

# Cargo Handling Equipment: 2011 Regulatory Amendments

The California Air Resources Board (ARB) amended the *Mobile Cargo Handling Equipment Regulation* in September 2011. The amendments, effective October 14, 2012, include new and revised requirements and are summarized below – a more detailed explanation is available here: <http://www.arb.ca.gov/regact/2011/cargo11/cargo11.htm>.

## Amendment Summary:

**Opacity Monitoring** – Cargo handling equipment (CHE) engine exhaust opacity must be monitored annually to ensure engines continue to perform as certified. Engines that are four years old and newer are exempt from these requirements. Monitoring requirements include:

- Equipment with excessive opacity must receive maintenance and repair before being returned to service;
- Opacity-measuring equipment must meet specific performance standards and individuals administering the tests must have specific training;
- CHE owners/operators may use alternative opacity-testing methods if approved by ARB's Executive Officer; and,
- Facilities with large fleets may test engines in four phases.



**Additional Compliance Time for Equipment with No Available VDECS\*** – The “No VDECS Available” compliance-extension has been expanded by two additional years, but supplemental actions by owners/operators are required. Owners/operators must replace non-compliant CHE with an electric or hybrid version, unless demonstrated to not be feasible.

**VDECS Safety Provision** – Demonstration that there is not a VDECS available that can be safely used for their equipment was added as justification for obtaining a “No VDECS Available” compliance extension. Subsequent renewal of a “No VDECS Available” compliance extension is contingent upon the re-evaluation of the safety of available VDECS.

**More Time to Determine Extension Needs** – The deadline to apply for compliance extensions has been changed from 6 months prior to the compliance deadline to 60 days, to provide equipment managers more time to establish if an extension is needed.

**A VDECS Becomes Available for Equipment with a “No VDECS Available” Compliance Extension** – If a VDECS becomes available for equipment operating under a “No VDECS Available” compliance extension, the equipment must be brought into compliance within 6 months of notification.

**Extension for Experimental Diesel PM-Emission Control Strategies Expanded** – The extension for an experimental diesel emission control strategy has been expanded to allow use of this extension to gather information needed for verification even in situations where there are other VDECS available.

\* VDECS – Verified Diesel Emission Control Strategy

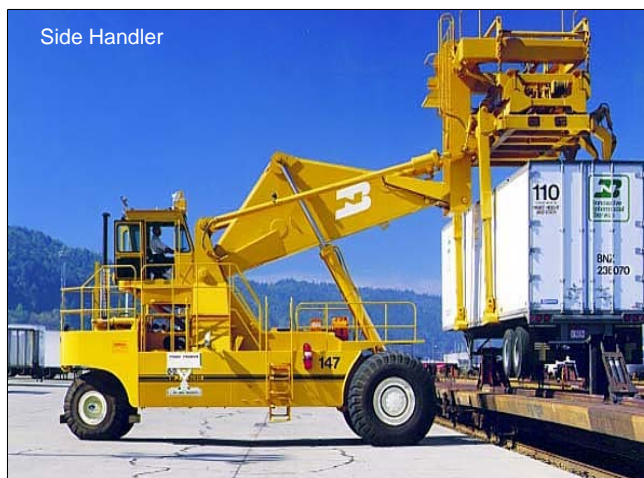
**Low-Use Compliance Extensions** – Two one-year compliance extensions for equipment that operates 200 hours or less per year have been added. ARB is allowed to limit the number of extensions per fleet to two pieces of equipment or two percent of the fleet.

**Transfers of Non-Yard Truck Equipment** – ARB may allow non-yard truck CHE owned or leased by one party to be transferred to another location owned or leased by the same party. Transfers cannot be used to comply, or delay compliance, with the regulation. The equipment is required to be brought into compliance with the performance requirements of the regulation prior to being used in the new location. Transfer requests are approved by ARB on a case-by-case basis. Yard trucks may not be transferred.

**Warranty Engine Replacement** – In cases of premature engine failure, the replacement of an engine under the original equipment manufacturers warranty with a like-engine is now allowed even when newer engine standards are in place.

**Rental of Non-Compliant Equipment in Cases of Manufacturer Delivery Delays** –

In cases where new compliant equipment is purchased but delivery is delayed, CHE owners/operators may rent non-compliant equipment for up to six months, or until new equipment is delivered, if rental equipment meeting current standards is not available and the owner/operator can demonstrate need for the equipment. Rental equipment may only be one engine tier lower than currently-required standards (i.e., if Tier 4i engine standards are in place, only Tier 3 engines may be rented).



**Engines Certified to Tier 4 Alternate PM-Emission Standard** – Engines certified to Tier 4 Family Emission Limit (FEL) Alternate PM emission standards must be retrofitted with highest level VDECS within one year of acquisition, if available. The Tier 4 FEL Alternate PM Emission Standards are essentially the same as Tier 3 PM emission standards for which the CHE regulation requires retrofit with highest level VDECS.

**Exempt Equipment at Rural Low-Throughput Ports** – Any port with a two-year average annual throughput of less than one million tons per year (excluding petroleum products), that is no closer than 75 miles to an urban area, is exempt from the CHE regulation. The Port of Humboldt Bay is the only port that currently meets these criteria. CHE with off-road engines at exempt ports are subject to ARB's Off-Road In-Use Equipment Regulation. CHE with on-road engines are subject to ARB's On-Road Truck and Bus Regulation.

**For more information**

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Regulatory documents may be viewed and downloaded from: <http://www.arb.ca.gov/regact/2011/cargo11/cargo11.htm>.

To obtain this document in an alternative format or language, please contact the ARB's Helpline at 800.242.4450 or at [helpline@arb.ca.gov](mailto:helpline@arb.ca.gov). TTY/TDD/ Speech to Speech users may dial 711 for the California Relay Service.