



December 11, 2013

Clerk of the Board  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Re: CARB's Proposed Optional Low NOx Emission Standards for Heavy-Duty Engines

Dear Sir or Madam:

New West Technologies, LLC (New West), a Native American-owned consulting firm with a primary focus on technical and engineering services for clients in, among other areas, alternative fuels, advanced vehicle technologies, and advanced transportation systems, offers the following comments on the California Air Resources Board's (CARB) October 23, 2013, proposal to establish optional low oxides of nitrogen (NOx) emission standards for heavy-duty (HD) engines.

In Appendix I-C ("Proposed Regulation Order for Optional Low NOx Emission Standards"), CARB makes clear that for HD Otto-cycle engines, "ABT [averaging, banking, and trading] does not apply to [the] optional low NOx emission standards."<sup>1</sup> CARB reiterates this prescriptive language in Appendix I-C-2 ("Proposed Optional Low NOx Emission Standard Amendments to California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines").<sup>2</sup>

For HD diesel engines, New West observes that CARB has *not* included an ABT prescription in 13 CCR section 1956.8(a)(2)(A). Arguably, then, it follows that CARB does not intend for such a prescription to apply to HD diesel engines. Prescriptive language, however, does appear in Appendix I-C-1 ("Proposed Optional Low NOx Emission Standard Amendments to California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel-Engines and Vehicles").<sup>3</sup>

In New West's view, it is not entirely clear whether HD diesel engines certified to

<sup>1</sup> See proposed 13 CCR § 1956.8(c)(1)(B), footnote F.

<sup>2</sup> See proposed I.10.B.1, footnote F ("ABT does not apply to optional low NOx emission standard engines."); proposed I.15.B.1 ("Optional Low NOx Engines shall not be used to generate credits in the ABT program.").

<sup>3</sup> See proposed I.15.B.2 ("Optional Low NOx Engines shall not be used to generate credits in the ABT program.").

the optional low NOx standards would be able to generate NOx emission credits.<sup>4</sup> We therefore suggest that CARB take the necessary steps to ensure greater clarity as well as consistency between the regulatory language in section 1956.8(a)(2)(A) and the HD diesel engine test procedures that are incorporated in the regulations through section 1956.8(d).

New West appreciates this opportunity to comment. Please feel free to contact me via email at [idassa@nwttech.com](mailto:idassa@nwttech.com) if you any questions about this letter.

Respectfully submitted,



Ira Dassa  
Senior Regulatory Specialist

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<sup>4</sup> Notably, there is no discussion of the ABT issue, either for HD diesel or Otto-cycle engines, in the main portion of CARB's Initial Statement of Reasons.