

State of California  
AIR RESOURCES BOARD

Resolution 81-46  
September 24, 1981

Agenda Item No.: 81-19-1

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board (the "Board") to adopt standards, rules and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43013, 43100 and 43101 of the Health and Safety Code authorize the Board to adopt vehicle emission standards in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, heavy-duty engine emission standards were adopted in 1976 to apply to the 1983 model year but their application was postponed one year, to the 1984 model year, for economic reasons;

WHEREAS, as a result of testimony presented by several manufacturers in January 1981, the Board directed the staff to study further the feasibility of the 1984 standards;

WHEREAS, the Board staff has collected information from the manufacturers and reported the results of its study to the Board;

WHEREAS, emissions from heavy-duty engines are projected to contribute a major portion of oxides of nitrogen emissions to the atmosphere as controls on other mobile sources are made more stringent;

WHEREAS, control of oxides of nitrogen and hydrocarbon emissions is of critical importance in efforts to reduce air pollution in urban areas of California;

WHEREAS, the Board has considered the air quality impacts of the standards and regulations for 1984 model heavy-duty engines, and finds that any further delay of these standards would have a significant adverse environmental impact; and

WHEREAS, the Board has reviewed the 1984 heavy-duty engine exhaust emission standards and finds them technologically and economically feasible.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby reaffirms the 1984 model heavy-duty engine exhaust emission standards and test procedures.

State of California  
AIR RESOURCES BOARD

Response to Significant Environmental Issues

Item: Public Hearing to Consider the Feasibility of 1984 and Subsequent Model Heavy-Duty Engine Emission Standards and to Consider a Proposed Amendment to Title 13, California Administrative Code, Section 1956.7 Regarding Exemptions from Emission Standards for Heavy-Duty Vehicles

Agenda Item No.: 81-19-1

Public Hearing Date: September 24, 1981

Response Date: September 24, 1981

Issuing Authority: Air Resources Board

Comment: No comments were received identifying any significant environmental issues pertaining to this item. The staff report identified no significant adverse effects.

Response: N/A

CERTIFIED:

Sally Kemp  
Board Secretary

RECEIVED BY  
Office of the Secretary

OCT 07 1981

Date:

10/6/81

Resources Agency of California

# Memorandum

To : Huey D. Johnson  
Secretary  
Resources Agency

Date : April 6, 1981

Subject : Filing of Notice of  
Decision of the Air  
Resources Board

From : Air Resources Board

Pursuant to Title 17, Section 60007(b), and in compliance with Air Resources Board certification under section 21080.5 of the Public Resources Code, the Air Resources Board hereby forwards for posting the attached notice of decision and response to environmental comments raised during the comment period.

*Sally Rump*  
Sally Rump  
BOARD SECRETARY

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Resources Agency of California

## Attachments

~~Resolution 81-59~~  
Resolution 81-59  
Resolution 81-61

State of California  
AIR RESOURCES BOARD

Resolution 81-59  
September 24, 1981

Agenda Item No.: 81-19-1

WHEREAS, Section 39601 of the Health and Safety Code authorizes the Air Resources Board (the "Board") to adopt standards, rules and regulations necessary for the proper execution of the powers and duties granted to and imposed upon the Board by law;

WHEREAS, Sections 43013, 43100 and 43101 of the Health and Safety Code authorize the Board to adopt vehicle emission standards in order to control or eliminate air pollution caused by motor vehicles;

WHEREAS, the Board has adopted exhaust emission standards and test procedures for 1981 and subsequent model heavy-duty engines contained in Section 1956.7, Title 13, California Administrative Code;

WHEREAS, manufacturers of certain heavy-duty vehicles have requested permission to use non-California certified engines because no suitable California certified engines are available;

WHEREAS, the California Environmental Quality Act and Board regulations require that no project having adverse environmental impacts be adopted as originally proposed if feasible alternatives or mitigation measures are available;

WHEREAS, a public hearing and other administrative proceedings have been held in accordance with the provisions of Chapter 3.5 (commencing with Section 11340), Part 1, Division 3, Title 2 of the Government Code; and

WHEREAS, the Board finds:

That, as certain heavy-duty engines are phased out of production for California, the manufacturers of vehicles designed for those engines can no longer obtain suitable engines for those vehicles;

That suitable engines which meet federal emission standards may be available for vehicles for which no suitable California engine exists;

That the affected vehicles are manufactured in such small volume that it is economically infeasible to redesign the vehicles for the purpose of accommodating new California engines;

That discontinuation of some vehicles could result in extreme cost penalties and disruption of business; and

That allowing very limited use of engines meeting federal emission standards in heavy-duty vehicles until they can be redesigned to accept complying California engines would result in no significant adverse impact on air quality.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby amends Section 1956.7, Title 13, California Administrative Code, as set forth in Attachment A.

