



Regulatory Advisory

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PARTICULATE MATTER FILTERS (PM FILTERS) THAT MUST BE REPLACED OR FOR WHICH SALES HAVE BEEN SUSPENDED

The purpose of this advisory is to address compliance with certain existing regulations, including early action credit eligibility, when a manufacturer of a verified diesel particulate matter (PM) filter suspends sales and installations of a PM filter, or requires the removal of a PM filter for a given engine family or application. This advisory applies to vehicles subject to the following regulations:

- Truck and Bus Regulation
- Transit Fleet Vehicle Regulation
- Urban Bus Regulation
- Public Agency and Utility Fleet Regulation
- Solid Waste Collection Vehicle Regulation
- In-Use Off-Road Vehicle Regulation

This advisory does not apply to engines and vehicles subject to other regulations not identified above.

Recently, Cleaire Advanced Emission Controls, Inc., suspended selling and installing the LongMile or Allmetal PM filters, and, in some cases, will remove PM filters already installed. In addition, other retrofit manufacturers have suspended sales of some verified diesel PM filters. Because of this, the Air Resources Board (ARB) is providing more time for fleets affected by this to purchase and install other verified PM filters, or to allow for approved modifications without affecting compliance or the ability to earn or retain early compliance credits.

Background

The Air Resources Board (ARB) has adopted a number of regulations that require diesel engine owners to take steps to reduce their engine emissions. Nearly all trucks and buses with a manufacturer's gross vehicle weight rating greater than 14,000 pounds that operate in California are required to be upgraded to reduce exhaust emissions between now and 2023. Similar requirements will also become effective in the next several years effecting owners and operators of certain off-road equipment (including equipment used in construction, industrial, and airport operations). To comply with these requirements, fleet owners can upgrade exiting engines by installing PM filter retrofits or other Verified Diesel Emission Control Strategies (VDECS), or by upgrading to cleaner engines. These regulations are part of the State's plan to meet federal ambient air quality standards and to protect public health.

PM Filter That Must be Removed per the Recommendation of the Manufacturer

If a PM filter manufacturer requires a verified PM filter to be removed from a particular engine family, the fleet owner will have 90 days or until January 31, 2012, whichever is longer, to do one of the following:

- Allow for the PM filter manufacturer to modify and reinstall the PM filter;
- To replace the PM filter with another verified diesel PM filter;
- Take other actions as necessary to bring the fleet back into compliance.

During this period, the fleet owner will be permitted to operate any affected vehicles in their original equipment manufacturer configuration without a PM filter. The fleet owner must keep records of the change as specified in the applicable regulation.

Additionally for school buses, any removal or exchange of a PM filter requires a California Highway Patrol safety inspection of the school bus prior to returning the school bus to service.

For instances where the PM filter cannot be replaced within the time allowed, fleets will need to suspend operation of the vehicle or apply to the appropriate ARB staff for an extension from the applicable rule.

Retention of Credits under the Truck and Bus Regulation

Fleet owners that ordered (but have not yet installed) PM filters for which the manufacturer has suspended installations for a given engine family, may still claim or retain the early PM filter credits specified in the amended Truck and Bus Regulation, California Code of Regulations (CCR), title 13, section 2025, according to the following:

- Fleet owners ordered or purchased verified PM filters to qualify for the early double PM filter credit before May 1, 2011. The current installation deadline for the originally ordered PM filters is October 1, 2011. If a fleet cannot meet this deadline because the manufacturer has suspended new installations, the fleet will now have until January 31, 2012, to install a verified PM filter and claim the early PM filter credit. In the event another verified PM filter is not available for the engine, the fleet may still claim the early PM filter credit by equipping a different vehicle in the fleet with a verified PM filter.
- A fleet owner that has already installed a PM filter to earn an early PM filter credit will retain the credit if another verified PM filter is installed on the same vehicle or on another vehicle in the fleet by January 31, 2012, or within 90 days of removal, whichever is later.
- Fleet owners must report by January 31, 2012, to claim the early PM filter credit and must keep records of the original and replacement PM filter purchase and installation.

Retention of Credits under the In-Use Off-Road Vehicle Regulation

Off-road fleets subject to the in-use off-road diesel vehicle regulation (CCR, title 13, section 2449) that have purchased or installed a verified PM filter that is required to be removed by the PM filter manufacturer will still receive double credit as long as the filter is modified or replaced by the relevant deadline for Double Credit for Early PM filter Installations (January 1, 2013, at the earliest).

More Information

For further information about ARB's diesel regulations, please visit www.arb.ca.gov/truckstop, or call 1-866-6DIESEL (866-634-3735), or email us at 8666diesel@arb.ca.gov. For information about PM filters that are verified by ARB, please visit www.arb.ca.gov/msprog/decsinstall/decsinstall.htm.

If you have questions about this advisory, please contact Mr. Craig Duehring at (916) 323-2361 or at cduehrin@arb.ca.gov.