



Air Resources Board



Linda S. Adams
Secretary for
Environmental Protection

Mary D. Nichols, Chairman
9480 Telstar Avenue, Suite 4
El Monte, California 91731 www.arb.ca.gov

Arnold Schwarzenegger
Governor

September 22, 2008

Mail-Out #MSC 08-26

TO: All Interested Parties

SUBJECT: DEADLINE FOR INSTALLATION OF DIESEL EMISSION CONTROL SYSTEMS THAT DO NOT COMPLY WITH THE 2009 NITROGEN DIOXIDE EMISSION LIMIT

All diesel emission control systems (DECS) used to satisfy the requirements of Air Resources Board (ARB) in-use fleet rules must be verified under the DECS verification procedure (*Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines*, Title 13, California Code of Regulations, sections 2700-2710). Effective January 1, 2009, only DECS that comply with the 2009 nitrogen dioxide (NO₂) emission limit in the verification procedure will be considered verified. DECS that currently meet the 2009 NO₂ emission limit are indicated by a "+" in the table found at the following internet address:
<http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>.

Verified DECS that do not comply with the NO₂ emission limit and are installed prior to January 1, 2009, may remain in service and continue to be candidate compliance options for the fleet rules. However, please be aware that as of January 1, 2009, DECS that do not comply with the NO₂ emission limit may not be installed or sold as verified.

ARB recognizes that completion of a contract to install DECS can require a significant amount of time and experience unforeseen delays. To facilitate the completion of contracts executed well in advance of the January 1, 2009, installation deadline, ARB will institute a one-month grace period. Installation of DECS that do not comply with the 2009 NO₂ emissions limit may continue through February 28, 2009, provided the sales contract was executed no later than October 31, 2008. Effective immediately, all existing contracts are granted the grace period for installations. This decision does not supersede any other requirements of the fleet rules, or any other applicable regulations.

Please note that the continued sale within California of any DECS that are no longer verified as of January 1, 2009, requires an exemption granted by ARB from California's anti-tampering laws, which prohibit modifications that increase emissions from on-road

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

All Interested Parties
September 22, 2008
Page 2

and off-road motor vehicles (sections 27156 and 38391, respectively, of the Vehicle Code). However, even though their continued sale may be legal, because such DECS are no longer verified, they will not satisfy the requirements of ARB fleet rules.

If you have questions concerning the content of this advisory, please contact my staff, Ms. Shawn Daley, Manager, at (626) 575-6972 or by email to sdaley@arb.ca.gov, or Ms. Kathleen Mead, Manager, at (916) 324-9550 or by email to kmead@arb.ca.gov.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: Ms. Shawn Daley, Manager
Retrofit Assessment Section

Ms. Kathleen Mead, Manager
Retrofit Implementation Section