ATTACHMENT A-2
Proposed 15-Day Changes

State of California
AIR RESOURCES BOARD

Phase 1 Greenhouse Gas Regulations

CALIFORNIA EXHAUST EMISSION STANDARDS AND TEST PROCEDURES
FOR 2004 AND SUBSEQUENT MODEL
HEAVY-DUTY DIESEL-ENGINES AND VEHICLES

Adopted: December 12, 2002
Amended: July 24, 2003
Amended: September 1, 2006
Amended: July 26, 2007
Amended: October 17, 2007
Amended: October 14, 2008
Amended: September 27, 2010
Amended: October 12, 2011
Amended: March 22, 2012
Amended: December 6, 2012
Amended: April 18, 2013 (Corrected by Section 100)
Amended: [INSERT DATE OF AMENDMENT]

Note: The proposed amendments to this document are shown in underline to indicate additions and strikeout to indicate deletions compared to the test procedures as adopted April 18, 2013. [No change] indicates proposed federal provisions that are also proposed for incorporation herein without change.

The proposed 15-day modifications are shown in double underline to indicate additions and double strikeout to indicate deletions from the originally proposed regulatory text, released October 23, 2013. Existing intervening text that is not amended in the 15-day modifications is indicated by “* * * *.”
NOTE: This document is incorporated by reference in section 1956.8(d), title 13, California Code of Regulations (“CCR”) and also incorporates by reference various sections of Title 40, Part 86 of the Code of Federal Regulations, with some modifications. It contains the majority of the requirements necessary for certification of heavy-duty diesel engines for sale in California, in addition to containing the exhaust emissions standards and test procedures for these diesel engines.¹ The section numbering conventions for this document are set forth in subparagraph 4 on page 6. Reference is also made in this document to other California-specific requirements that are necessary to complete an application for certification. These other documents are designed to be used in conjunction with this document. They include:

1. “California Evaporative Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles,” as last amended December 6, 2012 (incorporated by reference in section 1976, title 13, CCR);

2. Warranty requirements (sections 2035, et seq., title 13, CCR);

3. OBD II (section 1968, et seq., title 13, CCR, as applicable);

4. “California Test Procedures for Evaluating Substitute Fuels and New Clean Fuels through 2014,” as last amended March 22, 2012 (incorporated by reference in section 2317, title 13, CCR); and


NOTE: This document is incorporated by reference in section 1956.8, title 13, California Code of Regulations (CCR). It contains the majority of the requirements necessary for the certification of a heavy-duty engine or heavy-duty vehicle for sale in California. However, reference is made in these test procedures to other ARB documents that contain additional requirements necessary for certification. Note that this list of documents is not inclusive of all necessary requirements to complete an application for certification. The following documents are designed to be used in conjunction with this document. They include:


CALIFORNIA EXHAUST EMISSION STANDARDS AND TEST PROCEDURES
FOR 2004 AND SUBSEQUENT MODEL
HEAVY-DUTY DIESEL ENGINES AND VEHICLES

The following provisions of Subparts A, I, N, S, and T, Part 86, of Subparts A through I, Part 1036, and of Subparts A through K, Part 1065, Title 40, Code of Federal Regulations, as adopted or amended by the U.S. Environmental Protection Agency on the date set forth next to the applicable section listed below, and only to the extent they pertain to the testing and compliance of exhaust emissions from heavy-duty diesel engines and vehicles, are adopted and incorporated herein by this reference as the “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles,” except as altered or replaced by the provisions set forth below.

PART 86 – CONTROL OF EMISSIONS FROM NEW AND IN-USE HIGHWAY VEHICLES AND ENGINES

I. GENERAL PROVISIONS FOR CERTIFICATION AND IN-USE VERIFICATION OF EMISSIONS.


1  Delete subparagraph (a).
2  Amend subparagraph (b) as follows:
   2.1 Delete subparagraphs (b)(1) through (b)(5).
   2.2 Subparagraph (b)(6) [No change.]


1. General Applicability. [§86.xxx-1]


1. §86.001-1 October 6, 2000.
   1.1 Subparagraph (a) [No change.]
   1.2 Subparagraph (b) Optional Applicability. [No change.]
   1.3 Subparagraphs (c) and (d) Reserved
   1.4 Amend subparagraph (e) as follows: Small volume manufacturers.

