

State of California
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

Public Hearing to Consider Amendments to Heavy-Duty Vehicle Regulations: 2004 Emission Standards; Averaging, Banking and Trading; Optional Reduced-Emission Standards; Certification Test Fuel; Labeling; Maintenance Requirements and Warranties

Public Hearing Date: April 23, 1998

Public Availability Date: November 6, 1998

Deadline for Public Comment: November 23, 1998

At a public hearing held April 23, 1998, the Air Resources Board (ARB or the Board) considered adoption of new oxides of nitrogen plus non-methane hydrocarbons (NOx plus NMHC) mandatory and optional reduced-emission standards for 2004 and subsequent model year heavy-duty diesel engines (HDDEs); an Averaging, Banking, and Trading (ABT) program for HDDEs; and modified warranty, maintenance, useful life, and rebuild requirements for both diesel-cycle and Otto-cycle engines. The amendments proposed in this rulemaking modified sections 1956.8, 1965, 2112, and 2036, Title 13, California Code of Regulations ("CCR"). The amendments align California and federal HDDE standards, and allow participation in the federal ABT program for manufacturers of diesel engines used in vehicles with a gross vehicle weight rating (GVWR) over 8,500 pounds. The proposed amendments are described in detail in the Staff Report (Initial Statement of Reasons for Proposed Rulemaking) released March 6, 1998.

At the hearing, the Board approved the originally proposed amendments with two substantive modifications. The modifications addressed manufacturers' concerns pertaining to engine manufacturer participation in ABT for medium-duty diesel engines (MDDEs). The most important modification would allow manufacturers of MDDEs (diesel engines used in vehicles over 8,500 pounds and through 14,000 pounds GVWR) to generate California-only ABT credits for NOx plus NMHC and particulate matter (PM) beginning in 1998 for use in 2004 and later. Pre-2004 medium-duty ABT credits could be used in California only if those medium-duty ABT credits are generated in California. MDDE manufacturers would have several options for generating medium-duty ABT credits. For example, MDDE manufacturers could generate medium-duty ABT credits for: 1) certifying MDDEs to a family emission limit (FEL) below the California medium-duty standards; or 2) certifying MDDEs to the California medium-duty standards on federal fuel. In order to qualify for medium-duty ABT credit, MDDE manufacturers would develop a plan for generating credits and submit it to the Executive Officer for approval. The second modification allows manufacturers of MDDEs to certify on California fuel through 2005. Both modifications would allow manufacturers of MDDEs flexibility in producing a 50-state product line, while ensuring the air quality benefits of California's medium-duty program. Other minor modifications were proposed to improve the clarity of the regulations and correct minor typographical errors.

Board Resolution 98-17 sets forth the Board's action. Attachment A to Resolution 98-17 contains the approved regulatory language, with additions to the originally proposed text, as made at the April 23, 1998 hearing.

The modified regulatory language made available with this notice includes one additional conforming modification, not presented at the hearing. The definition of an averaging set for the primary weight class over 8,500 and through 14,000 pounds GVWR has been modified to conform with United States Environmental Protection Agency's definition of the averaging set for light heavy-duty vehicles. The modification expands the averaging set for the primary weight class over 8,500 through 14,000 pounds to a primary weight class of over 8,500 through 19,500 pounds GVWR. This modification would allow manufacturers of engines used in vehicles over 8,500 to 19,500 GVWR category to average, bank, or trade credits within the expanded primary weight class. Averaging, banking, or trading of ABT credits that were generated before 2004 would only be allowed for those credits that were generated in California. This modification provides manufacturers with additional flexibility when producing a 50-state product line, while maintaining the benefits of California's air quality program.

Board Resolution 98-17 and the text of the 15-day modifications to the amended emission standards and test procedures are available electronically on our Web site at <http://www.arb.ca.gov>. Copies of these documents can also be obtained by contacting Ms. Renee Kemena at (916) 322-6921.

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to make the modified amendments and any conforming modifications to the heavy-duty diesel regulations available to the public for comment for a period of 15 days. He is then directed either to adopt the amendments with such additional modifications as may be appropriate in light of the comments received, or to present the regulations to the Board for further consideration if warranted in light of the comments.

Written comments must be submitted to the Clerk of the Board, Air Resource Board, P.O. Box 2815, Sacramento, California, 95812, no later than the deadline for public comment identified above, for consideration by the Executive Officer prior to final action. Only comments relating to the modifications described in this notice will be considered by the Executive Officer.

Sincerely,

Robert Cross, Chief
Mobile Source Control Division