

TRU ATCM Implementation Update

December 18, 2023

On December 4, 2023, a California trial court prohibited CARB from collecting the fees included in the 2022 amendments to the Airborne Toxic Control Measure for In-Use Diesel-Fueled Transport Refrigeration Units (TRU) and TRU Generator Sets, and Facilities Where TRUs Operate (TRU ATCM) at this time.¹

CARB intends to proceed with implementation of all other requirements² included in the 2022 amendments and begin issuance of TRU compliance labels in early 2024.

What does this mean for TRU owners or owner/operators?

TRU owners or owner/operators are not required to pay TRU operating fees at this time.

Staff will issue two TRU compliance labels to each compliant unit reported in the ARB Equipment Registration Program (ARBER). However, TRU owners will not receive TRU compliance labels by December 31, 2023. In the meantime, owners may print a copy of their ARBER certificate to show proof of compliance. The TRU ATCM requires that owners affix the TRU compliance labels on their unit(s) within 30 days of receipt.

As a reminder, the TRU ATCM requires owners to report all TRUs that operate in California to CARB, regardless of where they are based. TRU owners should update their ARBER accounts to ensure contact information is up-to-date and remove units no longer in operation or under their control. For more information, see guidance document on [How to Report a TRU to CARB](#).

What does this mean for applicable facility owners or owner/operators?

Applicable facility owners or owner/operators are not required to pay applicable facility registration fees at this time.

Owners are required to [register](#) their facility with CARB by December 31, 2023. For more information, see [Applicable Facility Requirements Frequently Asked Questions document](#). CARB will mail confirmation of the applicable facility registration to the address provided on the applicable facility registration form.

¹ The Office of Administrative Law approved the 2022 amendments to the TRU ATCM and filed the rulemaking with the Secretary of State on July 18, 2022. The amendments became effective on October 1, 2022.

² Cal. Code Regs., title 13, § 2477.21, subd. (c), provides that a court's holding that the fees are "unenforceable" does "not affect the validity of the remaining portions of this TRU Regulation."

Beginning December 31, 2023, the TRU ATCM also requires applicable facility owners to either ensure compliance of TRUs operating onsite or report all TRU activity to CARB. For applicable facilities that choose to ensure compliance, there are four ways a facility may verify a TRU is compliant with the TRU ATCM:

- 1) Unit has a valid TRU compliance label, (or)
- 2) Unit shows as compliant on the [ARB ER TRU Compliance Search page](#), (or)
- 3) Unit is owned by a company on the [100 Percent TRU ATCM Compliant Carrier List page](#), (or)
- 4) Unit is listed in the Kiteworks Compliant TRU file.

If a TRU does not have TRU compliance labels, then compliance should be verified by using one of the other three available options. For more information, see the guidance document on [How to Check TRU Compliance](#). As a reminder, facilities may change their selected compliance option by notifying CARB by September 30 of the preceding year.

For more information on the TRU ATCM, visit <https://ww2.arb.ca.gov/our-work/programs/transport-refrigeration-unit>. If you have questions, email arber@arb.ca.gov or call the TRU Help Line at 1-888-878-2826.