Special certification procedures are available for any manufacturer whose projected or actual combined California sales of passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles and heavy-duty engines in
its product line (including all vehicles and engines imported under the provisions of 40 CFR §§85.1505 and 85.1509 of this chapter) are fewer than 4,500 units based on the average number of vehicles sold for the three previous consecutive model years for which a manufacturer seeks certification. For a manufacturer certifying for the first time in California, model year production shall be based on projected California sales. To certify its product line under these optional procedures, the small-volume manufacturer must first obtain the Executive Officer’s approval. The manufacturer must meet the eligibility criteria specified in 40 CFR §86.092-14(b) before the Executive Officer’s approval will be granted. The small volume manufacturer’s heavy-duty engine certification procedures are described in 40 CFR §86.092-14.

1.5 Subparagraph (f) Optional procedures for determining exhaust opacity. [No change.]

2. §86.005-1 October 6, 2000
   2.1 Subparagraph (a) [No change.]
   2.2 Subparagraph (b) Optional Applicability. [No change.]
   2.3 Subparagraph (c) [n/a; Otto-cycle]
   2.4 Subparagraph (d) Reserved
   2.5 Amend subparagraph (e) as follows: Small volume manufacturers. Special certification procedures are available for any manufacturer whose projected or actual combined California sales of passenger cars, light-duty trucks, medium-duty vehicles, heavy-duty vehicles and heavy-duty engines in its product line (including all vehicles and engines imported under the provisions of 40 CFR §§85.1505 and 85.1509 of this chapter) are fewer than 4,500 units based on the average number of vehicles sold for the three previous consecutive model years for which a manufacturer seeks certification. For a manufacturer certifying for the first time in California, model year production shall be based on projected California sales. To certify its product line under these optional procedures, the small-volume manufacturer must first obtain the Executive Officer’s approval. The manufacturer must meet the eligibility criteria specified in 40 CFR §86.092-14(b) before the Executive Officer’s approval will be granted. The small volume manufacturer’s heavy-duty engine certification procedures are described in 40 CFR §86.092-14.
   2.6 Subparagraph (f) Optional procedures for determining exhaust opacity. [No change.]

   3.1 Subparagraph (a) Applicability. [No change.]
   3.2 Subparagraph (b) Optional Applicability. [n/a; Otto-cycle]
3.3 Subparagraph (c) through (c)(1). [No change.]
3.4 Delete subparagraph (c)(2) and replace with the following: On-
board diagnostic requirements according to the provisions of title 13, CCR,
sections 1968.2 and 1968.5 or title 13, CCR, sections 1971.1 and 1971.5, as
applicable.
3.5 Delete subparagraph (c)(3) and replace with the following:
Evaporative emission standards according to the provisions of title 13, CCR,
section 1976.
3.6 Delete subparagraph (c)(4) and replace with the following:
Refueling emission standards according to the provisions of title 13, CCR,
section 1978.
3.7 Subparagraph (d) Non-petroleum fueled vehicles. [No change.]
3.8 Amend subparagraph (e) as follows: Small volume manufacturers.
Special certification procedures are available for any manufacturer whose
projected or actual combined California sales of passenger cars, light-duty
trucks, medium-duty vehicles, heavy-duty vehicles, and heavy-duty engines in
its product line (including all vehicles and engines imported under the
provisions of 40 CFR §§85.1505 and 85.1509) are fewer than 4,500 units
based on the average number of vehicles sold for the three previous
consecutive model years for which a manufacturer seeks certification. For a
manufacturer certifying for the first time in California, model year production
shall be based on projected California sales. To certify its product line under
these optional procedures, the small volume manufacturer must first obtain
the Executive Officer’s approval. The manufacturer must meet the eligibility
criteria specified in 40 CFR §86.094-14(b) before the Executive Officer’s
approval will be granted. The small volume manufacturer’s heavy-duty
engine certification procedures are described in 40 CFR §86.098-14.
3.9 Subparagraph (f) Optional procedures for determining exhaust
opacity. [No change.]

