

Appendix A1

Outline of Proposed In-Use Off-road Diesel Vehicle Regulation

- (a) Purpose
- (b) Applicability
- (c) Definitions
- (d) Performance Requirements
 - (1) Fleet Average Requirements
 - (A) Fleet Average Requirements for Large and Medium Fleets
 - 1. NOx Fleet Average
 - 2. Diesel PM Fleet Average
 - (B) Fleet Average Requirements for Small Fleets
 - (C) Electric and Alternative Fuel Vehicles and Systems Used to Replace Diesel Vehicles
 - 1. Electric and Alternative Fuel Vehicles Purchased on or after January 1, 2007
 - 2. Electric and Alternative Fuel Vehicle Purchased Prior to January 1, 2007
 - 3. Stationary or Portable System Used to Replace Mobile Diesel Vehicle
 - (D) Hours in Fleet Average Option
 - (2) BACT Requirements
 - (A) Turnover Requirements for Fleets Not Meeting NOx Target Rate
 - 1. Turnover Rate
 - 2. Carryover turnover credit
 - 3. Order of turnover
 - 4. Exemptions
 - 5. Delay Tier 1 turnover
 - 6. Designating vehicle as low-use
 - 7. Rounding
 - 8. Turnover Credit for NOx Retrofits
 - (B) PM Retrofit Requirements for Fleets Not Meeting Diesel PM Target Rate
 - 1. PM Retrofit Rate
 - 2. Carryover PM retrofit credit
 - 3. Order of PM Retrofit
 - 4. Exemptions
 - 5. Rounding
 - (3) Idling
 - (A) Idling Limit
 - (B) Written Idling Policy
 - (C) Waiver
 - (4) Changing Fleet Size
 - (5) New Fleets
 - (6) Fleet Ownership Transferred
 - (7) Adding Vehicles
 - (A) Beginning March 1, 2009
 - (B) Between the First and Final Compliance Dates

- 1. Fleets Meeting the Target Rates
- 2. Fleets Not Meeting the Fleet Average Targets
- (C) After the Final Compliance Date
- (8) VDECS Installation
- (9) VDECS Maintenance
- (10) Compliance After the Final Compliance Date
- (e) Special Provisions/ Compliance Extensions
 - (1) VDECS Failure
 - (A) Failure or Damage During the Warranty Period
 - (B) Failure or Damage Outside the Warranty Period
 - (2) Fuel-based Strategy VDECS
 - (3) Exemption for Vehicles Used for Emergency Operations
 - (4) Special Provisions for Snow Removal Vehicles
 - (5) Use of Experimental Diesel Emission Control Strategies
 - (6) Compliance Extension for Equipment Manufacturer Delays
 - (7) Exemption for Low-Use Vehicles
 - (8) VDECS That Impairs Safe Operation of Vehicle
 - (9) Compliance Flexibility for Delay of Tier 4 Vehicles
 - (10) Exemption for Vehicles Awaiting Sale
 - (11) Exemption for Vehicle Used Over Half the Time for Agriculture
- (f) Labeling
 - (1) Application for Equipment Identification Number for added vehicle
 - (2) Affixing Equipment Identification Number
- (g) Reporting
 - (1) Initial reporting
 - (A) Owner Contact Information
 - (B) Vehicle List
 - (C) Low-use Vehicles
 - (D) Specialty Vehicles
 - (E) Electric Vehicles Replacing a Diesel Vehicle
 - (2) Annual Reporting and Compliance Certification
 - (A) Compliance Certification
 - (B) Changes Since Last Reporting
 - (C) Low-use Vehicles
 - (3) New Fleet Reporting
- (h) Record keeping
 - (1) Changes Since Last Reporting Period
 - (2) Vehicles Not Yet Labeled
 - (3) VDECS Failure
 - (4) Fuel-based Strategy
 - (5) Experimental Diesel PM Control Strategy
 - (6) Manufacturer Delay
 - (7) Early Repowers
 - (8) Early Retirement
 - (9) Record Retention
- (i) Right of Entry

- (j) Disclosure of Regulation Applicability
- (k) Penalties

Attachment A- Emission Factors