



Carl Moyer Program Advisory: 07-004

Off-Road Retrofit Exemption Procedures

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Recently, ARB agreed to host a clearing house for off-road retrofit installation exemptions. This allows retrofit manufacturers to provide ARB with a letter describing the retrofit device, specific equipment covered, and the technical nature of the exemption. The exemption letters and corresponding equipment models can be found at <http://www.arb.ca.gov/msprog/moyer/retrofit/exemptions.htm>.

The exemptions are only valid for the device manufacturer who issued the exemption and the specific equipment models identified in the letter. Currently, only one manufacturer has provided ARB with an exemption letter, but the practice is available for other manufacturers. If the specific retrofit device or equipment is not listed at the above web site, then the retrofit manufacturer must be contacted directly for information regarding retrofit installation feasibility.

These exemptions may affect funds allocated to fully executed contracts for retrofit only and repower plus retrofit projects. This advisory provides guidance regarding the steps districts must take to confirm that no other retrofits are verified for the equipment and how funds originally allocated for retrofits projects that have received an exemption can be reallocated.

Retrofit Only Projects

The district can amend retrofit only project contracts to allow for substitution of another verified retrofit device or may cancel the contract. Funds that fall out from these contracts must be reallocated to other projects and expended according to the deadlines associated with that Funding Year's Program Schedule.

Repower Plus Retrofit Projects

The district can go forward with the repower portion of the projects. The district must consider any verified retrofits that are available as of the date of the exemption letter for the equipment in accordance with the applicable program Guidelines. If another retrofit is verified for the engine and equipment, then the district must follow current policy regarding installation of a retrofit on repower projects.

If no other retrofit is verified at the time of re-evaluation of the project, the district can amend the contract to remove the retrofit requirement and spend the funds on other projects. The district has the option to keep the retrofit funds in contract for one year

from the contract execution date allowing the grantee time for another retrofit to become verified or available. If after one year there is still no retrofit available, then the contract must be amended to remove the retrofit portion of the project. In the event that the district is keeping the retrofit funds available, the payment on the repower portion must still be expended according to the deadlines associated with the Funding Year's Program Schedule. Once payment on the repower portion is made, the original contract dollar amount is considered expended.