacturers must shift production to more zero-emission vehicles, we fear that lead times could become even longer.

Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

Ame LeCocq

Ame LeCocq
Regional Environmental Manager – Recology
Alecocq@recology.com
503-849-9114



December 1, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Roseburg Disposal Co, is a garbage and recycling collection company serving Roseburg and the surrounding area. Roseburg Disposal serves approximately 10,000 commercial and residential customers, collecting garbage and recycling five days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
7	Automated side load	Residential & commercial garbage collection
4	Front load	Commercial Garbage and recycling collection
3	Roll off	Drop boxes (commercial & construction use)
4	Recycling	Residential recycling
1	rear load	Commercial recycling

We replace our trucks every 10 years with the last 2 – 3 years of the truck's use in our fleet being as a spare truck not a primary truck. We have experienced issues with purchasing trucks for several years, with those issues only getting worse in the past two years. Currently, we are trying to purchase two trucks. This has been our experience in the recent past:

In the Spring of 2020, we lost an engine in one of our automated side load trucks. We looked into rebuilding the engine ourselves and the parts availability to do so. The cost of the parts was going to be between \$40,000 and \$50,000 if the parts were even available. We also investigated getting a remanufactured engine and ran into the same issue. It would cost between \$40,000 and \$50,000 as well. The truck was older, and it wasn't worth investing that amount of money into

it. We then looked into purchasing a new truck. A new chassis would not be available for at least one year and then we would need to have a body built and installed on the truck and that would take another 6 to 9 months. In all it would take more than one and a half years to take delivery of the new truck.

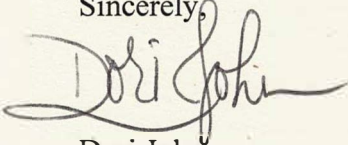
Next, we looked for a used demo truck. We found one that would work but it was not built to our specifications. It had a longer wheelbase, making navigating and turning in small spaces more difficult, and the wrong hydraulic system. We needed to paint the truck and install the correct mirrors and tires. Once all the changes were made to meet our needs, we were finally able to put the truck into service on Sept 15, 2021. A full year and a half after the breakdown of the original truck.

To start to comply with the upcoming clean truck laws we made the decision to purchase an electric class 8 automated garbage truck. We started this project in the spring of 2021. We felt it was necessary to have the infrastructure in place before obtaining the truck. For the rest of 2021 and first half of 2022 we worked on getting the infrastructure installed. In the spring of 2022, we were ready to order the chassis and body and at the last minute the body manufacturer notified us that they determined they could not install a body on an EV chassis because the battery packs would impede the body lift cylinders.

We had to start the process over and after researching and trying several trucks found one that met our needs and had the zero-radius lifting arm that would be able to service the narrow alleyways in which we work. It took 7 months to find a truck body that would meet our needs. We ordered the chassis and body in the beginning of January 2023. As of today, the chassis manufacturer cannot give us a date of when the chassis will be completed and then shipped to the body manufacturer for installation. The body installation takes approximately six months to complete.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. As a small company, it is very hard to plan acquisitions of the chassis and body configurations. They run from \$450,000 - \$750,000 (EV) which is quite an expense for a company of our size. The examples given are without the clean truck rules and restrictions. I can't imagine the difficulty we will have when they are implemented. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,



Dori John
President

dori@roseburgdisposal.com



January 22, 2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
 Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Thompson's Sanitary, is a garbage and recycling collection company serving Newport, Oregon and a portion of nearby unincorporated Lincoln County. Thompson's serves Over 4,000 commercial and residential customers, collecting garbage and recycling six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:s:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
3	Roll Off	Drop Boxes (Construction, large generator)
10	Sideload	Residential and Commercial collection
2	Unique	Cart delivery, bulky pickup

Under normal circumstances we would try to purchase one truck each year. However, our truck vendor has informed us that due to the instability in the market created by the uncertainty regarding CARB regulations, he would have an extremely limited number of vehicles to sell during 2024, potentially fewer than 12 for the entire state. Accordingly, we have reserved two vehicles, even though our cash flow may suffer as a result. Availability and pricing related to this uncertainty is an unfortunate and tangible impact of potential legislation. Looking ahead, if our industry is forced to comply with these regulations on the proposed timeline, we anticipate that the effect of the approved legislation will have a greater impact on truck pricing and availability than the threat of legislation has already produced.

