REQUEST FOR EARLY EFFECTIVE DATE

Pursuant to Government Code section 11343.4, the Air Resources Board (ARB) requests an early effective date for the enclosed adoption of Title 13, California Code of Regulations, sections 2020, 2021, 2021.1, and 2021.2, establishing a diesel particulate matter control measure for on-road heavy-duty diesel-fueled residential and commercial solid waste collection vehicles.

The above-referenced program was adopted pursuant to the ARB's Risk Reduction Plan To Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles," adopted in 2000. Diesel particular matter is an identified toxic air contaminant, and because of the amount of emissions to California's air and its potency, diesel particulate matter is by far the number one contributor to the adverse health impacts of toxic air contaminants.

Reduction of diesel particulate matter emissions from solid waste collection vehicles is one in a series of measures that the ARB will be enacting to control diesel particulate emissions. Solid waste collection vehicles were selected in part because they operate frequently in residential neighborhoods, where more people may be exposed to the harmful effects of toxic air contaminants in diesel particulate matter.

The control measure sets forth standards that the subject solid waste collection vehicles must meet. The regulation is structured so that owners/operators of the vehicles have time to phase in the use of cleaner vehicles or certified emission control equipment. The regulation provides a series of compliance deadlines, which require owners of the vehicles to have achieved specified levels of compliance. The first of these compliance deadlines is December 31, 2004, which is why an early effective date is requested.

An early effective date will allow owners/operators of the solid waste collection vehicles maximum time to come into compliance with the applicable requirements. In addition, the regulation contains incentives for early compliance. An early effective date will maximize the time that owners have to achieve early compliance. Timely compliance benefits all Californians, who will suffer fewer adverse health effects.

Failure to provide for an early effective date could have a potential adverse impact in that the benefit of the incentives for early compliance would be limited. In contrast, an early effective date should not have any adverse consequences for the regulated community or the general public. Indeed, as explained above and in the rulemaking, an early effective date should benefit both groups.

ARB intends to notify all affected parties of the effective date of the amendments as soon as it is known.

Date: May 4, 2004

/s/

Victoria E. Davis
Staff Counsel
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