B. California provisions.
1. These regulations shall be applicable to all heavy-duty diesel methanol-
fueled, ethanol-fueled, natural-gas-fueled and liquefied-petroleum gas-fueled
dedicated, dual-fuel and multi-fuel engines (and vehicles) including those
engines derived from existing diesel engines. For any engine that is not a
distinctly diesel engine nor derived from such, the Executive Officer shall
determine whether the engine shall be subject to these regulations or
alternatively to the heavy-duty Otto-cycle engine regulations, in consideration of
the relative similarity of the engine’s torque-speed characteristics and vehicle
applications with those of diesel and Otto-cycle engines. Reference to dual fuel
vehicles or engines shall also mean bi-fuel vehicles or engines. References to
methanol shall also mean ethanol.
2. References in the federal regulations to light-duty vehicles and light-duty trucks do not apply. References to heavy-duty Otto-cycle engines or vehicles do not apply.

3. Any reference to vehicle or engine sales or vehicle or engine production volume throughout the United States shall mean vehicle or engine sales or vehicle or engine volume in California. References to small volume manufacturers shall mean California small volume manufacturer as defined in section I.1.A., above.


2. Definitions. [§86.xxx-2]
      1. §86.004-2 January 18, 2001. [All federal definitions apply, except as otherwise noted below. Definitions specific to other requirements are contained in separate documents.]
      2. §86.010-2 April 30, 2010. [All federal definitions apply, except as otherwise noted below. Definitions specific to other requirements are contained in separate documents.]
      3. §86.012-2 November 14, 2011September 15, 2011. [All federal definitions apply, except as otherwise noted below. Definitions specific to other requirements are contained in separate documents.]
         3.1 Amend paragraph as follows: The definitions of §86.010-2 continue to apply to model year 2010 and later model year engines and vehicles. The definitions listed in this section apply beginning with model year 2012. “GHG Urban Bus” means a passenger-carrying vehicle with a load capacity of fifteen or more passengers and intended primarily for intracity operation, i.e., within the confines of a city or greater metropolitan area. GHG urban bus operation is characterized by short rides and frequent stops. To facilitate this type of operation, more than one set of quick-operating entrance and exit doors would
normally be installed. Since fares are usually paid in cash or tokens, rather than purchased in advance in the form of tickets, GHG urban buses would normally have equipment installed for collection of fares. GHG urban buses are also typically characterized by the absence of equipment and facilities for long distance travel, e.g., rest rooms, large luggage compartments, and facilities for stowing carry-on luggage.

B. California Provisions.

“Administrator” means the Executive Officer of the Air Resources Board.

“Certificate of Conformity” means “Executive Order” certifying vehicles for sale in California.

“Certification” means certification as defined in Section 39018 of the Health and Safety Code.

“Designated Compliance Officer” means the Executive Officer of the Air Resources Board or his or her delegate.

“EPA” shall also mean Air Resources Board or Executive Officer of the Air Resources Board.

“EPA Enforcement Officer” means the Executive Officer or his or her delegate.

“Measurement allowance” means accuracy margin.

“Medium-duty engine” means a heavy-duty engine that is used to propel a medium-duty vehicle.

“Medium-duty vehicle” means 2004 through 2006 model year heavy-duty low-emission vehicle, ultra-low-emission vehicle, super-ultra-low-emission vehicle or zero-emission vehicle certified to the standards in title 13, CCR, section 1960.1(h)(2) having a manufacturer's gross vehicle weight rating of 14,000 pounds or less; and any 2004 and subsequent model heavy-duty low-emission, ultra-low-emission, super-ultra-low-emission or zero-emission vehicle certified to the standards in title 13, CCR section 1956.8(h), having a manufacturer’s gross vehicle weight rating between 8,501 and 14,000 pounds.

“NTE standard” means NTE emission limit.

“Warranty period” [For guidance see title 13, CCR, §2036].

* * * *

16. Prohibition of defeat devices. [§86.004-16] [July 13, 2005]. [No change.]

17. On-board diagnostics for engines used in applications less than or equal to 14,000 pounds GVWR. [§86.099-17; §86.005-17; §86.007-17]; [Delete replace with: All heavy-duty diesel cycle engines used in vehicles up to 14,000 pounds GVW must
have an on-board diagnostic system as required in title 13, CCR §1968 et seq, as applicable.]

