

TITLE 13. CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO REGULATIONS REGARDING CALIFORNIA EXHAUST EMISSION STANDARDS AND TEST PROCEDURES FOR 1985 AND SUBSEQUENT MODEL HEAVY-DUTY DIESEL-ENGINES AND VEHICLES, TO SPECIFY STANDARDS FOR 1994 AND SUBSEQUENT URBAN BUS ENGINES.

The Air Resources Board (the "Board" or "ARB") will conduct a public hearing at the time and place stated below to consider the adoption of amendments to the California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel-Engines and Vehicles, specifically for engines used in urban buses.

DATE: June 10, 1993

TIME: 9:30 a.m.

PLACE: Air Resources Board
Hearing Room, Lower Level
2020 "L" Street
Sacramento, California 95814

This item will be considered at a two-day meeting of the Board which will commence at 9:30 a.m., June 10, 1993, and will continue at 8:30 a.m., June 11, 1993. This item may not be considered until June 11, 1993. Please consult the agenda for the meeting which will be available at least 10 days before June 10, 1993, to determine the day on which this item will be considered.

INFORMATIVE DIGEST OF PROPOSED ACTION

Proposed Actions and Sections Affected:

- I. Amendment of the California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Engines and Vehicles -- Section 1956.8, Title 13, California Code of Regulations (CCR).

Health and Safety Code section 43806 provides that the ARB shall adopt new emission standards and test procedures for transit buses to be implemented no later than January 1, 1996. This statute directs the ARB to set emission standards that would reflect the use of the best emission control technologies expected to be available at the time the standards and procedures become effective. In adopting the standards, the ARB shall consider the projected costs and availability of cleaner burning alternative fuels and low emission vehicles compared with other air pollution control measures.

Pursuant to Health and Safety Code section 43806, the ARB has consulted with the engine manufacturers, transit agencies, utility companies, and other related industries in developing the regulations.

The proposed regulations would align California with the recently adopted federal Environmental Protection Agency's (EPA) regulations which require engines used in 1994 and 1995 model year urban buses to meet a 0.07 g/bhp-hr particulate matter (PM) standard and those used in 1996 and later model year urban buses to meet a 0.05 g/bhp-hr PM standard with a 0.07 g/bhp-hr PM in-use standard. Also, the proposed regulations would require all 1996 and later California urban bus engines to meet a mandatory NOx standard of 4.0 g/bhp-hr. Further, it is proposed that optional, more stringent, NOx emission standards be adopted, beginning with the 1994 model year, to facilitate mobile source emission reduction credit programs, which may encourage transit agencies to purchase cleaner operating urban buses. Other proposed changes include adoption of the new federal urban bus definition. Also, the proposed regulations will align California regulations with the recently adopted federal extended useful life requirement of 10 years/290,000 miles for heavy heavy-duty diesel engines used in urban buses, for the 1994 and later model year PM standard.

II. Amendment of the California Motor Vehicle Emission Control Label Specifications -- Section 1965, Title 13, CCR.

The ARB is proposing that amendments be made to the California Motor Vehicle Emission Control Label Specifications to help identify those urban bus engines which are certified to the proposed optional emission standards. It is proposed that information be added to the emission control label or that a supplemental emission control label be used to identify the engine by the optional standards that the engine is certified to for the applicable model year. This information will be used to facilitate any in-use test program that is implemented as part of a mobile source emission reduction credits program.

III. Amendment of the Useful Life Definition for Heavy-Duty Engines and Vehicles for the Procedures for In-Use Vehicle Voluntary and Influenced Recalls -- Section 2112, Title 13, CCR.

The ARB is proposing an amendment to be made to the useful life definition for heavy-duty engines and vehicles under section 2112, Title 13, CCR, in addition to referencing the new useful life definition (40 CFR 86.094-2) in the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel-Engines and Vehicles." This amendment will also align the current useful life requirement, specified in section 2112, with the new federal requirement, but will be specifically applicable to Chapter 2 - Enforcement of Vehicle Emission Standards and Surveillance Testing, Article 2.1 - Procedures for In-Use Vehicle Voluntary and Influenced Recalls. It is proposed that the useful life requirement be extended for the PM standard for 1994 and later model year urban buses from eight years to ten years, while retaining the current useful life mileage provisions. This requirement would be consistent with what has been adopted by the EPA.

AVAILABILITY OF DOCUMENTS AND CONTACT PERSON

The Board staff has prepared a Staff Report which includes the initial statement of reasons for the proposed actions including a summary of the environmental impacts of the proposal.

