



VII G

MEMORANDUM

To: ESJPA Board of Directors
From: Mary Pitto, Program Manager
Date: May 13, 2009
Re: Air Resources Board Diesel Activities

In-Use Off-Road Diesel Vehicles

This memo is an update to the Off-Road Equipment Rule and a request for information.

The large fleets reporting deadline was April 1, 2009. Not all large fleets have submitted their reports. Currently ARB is still accepting the reports and is not yet imposing fines. ARB is not indicating when they will begin imposing fines for non-reporting or whether they will impose any fines for late reporting. The sooner you submit your reports, the less exposure to fines you will have.

The medium fleets reporting deadline is June 1, 2009 and **small fleets (which includes public agencies in low population counties) is August 1, 2009**. For more information on reporting, please visit the DOORS webpage at https://secure.arb.ca.gov/ssldoors/doors_reporting/reporting.php

As part of the recently signed California budget, the California legislature directed the ARB to make several changes to the in-use off-road diesel vehicle regulation to add some flexibility for compliance for large fleets, acknowledging the distressed economy. The proposed changes will lessen the requirements of the regulation for many large fleets in the early years of the regulation and include the following:

- A change to the percentage of BACT requirements between 2011 and 2013. The 2010 BACT requirements remain the same. For the total cumulative turnover and retrofit requirements for the years 2011 through 2013, fleets may complete 20 percent of the total turnover and retrofitting by March 1, 2011, an additional 20 percent by March 1, 2012, and the balance by March 1, 2013.
- Credit for reduced activity from 2007-2010. Fleets who are now using their off-road vehicles less than they did as of July 1, 2007 may take credit for this reduced fleet activity to satisfy turnover and retrofitting requirements in 2010 and 2011.

- Additional credit for retirements from 2006-2010. Fleets will be given credit (both PM and NOx) for any vehicle retirements made between March 1, 2006 and March 1, 2010 as long as total fleet horsepower decreased from the previous year.

These changes require ARB staff to develop regulation language. They have held public workshops in April and May and tentatively plan to release the staff report and proposed changes on June 5, 2009, with the Board hearing and adoption at their July 23/24 hearing

It would be helpful to let RCRC know if you have calculated the actual cost of compliance with the regulation requirements. Please forward any summary information to this end that you may have used in your budget preparations or any equipment maintenance and replacement plans to Mary Pitto at RCRC (mpitto@rcrcnet.org).

The rule and additional information regarding the Off-Road Equipment Rule can be found at: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>