18. §86.xxx-18. [Reserved.] On-board diagnostics for engines used in applications greater than 14,000 pounds GVWR. §86.010-18 [Delete replace with:  All heavy-duty diesel cycle engines used in vehicles greater than 14,000 pounds GVWR must have an on-board diagnostic system as required in title 13, CCR §1971.1 et seq, as applicable.]

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23. Required data. [§86.xxx-23]
   A. Federal provisions.
      1.1 Subparagraphs (a) through (b)(1)(i) [No change.]
      1.2 Add the following sentence to subparagraph (b)(1)(ii): The data derived from testing to determine the exhaust emission deterioration factors shall be submitted to the Executive Officer for review. If the durability test method is accepted by EPA, it shall also be accepted by ARB, subject to the following condition. If, after certification for the first model year in which the method is used, the Executive Officer determines that a manufacturer's durability test procedures do not conform with good engineering practices, the Executive Officer may require changes to that manufacturer's durability test procedures for subsequent model years. The manufacturer's revised durability test procedures shall be submitted to the Executive Officer for review and approval.
      1.3 Subparagraphs (b)(2) through (h)(2) [No change.]
      1.4 Amend subparagraph (h)(3) as follows:
         (h)(3)(i) These reports shall be submitted within 90 days of the end of the model year to: Chief, Mobile Source Operations Division Emissions Compliance, Automotive Regulations and Science Division, California Air Resources Board, 9528 Telstar Avenue 9480 Telstar Avenue, Ste. #4, El Monte, California 91731.
      1.5 Subparagraphs (h)(3)(ii) through (m) [No change.]

2. §86.001-23. October 21, 1997. [No change, except that the amendments indicated for §86.098-23 above still apply.]

3. §86.007-23. October 30, 2009 August 16, 2013 June 17, 2013. [No change, except that the amendments indicated for §86.098-23 above still apply.]

Date of Release: May 27, 2014
Date of Hearing: December 12, 2013
86.1863-07 Optional chassis certification for diesel vehicles. September 15, 2011
November 14, 2011September 15, 2011.


For the 2015 through 2019 model years, a manufacturer may optionally certify heavy-duty diesel vehicles weighing 8,500 to 10,000 pounds GVWR or less to the emission standards specified in title 13, CCR, §1961 or §1961.2, as applicable. Such vehicles must meet all applicable requirements of the “California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” as amended December 6, 2012, incorporated by reference in section 1961.2, title 13, CCR.

For the 2015 and subsequent model years, a manufacturer may optionally certify heavy-duty diesel vehicles weighing 10,001 to 14,000 pounds GVWR or less to the emission standards specified in title 13, CCR, §1961.2. Such vehicles must meet all applicable requirements of the “California 2015 and Subsequent Model Criteria Pollutant Exhaust Emission Standards and Test Procedures and 2017 and Subsequent Model Greenhouse Gas Exhaust Emission Standards and Test Procedures for Passenger Cars, Light-Duty Trucks and Medium-Duty Vehicles,” as amended December 6, 2012, incorporated by reference in section 1961.2, title 13, CCR.

For the 2020 and subsequent model years, heavy-duty diesel vehicles 8,501 to 10,000 pounds GVWR must certify to the primary emission standards and test procedures for complete vehicles specified in section 1961.2, title 13, CCR.

2. Amend subparagraph (b) as follows: Diesel vehicles optionally certified under this section are subject to the OBD requirements of title 13, CCR, §1968.2.

3. Subparagraphs (c) to (g). [No change.]

4. Subparagraphs (h) and (i). [n/a] [No change.]

* * * *
PART 1036 – CONTROL OF EMISSIONS FROM NEW AND IN-USE HEAVY-DUTY HIGHWAY ENGINES

Subpart A – Overview and Applicability

1036.1 Does this part apply for my engines? November 14, 2011September 15, 2011.
1036.2 Who is responsible for compliance? November 14, 2011September 15, 2011.
1036.5 Which engines are excluded from this part’s requirements? August 16, 2013June 17, 2013.
1036.10 How is this part organized? November 14, 2011September 15, 2011.
1036.15 Do any other regulation parts apply to me? November 14, 2011September 15, 2011.

