

California Environmental Protection Agency
Air Resources Board



Enforcement Division

Advisory

To: **SOLID WASTE COLLECTION
VEHICLE OWNERS, FLEETS, FLEETS
OPERATORS AND OTHER
INTERESTED PARTIES**

Number 331

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ENFORCEMENT OF THE SOLID WASTE COLLECTION VEHICLE RULE BEGINS

The purpose of this advisory is to inform you that the California Air Resources Board's (ARB) Solid Waste Collection Vehicle rule was adopted in September of 2003 and is now in effect.

As of December 31, 2004, every owner of one or more collection vehicles is required to maintain specified records concerning collection vehicles at each terminal and make these records available upon request to an ARB inspector or authorized agent of the ARB and to maintain labels with specified information on each collection vehicle. In addition, every owner of four or more collection vehicles is to have applied ARB-verified Best Available Control Technology (BACT) to each vehicle subject to the regulation based on a schedule. The fleet must have 100 percent of all 1988-2002 model year (MY) engines and 60 percent of all 1960-1987 MY engines in collection vehicles by December 31, 2007. Municipalities that own and operate solid waste collection vehicles must also comply with all the foregoing requirements.

It is important to note that it is not the type of vehicle that determines whether it is subject to regulation. Applicability depends on the type of work the vehicle does (i.e., dump trucks that haul waste for a fee are subject to this regulation). A Solid Waste Collection Vehicle is defined as "... an on-road heavy-duty vehicle with a manufacturer's gross weight rating of greater than 14,000 pounds used for the purpose of collecting residential and commercial solid waste of fee, including roll off vehicles" (Title 13 California Code of Regulations 2021(b)). "Residential and commercial solid waste" includes all putrescible (rotting) and nonputrescible (non-rotting) solid, and semisolid wastes, including garbage, trash, refuse, rubbish, ashes, yard waste, recyclable materials, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes originating from single-family or multiple family dwellings, stores, offices, and other commercial sources, and construction and demolition projects in residential and commercial zones, not including hazardous, radioactive, or medical waste (Title 13 California Code of Regulations Section 2021 (b)).

Please also be advised that if you are a multi-terminal solid waste collection fleet, your compliance is determined at each terminal. Advisory MSC #06-01 posted on the January 6, 2006, discusses this aspect of the regulation. To obtain a copy, please go to http://www.arb.ca.gov/msprog/mailouts/mouts_06.htm.

Municipalities that contract out for waste collection have two requirements: First, any new contract with an effective date of December 31, 2004, or later must include language stating that the contractor be in compliance with all applicable air pollution control laws. Second, the municipality must submit to ARB an annual report by January 31, 2005, with a listing of its contractors as of the end of 2004, and the following information:

- For each contract, the contractor name, owner name, contact name (if different from owner name), business address, business telephone number, business fax number, contact electronic mail address and the address of each terminal in the municipality jurisdiction that houses collection vehicles serving the municipality.
- Municipality name, address, telephone number, fax number, contact name and electronic mail address.

Penalties: Applicable civil penalties under the Health and Safety Code and California Code of Regulations will be assessed for violations.

View the rule at: <http://www.arb.ca.gov/regact/dieselswcv/dieselswcv.htm>. Additional information for complying with the regulation, including fact sheets and Frequently Asked Questions, and for staff contact information to discuss the solid waste collection vehicle rule is available at <http://www.arb.ca.gov/msprog/swcv/swcv.htm>. If you have additional general questions about ARB's programs, please contact ARB's Public Information Office at 1-800-END-SMOG.