BE IT FURTHER RESOLVED, that the Board finds that the regulations as amended herein, individually and in the aggregate, are at least as protective of public health and welfare as comparable federal regulations and are consistent with Section 202(a) and (b) of the federal Clean Air Act.

BE IT FURTHER RESOLVED, that the amendment adopted hereby be forwarded to the Environmental Protection Agency with a request for confirmation that the amendment is covered by an existing waiver of federal preemption pursuant to Section 209(b)(1) of the Clean Air Act.

I hereby certify that the above is a true and correct copy of Resolution 81-59, as adopted by the Air Resources Board.

  
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Sally Rump, Board Secretary

Attachment A

Amend Section 1956.7, Article 2, Subchapter 1, Chapter 3, Title 13, California Administrative Code, to read as follows:

1956.7 Exhaust Emission Standards and Test Procedures--1981 and Subsequent Model Heavy-Duty Engines and Vehicles.

(a) The exhaust emissions from new 1981 and subsequent model heavy-duty engines, except engines used in medium-duty vehicles, shall not exceed:

Primary Exhaust Emission Standards  
(grams per brake horsepower hour)

Model Year	Hydrocarbons	Carbon Monoxide	Hydrocarbons plus Oxides of Nitrogen
1981-1983	1.0	25	6.0
OR*	-	25	5
1984 and subsequent	0.5	25	4.5

\*The two sets of standards for each model year are alternatives. A manufacturer has this option for each engine family of showing compliance with either set. Separate deterioration factors shall be established, where applicable, for HC, CO, NOx and/or the combined emissions of HC and NOx.

The following optional exhaust emission standards are applicable to engines tested pursuant to the optional federal test procedures and regulations for 1984 and subsequent model heavy-duty engines. These standards replace the federal standards in CFR Sections 86.084-10, 86.084-11, and 86.085-11 for hydrocarbons, carbon monoxide and oxides of nitrogen, only.\*\*

Optional Exhaust Emission Standards  
(grams per brake horsepower hour)

Model year	Hydrocarbons	Carbon Monoxide	Oxides of Nitrogen
1984 and subsequent	1.3	15.5	5.1

\*\*The federal 13-mode optional standards for 1984 model year diesel-powered engines do not apply.

(b) The test procedures for determining compliance with 1981 standards are set forth in the "California Exhaust Emission Standards and Test Procedures for 1981 Model Heavy-Duty Engines and Vehicles," adopted April 23, 1980.

(c) The test procedures for determining compliance with standards applicable to 1982 and subsequent are set forth in the "California Exhaust Emission Standards and Test Procedures for 1982 and Subsequent Model Heavy-Duty Engines and Vehicles," adopted October 5, 1976, as last amended January 21, 1981.

(d) A manufacturer may elect to certify heavy-duty vehicles of less than 10,000 pounds maximum gross vehicle weight rating as medium-duty vehicles under Section 1960.1 of this Chapter, in which event heavy-duty emission standards and test procedures shall not apply.

(e)(1) The Executive Officer may authorize use of engines certified to meet federal emission standards, or which are demonstrated to meet appropriate federal emission standards, in up to a total of 100 heavy-duty vehicles in any one calendar year when the Executive Officer has determined that no engine certified to meet California emission standards exists which is suitable for use in the vehicles.

(2) In order to qualify for an exemption, the vehicle manufacturer shall submit, in writing, to the Executive Officer the justification for such exemption. The exemption request shall show that, due to circumstances beyond the control of the vehicle manufacturer, California certified engines are unavailable for use in the vehicle. The request shall further show that redesign or discontinuation of the vehicle will result in extreme cost penalties and disruption of business. In evaluating a request for an exemption, the Executive Officer shall consider all relevant factors, including the number of individual vehicles covered by the request and the anti-competitive effect, if any, of granting the request. If a request is denied, the Executive Officer shall state in writing the reasons for the denial.

(3) In the event the Executive Officer determines that an applicant may meet the criteria for an exemption under this subsection, but that granting the exemption will, together with previous exemptions granted, result in over 100 vehicles being permitted under this subsection to use non-California engines in heavy-duty vehicles in any one calendar year, the exemption may be granted only by the Board, under the criteria set forth herein.

NOTE: Authority: Sections 39515, 39600, 43013, and 43101, Health and Safety Code. References: Sections 39515, 39516, 43013, 43100, 43101, 43102, and 43104, Health and Safety Code.

# Memorandum

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Secretary  
Resources Agency

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From : Air Resources Board

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Sally Rump  
BOARD SECRETARY

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Board Secretary

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