

TCEQ;

I recommend discontinuing the grants for natural gas powered vehicles. Since the world must reach net zero emissions by 2050 to avoid climate catastrophe, providing incentives for fossil gas powered vehicles makes no sense in 2022. With GHG emissions approximately half that of gasoline powered vehicles, use of fossil gas vehicles will simply slow the needed rapid transition to EVs (BEVs). Numerous BEVs are now on the market, including some 18-wheelers. And if BEVs do not work in certain applications, hydrogen fuel cell vehicles would be a much better, emission free alternative. Further, there appears to be few fossil gas powered vehicle available for purchase now, while BEVs are abundant.

For these reasons, I recommend NOT including an incentive for fossil vehicles and instead apply those funds to BEVs incentives.

Sincerely,

Alan D. Northcutt MD
Director
Waco Friends of the Climate

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Senior Policy Advisor
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September 1, 2022

Chairman Jon Niermann
TCEQ
12100 Park Thirty Five Circle
Austin, Texas 78753

RE: Texas Natural Gas Vehicle Grant Program Proposed Guidelines

Dear Chairman Niermann,

Clean Energy is North America's largest provider of natural gas motor fuel with twenty public refueling stations in the State of Texas. We were closely involved in the passage of legislation last session which expanded eligibility under the Texas Natural Gas Vehicle Grant Program (TNGVGP) to include used natural gas trucks. Unfortunately, the proposed guidelines recently released by TCEQ effectively nullifies the legislation as they make it impossible for used natural gas vehicles to qualify for a grant.

The guidelines prohibit a used natural gas truck from being eligible for a grant if the truck previously received an incentive when it was first purchased. Clean Energy is unaware of any natural gas truck in Texas which has not received some type of incentive when they were first purchased. This guideline violates the clear intent of the Texas legislature. There simply is no reason to expand eligibility to used natural gas trucks via legislation if the commission guidelines then establish an eligibility criteria which used natural gas trucks cannot meet.

Additionally, the newly proposed geographical restriction, which would only allow grants for trucks which operate 75 percent of their mileage in Clean Transportation Zones, ignores both the reality of the goods movement sector and the administrative burden this condition places on grantees.

Near-zero natural gas trucks are providing NOx emission reductions of 90 percent or greater compared to new diesel trucks. In the used trucks sector, these trucks can provide NOx reductions exceeding 99 percent. The legislature clearly intended to expand eligibility to include used natural gas trucks not in theory but in actuality. The proposed guidelines, particularly the prohibition on grants for trucks which were originally purchased in part with incentives, violate this intent. Clean Energy requests:

- (1) All used natural gas trucks, regardless of whether they received a prior incentive, to be eligible.
- (2) The operational restriction of the vehicles be expanded to the entire State of Texas as it was previously.
- (3) Language clarifying that the replacement of pre-2016 trucks, the most polluting trucks on the road, are eligible under the program.

Sincerely,

A handwritten signature in black ink that reads "Brett Barry".

Brett Barry
Senior Policy Advisor



Commissioner Jon Niermann
Commissioner Emily Lindley
Commissioner Bobby Janecka
Texas Commission on Environmental Quality
12100 Park Thirty Five Circle
Austin, TX 78753

RE: Texas Natural Gas Vehicle Grant Program Proposed Guidelines

September 1, 2022

Commissioner Jon Niermann, Commissioner Emily Lindley, and Commissioner Bobby Janecka:

On behalf of the member of the Texas Natural Gas Vehicle Alliance, we are writing to you with our concerns regarding the proposed rules for the Texas Natural Gas Vehicle Grant Program (the Program) under TERP. The Program is a vital incentive for replacing old, dirty diesel trucks with new medium and heavy-duty, clean-burning natural gas vehicles.

This past session, HB 963 passed successful to expand eligibility to pre-owned natural gas medium and heavy-duty trucks. Our goal was to ensure the Program is fully utilized and to achieve additional emissions reductions. As Texas fleets cycle out their natural gas trucks, a secondary market in Texas will be created. HB 963 allows Texas to keep these clean trucks in the state, continues to reduce transportation emissions, and creates the first Program of its kind in the United States.

This secondary market will make a difference with the small owner operator companies. These companies operate the oldest, dirtiest trucks in lower income neighborhoods and cannot afford a new vehicle even with a grant. By opening the Program to pre-owned trucks, we can give these operators an affordable option for getting into a newer, cleaner, and safer natural gas truck. HB 963 targets the oldest and dirtiest trucks on the road helping TERP achieve its goal of improving air quality at a lower cost per ton of NOx reduced.

Regarding our concerns:

1. There needs to be clarification under Non-Qualifying Replacement Vehicles and Engines. The proposed rule states "A vehicle or engine does not qualify if it has been used as a qualifying vehicle for a grant under

this program for a previous reporting period or by another entity; or has received a similar grant or tax credit for the vehicle or engine.” **This proposed rule will eliminate 99.9% of the eligible used/ preowned vehicles in the State of Texas. Basically, it will nullify HB 963.**

2. Clarification is needed “for replacement projects, a vehicle does not qualify if: the model year is 2016 or older; or the model year is more than six years older than the current model year at the time of application signature date.” **This proposed rule needs to be rewritten as “for used or pre-owned replacement projects, a vehicle does not qualify if: the model year is 2016 or older; or the model year is more than six years older than the current model year at the time of application signature date.” This clarification outlines the intent of HB 963. As proposed, it eliminates ALL replacement vehicles 2016 or older.**
3. Finally, the comment period for these proposed rules was ONLY one week. We are asking for additional time for our members to make comments on a Program that dramatically affects their industry.

To further discuss these requested changes, please feel free to contact me at 979/270-2045 or susan@s3-services.com. As mentioned before, our goal is to maximize participation in the Texas NGV Grant Program while reducing the greatest number of emissions.

Sincerely,



Susan M. Shifflett
President, Texas NGV Alliance



Commissioner Jon Niermann
Commissioner Emily Lindley
Commissioner Bobby Janecka
Texas Commission on Environmental Quality
12100 Park Thirty Five Circle
Austin, TX 78753

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As the manager for five CNG stations around Texas, I am quite aware of the value of the secondary market and the difference it will make with the small owner operator companies. These companies operate the oldest, dirtiest trucks in lower income neighborhoods and cannot afford a new vehicle even with a grant. By opening the Program to pre-owned trucks, we can give these operators an affordable option for getting into a newer, cleaner, and safer natural gas truck. HB 963 targets the oldest and dirtiest trucks on the road helping TERP achieve its goal of improving air quality at a lower cost per ton of NOx reduced.

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3. Finally, the comment period for these proposed rules was ONLY one week. We are asking for additional time for our members to make comments on a Program that dramatically affects their industry.

To further discuss these requested changes, please feel free to contact me at (888) 541-6030 or bob.baldwin@cng4america.com. As mentioned before, our goal is to maximize participation in the Texas NGV Grant Program while reducing the greatest number of emissions.

Sincerely,



Bob Baldwin
President/CEO
CNG 4 America