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APPROVED
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Air Resources Board
Mobile Source Operations Division
Off-Road Certification/Audit Section
By Joseph Jegede
Title Engineer Date 7/2/04

Mr. Allen Lyons
Chief, Mobile Source Operations Division
State of California /Air Resources Board
9528 Telstar Avenue
El Monte, CA 91731-2990

Re: Certification of 2005 Model-Year Handheld Lawn and Garden Products

Dear Mr. Lyons:

At its September 25, 2003, public hearing, the Air Resources Board (ARB) approved the adoption of amendments to the "California Exhaust Emission Standards and Test Procedures for 1995 and later Small Off-Road Engines".

It is our understanding that CARB and the California Office of Administrative Law (OAL) plans to finalize this summer CARB's new Tier III regulations. Included with these amendments are the addition of Tier III exhaust standards for engines/products with displacements less than or equal to 80cc. These new handheld/≤80cc exhaust standards are scheduled to become effective with 2005 model year certifications. The Outdoor Power Equipment Institute (OPEI) would proactively like to work with you and your staff to voluntarily ensure a smooth transition process with the upcoming certification of 2005 Model Year products. This letter is written on behalf of OPEI handheld equipment/engine manufacturers which are seeking a blanket industry clarification regarding 2005 model year certifications. OPEI's membership also includes wheeled lawn and garden equipment and engine manufacturers that will be similarly affected by Item (1) below.

In 2005 Model Year and later exhaust certifications, (Tier III), in addition to a lowering of the exhaust standards, the ARB adopted several test procedure changes. The changes made were designed to harmonize the test procedures with EPA (40 CFR, Part 90). Two of the changes that affect certification methods and/or procedures are:

1) The "official" unit of measure will change to g/kW-hr from g/hp-hr.
2) The elimination of the idle power in the calculation of the final engine emissions (reference EPA 90.410 (d)).

These changes will be easy for "new engine families" beginning with the 2005 model year. However, they could delay processing 2005 model year carryover requests from the 2004 model year. Manufacturers that had measured emissions using English units would be required to change all the test and certification FEL values from English units to metric and recalculate those families that used idle power in the final emission calculation.

OPEI handheld members propose to proceed as follows:

a) For carry-over requests from the 2004 model year to 2005 model year, the units used in the application can remain (at each manufacturer's discretion) in g/hp-hr (as was required in Tier I and Tier II regulations). After the 2005 model year, all units will be converted to g/kW-hr.

b) For carryovers requests in the 2005 model year only, we propose (at each manufacturer's discretion) no change to the existing certification test reporting thus keeping idle power in the calculation of the test results where they were originally used. After the 2005 model year, power generated during the idle mode will not be included in the calculations of emission results.

c) For 2005 and subsequent model years, engines that are sold with a clutch will be tested with the original manufacturer's clutch between the engine and the dyno to ensure that idle speed does not need to be increased, artificially, to drive the dyno when measuring idle emissions.

In addition to these pressing 2005 Model Year exhaust clarifications, OPEI's wheeled and handheld members will soon be seeking additional certification guidance from you and your staff on numerous new requirements that ultimately will be created by the final Tier III evaporative certification requirements. The final Tier III regulations will either directly or indirectly impose complex requirements on hundreds of newly regulated component suppliers and OEMs, who have no experience whatsoever with CARB's certification process. I would like to discuss with you the appropriate time frame to schedule a public certification workshop to address these new requirements. Please contact me to discuss. Thanks.

Sincerely,

William M. Guerry

William M. Guerry, Jr.
Counsel for the Outdoor Power Equipment Institute