

REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4(d), the Air Resources Board (ARB) requests that the amendments to sections 2111, 2112, 2137, 2139, 2140, 2141, 2400, 2401, 2403, 2420, 2421, 2423, 2424, 2425, 2426 and 2427, title 13, California Code of Regulations (CCR), and Appendix A to article 2.1, chapter 2, division 3, title 13, CCR, and the documents incorporated by reference therein, become effective upon filing with the Secretary of State. Good cause for this request exists.

The amendments adopt a set of emission standards for model year 2000 (and subsequent model year) off-road compression-ignition (CI) engines. One of the principle purposes of this rulemaking action is to harmonize California's emission standards for these engines with the emission standards of the United States Environmental Protection Agency (U.S. EPA). The U.S. EPA promulgated emission standards for off-road CI engines in October 1998. The standards adopted by the ARB are identical to those adopted by U.S. EPA, which appear in 40 CFR Part 89. Since the U.S. EPA standards are already effective and have been in place for some time, it is necessary for the ARB amendments to become effective as soon as possible. An early effective date will serve this purpose.

Manufacturers and marketers off-road CI engines, and other parties affected by the amendments adopted in this rulemaking action, have been aware since 1996 that the amendments were forthcoming. This is because the amendments implement a Statement of Principles (SOP) that was signed in August, 1996, by the ARB, U.S. EPA, and industry. The SOP is a cooperative agreement between the parties that recognizes the technological feasibility of significant emission reductions from these engines, and calls for a harmonization of ARB and U.S. EPA emission standards for this source category. The ARB intends to notify affected parties promptly of the date on which the amendments become effective. None of the parties affected by the amendments will be disadvantaged by the requested early effective date.

Date: October 30, 2000

Robert Jenne
Senior Staff Counsel