

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Rule 1193 -- CLEAN ON-ROAD RESIDENTIAL AND COMMERCIAL REFUSE COLLECTION VEHICLES

(Adopted June 16, 2000) (Amended June 7, 2002)

(a) Purpose

For solid waste collection fleets operating in the South Coast Air Quality Management District (District), this rule requires public and private solid waste collection fleet operators to acquire alternative-fuel refuse collection heavy-duty vehicles when procuring or leasing these vehicles to reduce air toxic and criteria pollutant emissions.

(b) Applicability

This rule applies to government agencies and private entities that operate solid waste collection fleets with 15 or more solid waste collection vehicles. This rule shall not apply to vehicles or services pursuant to paragraph (e).

(c) Definitions

For purposes of this rule, the following definitions shall apply:

- (1) ALTERNATIVE-FUEL HEAVY-DUTY VEHICLE means a heavy-duty vehicle or engine that uses compressed or liquefied natural gas, liquefied petroleum gas, methanol, electricity, fuel cells, or other advanced technologies that do not rely on diesel fuel.
- (2) APPROVED CONTROL DEVICE(s) is an exhaust control device(s) that is verified or certified by CARB to reduce particulate matter and possibly other precursor emissions. For the purposes of this rule, a new heavy-duty vehicle equipped with approved control devices means that the engine family has been certified by CARB. A pre-owned heavy-duty vehicle equipped with approved control devices means that the device has been verified or certified by CARB. To be considered fitted with an approved control device(s), all diesel exhaust from the vehicle must be vented through such a device(s) that has been fitted at the time of vehicle purchase or fitted by a certified device installer at the time the device is delivered to the operator.

- (3) DUAL-FUEL HEAVY-DUTY VEHICLE means a heavy-duty vehicle equipped with a diesel engine that uses an alternative fuel (such as compressed or liquefied natural gas, liquefied petroleum gas, methanol, or other advanced technologies) in combination with diesel fuel to enable compression ignition. A dual-fuel engine typically uses the alternative fuel to supply 85 percent of the total engine fuel requirement on a BTU basis. A dual-fuel engine must be certified by CARB to meet an applicable optional nitrogen oxide or combined nitrogen oxide plus non-methane hydrocarbons exhaust emission standard and be fitted with an approved control device that achieves a particulate matter emissions reduction level no less than the particulate matter emissions reduction level achieved by the latest CARB verified or certified particulate matter control device for the applicable engine family operating entirely on diesel fuel.
- (4) HEAVY-DUTY VEHICLE means any vehicle having a gross vehicle weight of at least 14,000 pounds.
- (5) PUBLIC OR PRIVATE SOLID WASTE COLLECTION FLEET OPERATOR is a person who owns, leases, or operates substantially in the District, solid waste collection, rolloff, or transfer vehicles. A person is a federal, state, county, or city government department or agency; special district such as a sanitation or water district; individual firm; limited liability company; association; partnership; corporation or any other entity that collects, transports, or transfers solid waste, yard waste, or recyclable materials.
- (6) ROLLOFF VEHICLE means any heavy-duty vehicle used for the express purpose of transporting waste containers such as open boxes or compactors.
- (7) SOLID WASTE means all putrescible and nonputrescible solid, and semisolid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. Solid waste does not include hazardous waste, radioactive waste, or medical waste as defined in Section 40191(b) of the Public Resources Code.

- (8) **SOLID WASTE COLLECTION VEHICLE** means any heavy-duty vehicle used for the express purpose of collecting solid waste, yard waste, or recyclable materials from residential or commercial establishments. A solid waste collection vehicle is a vehicle having the capability to collect solid waste using, either manual or automated, front, side or rear loaders and generally operates on fixed routes.
- (9) **TRANSFER VEHICLE** means any heavy-duty vehicle used for the express purpose of transferring solid waste. A transfer vehicle is usually a tractor/trailer combination where the trailer is loaded at a processing or transfer station.
- (10) **VEHICLE** means any self-propelled, motorized device that is permitted to operate on public roads through Department of Motor Vehicle registration or the federal government.