Our second concern is that the technology that will be utilized to comply with the regulations is new and unvetted. When the first round of CARB regulations was implemented around 10 years ago, issues arose immediately. Specifically, because our trucks do not drive highway speeds on a sustained basis, the emissions systems do not operate as designed. New trucks with CARB required modifications failed, and had to go back to our vendors to be reprogrammed and repaired. To this day we are still impacted by this design. Our anxiety related to this current CARB proposal is born from our prior experience. We anticipate that if further legislation is adopted, we will again suffer unintended costs and delays while engine manufacturers work to accommodate the specific needs of our industry. We ask that a slower, measured approach is

implemented that will allow the technology to be tested and successful so that operations do not suffer during the change to cleaner running vehicles.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely,

A handwritten signature in black ink that reads "Rob Thompson". The signature is written in a cursive style with a large, stylized "R" and "T".

Rob Thompson
President and Co-Owner
Thompson's Sanitary Service



WASTE CONNECTIONS
Connect with the Future®

November 9, 2023

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, Waste Connections, is a garbage and recycling collection company serving many locations in Oregon. Waste Connections serves half a million commercial and residential customers, collecting garbage and recycling six days a week, year-round.

The trucks we buy are highly customized to meet the demands of our service area and customers. That includes the engine selection, which is needed to haul heavy loads up steep grades, but must also deliver fuel economy. To provide required services, we have a fleet of trucks in the following categories:

<u>Number of Trucks</u>	<u>Type of Truck</u>	<u>Service Provided by Truck</u>
153	ASL	Residential Solid Waste and Recycling
51	Front Loader	Commercial Solid Waste and Recycling
19	Rear Loader	Residential Solid Waste and Recycling



We have a total of 413 speciality route trucks with a 10 year lifecycle and a 10% annual replacement schedule. Currently, we are trying to purchase 45 route trucks, and this has been what we have encountered in regards to replacing units: Because of the lack of alignment between CARB, Oregon and EPA regulations, we are facing a challenge in finding appropriate engine displacement options for our fleet, which has a significant impact on our operations. As a company committed to environmental stewardship, we are consistently seeking ways to reduce our carbon footprint and limit our impact on the environment. However, we have been encountering obstacles in this regard when it comes to our fleet. The problem we are currently facing is the lack of available engine displacement options from our chassis manufactures. Without these options, we are experiencing increased fuel consumption and higher maintenance costs, thereby impacting our ability to operate in an environmentally conscious manner. Chassis manufacturers are unable to supply units in a timely manner, which delays our replacement schedule. Because these are specialty vehicles, including recycle units, our options are limited. We are committed to collaborating with you and other stakeholders to identify a resolution that enables us to continue operating in a responsible, reasonable and sustainable manner.

As fleet end-users and consumers, we are directly and negatively affected by the Clean Trucks rules relating to engines and vehicles. Thank you for your consideration of our concerns. If you have any questions, please contact me at the phone/email address listed.

Sincerely



Jerry Johnson

Director – Fleet Sourcing and Strategic Planning

Electronic Mail: Jerry.johnson@wasteconnections.com

Telephone (832) 442-2233



WASTE MANAGEMENT
7227 NE 55th Ave.
Portland, OREGON 97218

1/24/2024

Ms. Rachel Sakata, Transportation Strategies Section Manager
Oregon Department of Environmental Quality

Re: Clean Trucks Rule – New Truck Availability and Constraints on Essential Service Providers

Dear Ms. Sakata:

Thank you for this opportunity to comment on the Clean Trucks permanent rulemaking.

Our company, WM, is a garbage and recycling collection company serving Portland and the surrounding areas. WM operates over 240 routes throughout the State of Oregon on any given day, year-round which consists of 160 residential routes, 50 commercial routes and 30 industrial routes. WM services over 115,000 residential customers, and 50,000 commercial & industrial customers throughout the State of Oregon.

WM maintains a world class refuse collection and management fleet to ensure reliable and cost-effective services to our customers. Part of WM's approach to maintaining a clean, reliable fleet includes regular replacements of vehicles as they reach the end of their service life. Currently, WM is experiencing significant delays in delivery of new vehicles. Many new vehicle orders are experiencing delivery delays of up to 18 months. These are specialty vehicles, so available options are limited. Implementation of the Clean Trucks Rules in Oregon seems very likely to exacerbate these delays further.

WM's ability to maintain a reliable fleet is important not only for our business but also to the health and well-being of our customers. WM has long been a leader in clean transportation technologies and supports a continued transition to cleaner equipment. However, that transition must be orderly and avoid market-breaking disruptions. WM has to have the fleet necessary to provide collection services to its customers every day, in order to avoid the public health emergencies that would occur without that service.

For the reasons stated above, WM respectfully requests an exemption from the timelines of the Clean Truck rules which is in alignment with ORRA's request. Thank you for your consideration, and please reach out if we may be of more assistance.