1. Amend subparagraph as follows: Send all reports and requests for approval to the ARB Designated Compliance Officer, as follows: Chief, Mobile Source Operations Division, Emissions Compliance, Automotive Regulations and Science Division, California Air Resources Board, 9480 Telstar Avenue, Ste. #4, El Monte, CA 91731.

Subpart B – Emission Standards and Related Requirements


1. Add the following section to the introductory paragraph: Optional Compliance Via the 2014 MY National Heavy-Duty Engine and Vehicle Greenhouse Gas Program. For the 2014 through 2022 model years, a manufacturer may elect to demonstrate compliance with this section, §1036.108, for all of its applicable heavy-duty engines by demonstrating compliance with the 2014 MY National Heavy-Duty Engine and Vehicle Greenhouse Gas Program, if it meets the criteria identified below.

   (1) A manufacturer that selects compliance with this option must notify the Executive Officer of that selection, in writing, prior to the start of the applicable model year or December 1, 2014, whichever is later;

   (2) The manufacturer must submit to ARB all data that it submitted to U.S. Environmental Protection Agency in accordance with the reporting requirements as required under 40 CFR §1036.205, §1036.250, and §1036.730, for demonstrating compliance with the 2014 MY National Heavy-Duty Engine and Vehicle Greenhouse Gas Program and the U.S. Environmental Protection Agency determination of compliance. With the exception of the 2014 model year, all such data must be
submitted within 30 days of receipt of the U.S. Environmental Protection Agency Certificate of Conformity or of the date of submission to the U.S. Environmental Protection Agency, whichever is later, for each model year that a manufacturer selects compliance with this option;

(3) The manufacturer must provide to the Executive Officer separate numbers for each engine family of heavy-duty engines produced and delivered for sale in California each model year and all values used in calculating positive or negative emission credits in §1036.730.

2. Subparagraphs (a) through (f). [No change.]

1036.115 Other requirements. November 14, 2011September 15, 2011.


1. Subparagraphs (a) through (b)(1). [No change.]

2. Delete and replace subparagraph (b)(2), as follows: State “Failing to follow these instructions when installing a certified engine in a heavy-duty motor vehicle violates federal and state law, subject to fines or other penalties as described in the Clean Air Act and California Health and Safety Code.”

3. Subparagraphs (b)(3) through (d). [No change.]


1. Amend the introductory paragraph as follows: Beginning January 1, 2015, label your engines as described in 40 CFR §86.007-35(a)(3), as modified by these test procedures, with the following additional information:

2. Subparagraph (b) through (d). [No change.]

1036.140 Primary intended service class. November 14, 2011September 15, 2011.


1. Amend subparagraph (a) as follows: Credit provisions for 2013 model year compliance. The provisions of this paragraph (a) apply to 2013 model year heavy-duty diesel engines that have generated early credits with U.S. Environmental Protection Agency. For each 2013 model year heavy-duty diesel engine that is certified to the greenhouse gas standards of 40 CFR Part 1036, an equal amount of credit as given by the U.S. Environmental Protection Agency will be granted in the California ABT Program. The manufacturer must notify ARB of its intent to use this provision before submitting its application and must submit to ARB all data that the manufacturer submitted to U.S. Environmental Protection Agency in accordance with the reporting requirements as required under 40 CFR §§1036.205, 1036.250, and 1036.730.

2. Subparagraphs (a)(1) through (i). [No change.]

Subpart C – Certifying Engine Families
1036.205  What must I include in my application?  August 16, 2013June 17, 2013.

Subpart D – [Reserved]

Subpart E – In-use Testing

1036.401  In-use testing.  November 14, 2011September 15, 2011.

Subpart F – Test Procedures


Subpart G – Special Compliance Provisions

1036.601  What compliance provisions apply to these engines?  November 14, 2011September 15, 2011.
1.  Subparagraphs (a) through (c).  [No change.]
2.  Amend subparagraph (d) as follows:  We may seek public comment on your request.  However, we will generally not seek public comment on credits/adjustments based on A to B engine dynamometer testing, chassis testing, or in-use testing.