Copies of the Staff Report and the full text of the proposed regulations are available and may be obtained from the Board's Public Information Office,

2020 L Street, Sacramento, CA 95814, (916) 322-2990. Further inquiries regarding the proposed regulations should be directed to Francine Baker, Mobile Source Division, On-Road Controls Section, at (818) 575-6665, 9528 Telstar Avenue, El Monte, CA, 91731.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

In accordance with Government Code section 11346.5(a)(6), the Board's Executive Officer has determined that the regulations will create no or insignificant costs or savings to any state agency or in federal funding to the state.

The Executive Officer has determined that the regulations impose no costs on local agencies that are required to be reimbursed under Part 7 (commencing with section 17500), Division 4, Title 2 of the Government Code. The regulations do not impose a mandate on local agencies that is required to be reimbursed pursuant to Section 6 of Article XIII B of the California Constitution.

The Executive Officer finds that the adoption of these regulations may have a significant adverse economic impact on businesses. The transit bus regulations would apply to all manufacturers of urban bus engines that intend to certify urban bus engines for sale in the State of California. Manufacturers subject to the regulations would be required to comply with the emission standards, test procedures, and other requirements of the regulations. The Executive Officer has considered proposed alternatives that would lessen any adverse economic impact on businesses and invites you to submit proposals. Submissions may include the following considerations:

- (i) The establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses.
- (ii) Consolidation or simplification of compliance and reporting requirements for businesses.
- (iii) The use of performance standards rather than prescriptive standards.
- (iv) Exemption or partial exemption from the regulatory requirements for businesses.

The Executive Officer has determined that the maximum incremental cost to manufacturers for complying with the regulations is estimated to be \$5,000 per bus or \$1.5 to \$2 million for an average California sales projection of 300 to 400 urban buses per year.

The transit bus regulations may also impose compliance costs on manufacturers directly affected, if manufacturers choose to use the optional supplemental labeling requirement provided by the regulations.

The regulations may impose nondiscretionary costs to public transit agencies that are supported by local government in California. The maximum statewide incremental cost to purchase and operate new urban buses to meet the regulations is estimated to be \$3.3 to \$4.3 million. However, the actual costs will be unique to each transit agency, dependent upon the number of new buses that are purchased. It is not expected that there would be any additional costs to smaller transit agencies as a result of the proposed regulations.

The Board must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected public and private persons than the proposed action.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing. To be considered by the Board, written submissions must be addressed to and received by the Board Secretary, Air Resources Board, P.O. Box 2815, Sacramento, CA 95812, no later than 12:00 noon, June 9, 1993, or received by the Board Secretary at the hearing.

The Board requests but does not require that 20 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulations.

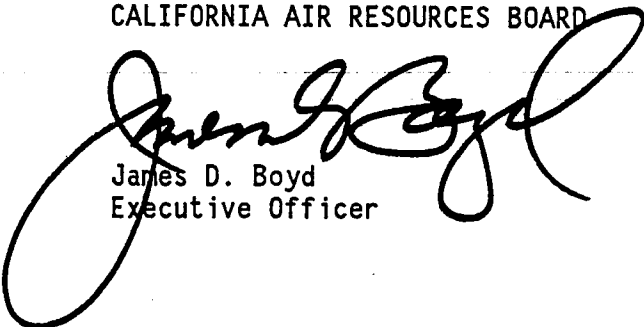
STATUTORY AUTHORITY AND HEARING PROCEDURES

These regulations are proposed under the authority granted in Health and Safety Code sections 39600, 39601, 43013, 43018, 43101, 43103, 43104, 43105, 43806, and Vehicle Code section 28114. These regulations are proposed to implement, interpret, and make specific Health and Safety Code sections 39002, 39003, 39010, 39033, 43000, 43009.5, 43013, 43017, 43018, 43100, 43101, 43101.5, 43102, 43103, 43104, 43105, 43106, 43107, 43204-43205.5, and 43806.

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Title 2, Division 3, Part 1, Chapter 3.5 of the Government Code.

Following the public hearing the Board may adopt the proposed regulations as proposed or with nonsubstantial or grammatical modifications. The Board may also adopt the proposed regulations with other modifications if the regulations as modified are sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulations as modified could result from the proposed regulatory actions. In such event, the full text of the regulations with the modifications clearly indicated will be made available to the public, for written comment, at least 15 days before they are adopted. The public may request the text of the modified regulations from the Board's Public Information Office, 2020 L Street, Sacramento, CA 95814, (916) 322-2990.

CALIFORNIA AIR RESOURCES BOARD



James D. Boyd
Executive Officer

Date: April 13, 1993