Sincerely,

Aaron Alvarado
Area Fleet Director

1/25/24

Date

ALERT FEATURED TOP STORY

Corvallis trash customers won't pay extra to electrify truck fleet

Kosiso Ugwuode

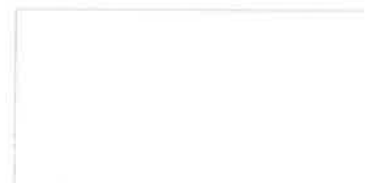
Nov 9, 2023



In this 2022 file photo, a Republic Services garbage truck is seen on its collection route in Corvallis. The City Council decided this week not to allow the company to charge local customers a one-time uptick in rates to fund the transition to electric vehicles.

Andy Cripe, Mid-Valley Media (File 2022)

Kosiso Ugwuode



Republic Service customers in Corvallis won't have to subsidize the company's efforts to electrify its fleets, at least for the 2024 calendar year, the City Council has decided.

When **the 10-year franchise agreement came up for renewal last month**, councilors said OK, but put off a request by Republic services for a 4.7% one-time rate increase to pay for electric trash hauling vehicles and related charging infrastructure.

They took up the topic again on Monday, Nov. 6, when the council unanimously agreed to shelve plans to **partner with Republic Services to electrify** its trash hauling fleet.

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- 1 High school girls basketball: Gritty Spartans seniors leading the way as they relish time together**
- 2 Winter storm to record cold for OR and WA; see the snow and ice forecast**
- 3 Corvallis artist shows his silk paintings one last time**
- 4 130 years later, Corvallis' Robnett's Hardware is closing**

Ward 4 Councilor Gabe Shepherd moved the motion to not adopt the 4.7% electrification rate for the 2024 calendar year. The motion passed with no objections.

Although not contained in the new franchise agreement, the council was asked to consider adding a 4.7% one-time increase to the trash collection rates paid by residents.

The addition would've adjusted the collection rates in the new franchise period by 9.6%, or a \$2 per month rate for the average 32-gallon cart customer.

Councilors were divided about the electrification rate at last month's Oct. 2 council meeting.

While Ward 8 Councilor Tracey Yee argued that the increase was in line with feedback from the community survey about what residents are willing to pay for a more sustainable trash collection fleet, Shepherd expressed concern that there were no deadlines for the switch to an electric fleet. He also worried about the higher rate burdening taxpayers even more.

Other concerns raised by the council, in subsequent exchanges with Public Works, ranged from concerns around implementation to other cities that may have adopted the rates and future impact of the subsequent rate increases over the new franchise agreement's 10-year lifespan.

Republic Services has electrified its fleet in Boise, Idaho, according to Kris Kelly, Public Works Internal Services division manager, and is in conversation with leaders in Salem, who have not adopted the electrification rates.

Ten trucks were expected to be converted in the next two to three years, according to Kelly, and funding was going to come from a number of sources, including customers who pay the electrification rate, grant funding and sale of the compressed natural gas trucks that are yet to reach the end of their lifespan.

As with all rates included in the franchise agreement, Kelly also explained that the city was entitled to 5% of the revenue generated from the electrification rate adoption.

At the Nov. 6 meeting, Kelly explained that without the rate addition, the company had no plans to implement electric vehicles at this time in Corvallis.

"It seems largely that putting additional burden on the community for jumping ahead makes no sense," Ward 9 councilor Tony Cadena said at the Nov. 6 council meeting. "I just don't see the value of it."

Several councilors said that the response to the electrification rate from constituents has largely been negative and borderline hostile, in spite of a questionnaire that found about 64% of the 489 respondents would be willing to take on at least a \$1-\$5

increase in their monthly bill for a more sustainable trash-hauling fleet.

Ward 5 Councilor Charlyn Ellis, who also serves as the council's liaison to the Climate Action Advisory Board, said although she was compelled to support the electrification rate for climate reasons, Republic Services is a highly profitable company that shouldn't be asking the community to bear the cost of a process it is undertaking anyway.

Ellis also wondered if the pushback on the electrification rate was connected to the **pushback on the expansion of the Coffin Butte** landfill operated by Republic Services.

Before moving the motion to drop the electrification rate, Shepherd said he would've backed the proposal if there were a way to delineate it as a monetary charge that will not compound. He added it was also important to demand a quarterly or semi-annual reporting schedule from Republic Services on spending and progress of the electrification process.

Republic Services announced in February that the company was planning to switch half of its waste and recycling trucks to electric vehicles by 2028. That represents about 8,000 trucks nationwide.

It is unclear if the electrification rate conversation will resume after the 2024 calendar year, but according to Kelly, the council's decision means "Corvallis will not be in the queue for transitioning Republic's hauling fleet to electric."

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