

**STATEMENT OF THE
MANUFACTURERS OF EMISSION CONTROLS ASSOCIATION
ON THE AIR RESOURCES BOARD'S PROPOSED 15-DAY MODIFICATIONS
TO THE
AMENDMENTS TO THE VERIFICATION PROCEDURE, WARRANTY AND
IN-USE COMPLIANCE REQUIREMENTS FOR IN-USE STRATEGIES TO
CONTROL EMISSIONS FROM DIESEL ENGINES.**

September 30, 2008

The Manufacturers of Emission Controls Association (MECA) is pleased to provide testimony in support of ARB's proposed 15-day modifications to the verification procedure, warranty and in-use compliance requirements for existing on-road, off-road and stationary diesel-fueled vehicles and equipment. We believe that the proposed modifications to the regulations present a balanced, fair, and flexible approach to ensure that verified diesel emission control technologies deliver the performance and durability necessary to achieve the goals of all regulations that make up ARB's Diesel Risk Reduction Plan.

MECA is a non-profit association of the world's leading manufacturers of emission control technology for motor vehicles. Our members have over 35 years of experience and a proven track record in developing and manufacturing emission control technologies for a wide variety of on and off-road vehicles and equipment running on gasoline, diesel and alternative fuels. Many of our members have verified diesel retrofit emission control technologies including diesel particulate filters, diesel oxidation catalysts, crankcase filter systems, EGR/DPF systems and lean NOx catalysts for on-road, off-road and stationary applications to help ARB meet the emission reduction objectives under current and future in-use regulations.

MECA and our members have been actively engaged throughout the development of the verification amendments adopted by the Board on January 24th, 2008 and subsequently in providing feedback in meetings with ARB staff regarding the 15-day modification items that the Board directed staff to incorporate into the final amended regulation.

MECA provides the following comments, on behalf of the emission control industry, in support of the 15-day modifications that have been proposed. We believe these changes will substantially improve the adopted amendments and ensure that the verified technologies will provide real emissions reductions from existing engines. Our comments address three areas of the proposed 15-day changes. These include; uni-directional component installation requirements, component swapping practices and system labeling guidelines.

MECA recognizes the need for guidelines regarding proper installation of VDECS. Requirements of engineering designs that allow a single direction of flow in

devices such as particulate filters will help to insure that these devices are installed and functioning properly. We agree that in the long run the requirements will result in a more robust design in future DPF devices that will help minimize the improper installation and deter intentional reversal of filter elements and devices. Because re-design and retooling will take some time to implement into manufacturer's development and production plans, we believe that an implementation date of January 1, 2010 provides a reasonable transition period for this requirement. In the interim period, we support the need to clearly label the flow direction of devices to eliminate accidental miss-installation or improper replacement of filter elements following ash cleaning procedures.

We recognize that vehicle owners may want to reinstall devices from retired vehicles to take full advantage of the emission benefits of the device and device warranty. We support ARB's inclusion of guidelines in the 15-day changes that require vehicle owners to obtain manufacturer approval prior to removing VDECS from vehicles and reinstalling them on other vehicles. Manufacturers must also obtain Executive Officer approval before allowing such practices. We agree with staff's approach to include clarification of the device warranty periods for both device and installation warranties. Allowing swapping practices only within a commonly owned fleet will prevent the formation of a used retrofit parts market where emission reductions and proper installations can not be insured. MECA agrees that VDECS should not be resold or leased for re-installation on non-approved vehicles or engines. We ask that ARB further characterize the resale of VDECS to allow for the sale of VDECS at the end of their useful life for the purpose of recycling the precious metals and other components.

Furthermore we support ARB's clarification of the labeling requirements for replacement labels. Our members receive frequent requests for replacement labels from fleet owners with no idea of how they may be used. The requirement of clearly distinguishing a replacement from the original label will facilitate enforcement activities and reduce potential labeling abuse.

MECA and our members are committed to continually working towards improving and streamlining the verification procedures to control costs while insuring that verified devices are durable and effective in delivering the specified emission reductions. We thank ARB staff for their hard work and dedication to put forth and finalize the amendments to the verification and in-use compliance program. Our industry pledges its commitment to work with ARB to ensure that technologies and strategies are available to help achieve the objectives of the Diesel Risk Reduction Plan.

Contact:

Joseph Kubsh
Executive Director
Manufacturers of Emission Controls Association
1730 M Street, NW Suite 206
Washington, D.C. 20036
Tel.: (202) 296-4797
E-mail: jkubsh@meca.org