(d) **Fleet Requirements**

- (1) Beginning July 1, 2001, for public and private solid waste collection fleet operators of 50 or more solid waste collection vehicles; and beginning July 1, 2002, for public and private solid waste collection fleet operators of 15 or more solid waste collection vehicles, or a combined total of 15 or more rolloff, transfer, or solid waste collection vehicles, all additions to an existing fleet, or formation of a new fleet, of solid waste collection vehicles shall be by purchase or lease of:
 - (A) alternative-fuel heavy-duty vehicles when adding or replacing solid waste collection vehicles to their vehicle fleet; or
 - (B) Prior to July 1, 2003, dual-fuel heavy-duty vehicles when adding or replacing solid waste collection vehicles.
- (2) Beginning July 1, 2001, for public and private solid waste collection fleet operators with a combined total of 15 or more transfer or rolloff vehicles, all additions to an existing fleet, or formation of a new fleet, of transfer or rolloff vehicles shall be by purchase or lease of alternative-fuel or dual-fuel heavy-duty vehicles when adding or replacing transfer or rolloff vehicles.

(e) **Exemptions**

The provisions of this rule shall not apply to the following:

- (1) No more than ten evaluation/test vehicles per fleet, provided by or operated by vehicle manufacturer for testing or evaluation, exclusively.
 - (2) Heavy-duty vehicles not used for the express purpose of collecting solid waste from residential or commercial establishments or transferring of solid waste from a waste transfer station to a landfill.
 - (3) Upon demonstration to the Executive Officer, any solid waste collection vehicles as required pursuant to paragraph (d) for which no alternative-fuel engine and chassis configuration is available commercially or could be used.
 - (4) Any vehicle added to or replacing a vehicle in an existing fleet after the applicable implementation date of this rule, as specified in subdivision (d), as long as the purchase contract for acquisition of such vehicle is signed before the date of adoption of this rule. This exemption does not apply to the execution of options to acquire vehicles where the option is executed after the date of adoption of this rule and where vehicle delivery does not occur until after the applicable implementation date as specified in subdivision (d).
 - (5) Persons subject to this rule who are unable to comply may apply for a variance with the SCAQMD Hearing Board. (See SCAQMD Regulation V and California Health and Safety Code Sections 42350 through 42372 for information regarding variances.)
 - (6) Upon demonstration to the Executive Officer that all existing solid waste collection vehicles equipped with 1995 and subsequent model year diesel engines in the fleet, have been equipped with approved control devices, a fleet operator may purchase dual-fuel vehicles pursuant to subparagraph (d)(1)(B) until July 1, 2004.
- (f) Compliance Auditing and Enforcement
- (1) The fleet operator shall provide at the request of the District any files and/or records created to comply with subdivision (d) including fleet-specific information, such as a list of official DMV registrations, manufacturer, model-year, model, engine family number, fuel type, and fuel usage of each fleet vehicle. The fleet operator shall keep all required records for a minimum of two years.

- (2) Any fleet operator seeking an exemption under subdivision (e) shall supply proof that their vehicle or fleet is exempted from this rule when requested by the District.
- (3) No later than July 1, 2001, any fleet operator with 15 or more, but fewer than 50 vehicles subject to paragraph (d)(1) shall submit a letter to the Executive Officer outlining the intended source of alternative fuel to be used for compliance purposes.

(g) Severability

If any provision of this rule is held by judicial order to be invalid, or invalid or inapplicable to any person or circumstance, such order shall not affect the validity of the remainder of this rule, or the validity or applicability of such provision to other persons or circumstances. In the event any of the exceptions to this rule is held by judicial order to be invalid, the persons or circumstances covered by the exception shall instead be required to comply with the remainder of this rule.