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By email to: ngoc.hoang@mass.gov

March 26, 2026

Ngoc Hoang
MassDEP, Bureau of Air and Waste
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Comments of Massachusetts Chemistry & Technology Alliance regarding Proposed Amendments to 310 CMR 7.40: *Low Emission Vehicle Program*

Dear Ms. Hoang:

On behalf of our members, the Massachusetts Chemistry & Technology Alliance (MCTA) would like to make the following comments relative to proposed amendments to Massachusetts Department of Environmental Protection (MassDEP) 310 CMR 7.40: *Low Emission Vehicle Program*.

These proposed amendments will adopt California's most recent amendments to the Advanced Clean Trucks regulation (ACT) and change the Heavy-Duty Omnibus regulation (HDO) compliance deadline from model year 2026 to 2027.

We urge MassDEP to delay the adoption of these proposed amendments as they will cause economic harm to our members.

MCTA is the professional organization representing manufacturers, users, and distributors of chemistry in the Commonwealth. Our membership ranges from small, multi-generational family-owned businesses operating with a handful of employees to large global companies employing thousands. More than 96% of all manufactured goods – including solar panels, turbine blades, energy efficiency products, microelectronics, and pharmaceutical devices – are touched by chemistry.

Before we comment on the proposed amendments, MCTA would like to thank MassDEP for their efforts so far in understanding and accommodating the end users in Massachusetts who need to comply with these rules.

As we said in our earlier comments and testimony related to this same issue, MCTA supports the greenhouse gas goals of the Commonwealth provided the concerns of businesses are addressed so that they may grow here and provide crucial materials and components for medical products, pharmaceuticals, clean energy, and other important sectors.

But MCTA members do not manufacture or sell the vehicles that are subject to the proposed amendments. We are end-users trying to remain viable in an uncertain economic environment in the face of higher costs in health care, energy, taxes, and other areas. Buying new trucks represents a huge and long-term investment for any company operating here and if the economics of such a purchase turns out to be wrong, it could impact the viability of the company.

In our earlier comments we had hopes that a delay in implementation of the then proposed ACT and HDO rules would allow time for the issues around affordability and availability to be resolved. Unfortunately, due to circumstances beyond our control, this is not the case. In fact, the trucking industry is not any further ahead than they were last year and may be further behind due to uncertainty at the federal level. MCTA and other end-users have no control over this – yet without relief on this matter we will bear the negative economic burden of any problems. MassDEP needs to take our concerns into consideration as they consider these amendments.

ACT Compliant Vehicles are Scarce and Do Not Meet the Needs of End-users.

While the delay of the ACT rule and enforcement discretion did result in short-term relief for our industry, the fact is that zero emission vehicles (ZEV) are still not available in the quantities and at the price points needed for widespread adoption. Also, the charging infrastructure is still not sufficient for a seamless transition to ZEVs. As a result, the proposed amendments will still not solve the underlying problems with ZEVs.

A March 19, 2026 [article](#) in the Wall Street Journal offers some insight into other current state of the electric semi-truck market. The article highlights new Tesla ZEV trucks as they became available in California. As the article states, while customers appreciate the new technology, there is still industry wide concern about the practicality of ZEV trucks. These include the cost (ZEV trucks are twice the cost of a comparable diesel truck) and availability of the new models as main issues of concern, along with insufficient charging infrastructure, range, and lack of qualified technicians to repair them (existing mechanics are not always qualified to work on ZEVs). These are major concerns for our members, particularly since the colder temperatures and winter weather here may cause additional concerns.

Battery technology also needs to advance in order to protect the safety of operators transporting flammable cargo. Battery fires are becoming one of the most dangerous types of fires for first responders to address in the event of an incident. Combining hazardous materials loads with a battery fire – despite the numerous protections our members already take in transporting these loads – could be catastrophic if first responders do not have the proper equipment to safely address the problem.

Finally, the ACT rules assume that ZEV emissions vehicles are the only way to achieve compliance when other alternatives are more readily available at a better price point. The reality is that even with recent high diesel costs, the economics of alternatives focused solely on electrification simply do not work at this time. This means that companies will be loath to invest large sums in new technologies without knowing the long-term costs and reliability of these vehicles – particularly with the uncertainty surrounding federal regulations.

HDO Compliant Vehicles are Still Not Widely Available at an Affordable Cost.

While MassDEP indicated in the Background Document that truck manufacturers now have sufficient inventory to comply with the HDO regulations, this is hard to imagine considering recent federal actions and that Section 177 (opt-in) states will all be competing for the same trucks. We urge caution when relying on such blanket statements to justify amendments that will cost manufacturers here millions of dollars.

Also, the fact that something may be available in manufacturer's parlance does not mean it is "available" in sufficient quantities or at an affordable price to end users. Manufacturers are not thinking about the end users when it comes to cost, and our goals are not aligned. We urge MassDEP to thoroughly understand whether HDO compliant trucks are *truly* available at price our members can afford.

We Urge MassDEP to Further Delay the Adoption of these Rules.

In the end it is clear there is still a lot of uncertainty relative to the ability of end-users to comply with the proposed ACT and HDO rules and that neither rule is ready for implementation at this time. MCTA believes that the best course for an effective and equitable solution is to permanently delay the implementation of both the ACT and HDO rules and focus on fostering an open dialogue between the Commonwealth and end-users to further the interests of both.

MCTA members serve a critical need in Massachusetts and transport the products and chemicals needed to keep our hospitals safe and functioning, our public water supplies safe, and our residents warm during the winter months. The economic harm from adoption of these rules is real. Facing higher prices, companies will think twice about making investments here or, if possible, delaying the purchase of new, cleaner vehicles.

Thank you for your consideration of the concerns raised by MCTA and our members. If you have any questions, please do not hesitate to call me at 508-572-9113 or via email at katherine@masscta.org.

Respectfully,



Katherine Robertson
Executive Director
Massachusetts Chemistry & Technology Alliance

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