1036.620  Alternate CO\textsubscript{2} standards based on model year 2011 compression-ignition
Subpart H – Averaging, Banking, and Trading for Certification

1036.725 What must I include in my application for certification? November 14, 2011September 15, 2011.
1036.750 What can happen if I do not comply with the provisions of this subpart? November 14, 2011September 15, 2011.

Subpart I – Definitions and Other Reference Information


A. Federal Provisions. [All federal definitions apply, except as otherwise noted below.]

B. California Provisions.
“Certificate of Conformity” means an Executive Order certifying vehicles for sale in California.
“Certification” means relating to the process of obtaining an Executive Order for an engine family that complies with the emission standards and requirements in this part.
“Designated Compliance Officer” means the Executive Officer of the Air Resources Board or a designee of the Executive Officer.
“Designated Enforcement Officer” means the Executive Officer of the Air Resources Board or a designee of the Executive Officer.
“EPA” shall also mean Air Resources Board or Executive Officer of the Air Resources Board.
“Manufacturer” means any person who manufactures an engine, vehicle, or piece of equipment for sale in California or otherwise introduces a new engine into commerce in California. This includes importers who import engines or vehicles for resale.
“U.S. Environmental Protection Agency” means the United States Environmental Protection Agency.
“We (us, our)” means the Executive Officer and any authorized representatives.

1036.805 Symbols, acronyms, and abbreviations. November 14, 2011
1036.810 Incorporation by reference. November 14, 2011
1036.815 Confidential information. November 14, 2011

A. Federal Provisions. [No change.]

B. California Provisions. The provisions of title 17, CCR section 91000 through 91022 apply for information you consider confidential. Note that according to section 91011, emissions data shall not be identified as confidential.

1036.820 Requesting a hearing. November 14, 2011
1. Delete subparagraph (a) and replace as follows: You may request a hearing under certain circumstances, as described elsewhere in this part.
2. Subparagraph (b). [No change.]
3. Amend subparagraph (c) as follows: If we agree to hold a hearing, we will use the procedures specified in 17 CCR sections 60055.1 through 6055.43.

1036.825 Reporting and recordkeeping requirements. November 14, 2011
1. Subparagraphs (a) through (d). [No change.]
2. Delete subparagraph (e).
PART 1065 – ENGINE-TESTING PROCEDURES.

Subpart A – Applicability and General Provisions

   1. Amend subparagraph (a) as follows:
      1.1. Introductory paragraph. [No change.]
      1.2. Subparagraphs (a)(1). [n/a]
      1.3. Amend subparagraph (a)(2) as follows: Model year 2010 and later heavy-duty highway engines we regulate under title 13, CCR, §1956.8. For earlier model years, manufacturers may use the test procedures in this part or those specified in 40 CFR part 86, subpart N, according to §1065.10, as modified by these test procedures.
      1.4. Subparagraphs (a)(3) through (a)(8). [n/a]
   2. Subparagraph (b). [n/a]
   3. Subparagraph (c) through (g h). [No change.]

1065.2 Submitting information to EPA under this part. April 30, 2010.
   1. Subparagraphs (a) through (d). [No change.]
   2. Amend subparagraph (e) as follows: See title 137, CCR, section 91011 for provisions related to confidential information. Note that according to this section, emission data shall not be identified as confidential.
   3. Subparagraph (f). [No change.]

1065.5 Overview of this part 1065 and its relationship to the standard-setting part. October 30, 2009.
1065.10 Other procedures. April 30, 2010.
1065.15 Overview of procedures for laboratory and field testing. September 15, 2011 November 14, 2011 September 15, 2011.

Subpart B – Equipment Specifications.

1065.145 Gaseous and PM probes, transfer lines, and sampling system components. April 30, 2010.

Subpart C – Measurement Instruments


Measurement of Engine Parameters and Ambient Conditions


Flow-Related Measurements


CO and CO₂ Measurements

Hydrocarbon Measurements


NOx Measurements


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Subpart G – Calculations and Data Requirements.


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