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Air Resources Board

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Arnold Schwarzenegger
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Mail-Out #MSC 06-12

TO: All Interested Parties

SUBJECT: PUBLIC WORKSHOP REGARDING THE PROPOSED ADDITION OF
CONDITIONAL EXTENSION FOR ON-ROAD APPLICATIONS TO THE
VERIFICATION PROCEDURE

Background: In 1998, the Air Resources Board (ARB or Board) identified diesel particulate matter (PM) emissions from diesel-fueled engines as a toxic air contaminant. The ARB adopted the Diesel Risk Reduction Plan (DRRP or Plan) in 2000 with the goal of significantly reducing public exposure to diesel PM. The Plan identified various control measures including more stringent standards for new diesel-fueled engines and vehicles, the use of diesel emission control systems on in-use engines, and the use of low-sulfur diesel fuel.

To ensure the effectiveness of diesel emission control systems used on in-use engines, ARB staff developed a verification procedure that includes emissions performance, durability, warranty, and in-use compliance requirements (the Procedure). The Board approved the Procedure at the May 16, 2002 public hearing and various amendments at subsequent public hearings. Staff is now proposing additional amendments to further improve the Procedure, principal among which is allowing conditional extensions of existing verifications for on-road applications. Before going to the Board, staff will hold a public workshop to discuss the draft proposal with interested parties.

Workshop: The following date and time have been scheduled for staff to provide an overview of the draft regulations and for interested parties to give comments:

Date: Tuesday, October 3, 2006
Time: 1:00 – 4:00 pm
Location: 300 S. Spring St.
Los Angeles, CA 90013
Auditorium

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

Staff's Proposal: Staff proposes to add an option to the Procedure that will allow applicants to obtain a conditional extension for on-road applications. The Procedure currently offers the option of conditional verification for off-road and stationary applications. Since equipment in these categories may be used less frequently, it can take a significant amount of time to collect the necessary data to meet the durability requirements specified in the Procedure. The conditional verification option allows applicants to sell their diesel emission control strategies as verified systems while continuing to obtain test data needed to satisfy the verification requirements within a specified period of time. There is no such option for on-road applications and the addition of a conditional extension to the Procedure may expedite the verification process for technologies that have already exhibited real emissions reductions and durability.

Conditional extensions would apply only to extensions of existing ARB verifications to on-road applications. The determination of whether a system may be appropriate for a conditional extension will be at ARB's discretion and will be based on data from the original verification, additional data, duty cycles, the nature of the application for which the emission control system is intended, and any other pertinent information. Diesel emission control systems that obtain a conditional extension could be sold as verified systems for up to one year. The one year time frame would allow companies to obtain data needed for verification while establishing a presence in the market place for their product. Where a conditional extension is granted, full verification must be obtained by completing all the requirements of the Procedure. During the aforementioned time, a conditional extension is equivalent to verification for the purposes of satisfying the requirements of in-use emission control regulations. The regulating language for the conditional extension would be added to Section 2702, of the Procedure.

Staff also proposes that the following be added to the Procedure:

- A statement that ARB will consider accepting data applicants generate during their participation in other diesel emission control programs such as U.S. Environmental Protection Agency's (EPA) Voluntary Diesel Retrofit Program and Verminderung der Emissionen von Realmaschinen im Tunnelbau (VERT) (Section 2702).
- A requirement that applicants submit a brief statement that they agree to comply with the in-use compliance requirements of Section 2709, and keep records of updated contact information of the end-user they sell or lease to, a description of the vehicles the systems are applied to, and a description of the engines the systems are applied to (Section 2702). This requirement would simplify the process of locating and acquiring emission control systems for in-use compliance testing.

- Clarification of the requirements of in-use compliance and deadlines for submitting in-use compliance test plans and reports (Section 2709).
- Clarification of the warranty report requirements and instructions for applicants that wish to warrant verified systems (Section 2702).
- A change to the alternative diesel fuel definition. The Procedure currently regards emission control strategies using fuel additives as alternative diesel fuel based strategies unless the additive is supplied to the engine by an on-board dosing mechanism, if the additive is directly mixed into the base fuel inside the fuel tank of the vehicle or engine, or the additive or base fuel are not mixed until the vehicle or engine fueling. Staff proposes to change the definition of an alternative diesel fuel based strategy to include all emission control strategies that use a fuel additive.

The draft regulatory language for staff's proposed amendments can be found in the attachment to this workshop notice.

Comments: Staff encourages comments regarding the proposed amendments to the Procedure, written comments must be received by October 27, 2006. Timely submittal of comments allows staff time to address comments before the proposed regulation order is submitted to the Board.

Please send your comments by email, to Ms. Danielle Robinson at drobinso@arb.ca.gov and copy to Ms. Shawn Daley, at sdaley@arb.ca.gov, or by mail, Attention Ms. Danielle Robinson, ARB, 9528 Telstar Avenue, El Monte, California 91731.

If you have special accommodation or language needs, or have any questions regarding the workshop, please contact Ms. Evelyn Gonzales, Branch Secretary, at ecgonzal@arb.ca.gov or (626) 350-6454, as soon as possible. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

Attachment