



TRU Advisory: 08-12 ULETRU Compliance Extension Awarded for Early and On-Time LETRU Compliance

The purpose of this advisory is to explain how early and on-time compliance with the Low-Emission Transport Refrigeration Unit In-Use Performance Standards (LETRU) can qualify for an extension (delay) in the compliance date for the Ultra-Low-Emission Transport Refrigeration Unit In-Use Performance Standards (ULETRU) and to describe the application process for getting the ULETRU extension approved.

Background

On February 26, 2004, the California Air Resources Board (ARB or Board) adopted the Transport Refrigeration Unit (TRU) Airborne Toxic Control Measure (ATCM). The TRU ATCM (title 13 California Code of Regulations (13 CCR), section 2477.5) requires owners to bring their TRU and/or TRU generator set (genset)¹ engines into compliance with in-use performance standards. There are two levels of stringency for these in-use performance standards. LETRU reduces diesel particulate matter (PM) by at least 50 percent. ULETRU reduces diesel PM by at least 85 percent. In-use performance standard compliance dates are phased-in, based on the engine model year² (MY), as shown in Table 1.

Table 1
In-Use Performance Standard Compliance Schedule for TRUs and TRU Generator Sets

Engine MY	Compliance Date for LETRU	Compliance Date for ULETRU
2001 or older	December 31, 2008 (See Note 1)	December 31, 2015
2002	December 31, 2009	December 31, 2016
2003	December 31, 2010	December 31, 2017
2004 (<25 hp)	December 31, 2011	December 31, 2018
2004 (≥25 hp)	Skip to ULETRU	December 31, 2011
2005 and newer	Skip to ULETRU	December 31st of the model year + 7 yrs

Note 1: Enforcement for model year 2001 and older engines to meet the low-emission standard was delayed until December 31, 2009.

ULETRU Extension for Early LETRU Compliance

Section 2477.5(f) of the TRU ATCM provides that for 2002 and older MY TRU engines, owners that meet the LETRU in-use performance standard earlier than required may apply to the Executive Officer for an extension (delay) in the subsequent ULETRU in-use performance standard compliance date. As a result of the 2010 amendments, which allowed MY 2003 TRU engine owners the option of meeting the LETRU in-use standard, ULETRU extensions also apply if the owner chose to comply with LETRU early. ULETRU extensions do not apply to the model years that skip LETRU and comply with ULETRU (for example MY 2005). Early compliance could be achieved through any of the compliance options available, provided real emission reductions

¹ Hereinafter, the use of the term TRU also indicates TRU generator sets, unless otherwise specified.

² TRU Advisory 08-01 describes when the TRU manufacture year may be used instead of engine model year.

occur as a result of early compliance. Real emission reductions means that an action is taken that results in reductions in the PM emission rate of an in-use engine (e.g. a VDECS is installed that reduced the PM emissions rate by more than 50 percent).

Early compliance with LETRU would not qualify for ULETRU extension (delay) if:

1. The engine manufacturer of the replacement engine is using early compliance with engine emission standards in U.S. EPA's Averaging, Banking, and Trading Program (or California's equivalent program).
2. Public funds were used for early compliance (e.g. Carl Moyer Program).

Each year of early compliance with LETRU will be rewarded with a year extension (delay) in the ULETRU compliance date. Partial years of early compliance with LETRU are rounded to the nearest year, so 183 or more days of early compliance (on or before July 1st) would count for one full year of delay. Early compliance is achieved as of the date that installation of engines or retrofit of VDCES (etc.) is completed. The maximum ULETRU extension allowed is 3 years. Table 2 illustrates the reward possibilities for early LETRU compliance.

Table 2
Early Compliance Incentives

Amount of Early Compliance with LETRU	Extension/Delay in ULETRU Compliance Date
Less than 182 days	No extension/delay
183 days to 1-year plus 182 days	One year
1-year plus 183 days to 2-years plus 182 days	Two years
2-years plus 183 days or greater	Three years

Table 3 shows what the ULETRU extension would be for MY 2001 and older engines if the actual LETRU compliance date occurs in the date ranges shown. Leap years are not accounted for.

Table 3
MY 2001 and Older - Possible ULETRU Extensions for Early LETRU Compliance

Actual LETRU Compliance Date	ULETRU Extension	New ULETRU Compliance Date
Between July 2, 2007 and July 1, 2008	1 year	December 31, 2016
Between July 2, 2006 and July 1, 2007	2 years	December 31, 2017
Between July 2, 2005 and July 1, 2006	3 years	December 31, 2018

Table 4 shows what the ULETRU extension would be for MY 2002 engines if the actual LETRU compliance date occurs in the date ranges shown. Leap years are not accounted for.

Table 4
MY 2002 - Possible ULETRU Extensions for Early LETRU Compliance

Actual LETRU Compliance Date	ULETRU Extension	New ULETRU Compliance Date
Between July 2, 2008 and July 1, 2009	1 year	December 31, 2017
Between July 2, 2007 and July 1, 2008	2 years	December 31, 2018
Between July 2, 2006 and July 1, 2007	3 years	December 31, 2019

Table 5 shows what the ULETRU extension would be for MY 2003 engines if the actual LETRU compliance date occurs in the date ranges shown. Leap years are not accounted for.

Table 5
MY 2003 - Possible ULETRU Extensions for Early LETRU Compliance

Actual LETRU Compliance Date	ULETRU Extension	New ULETRU Compliance Date
Between July 2, 2009 and July 1, 2010	1 year	December 31, 2018
Between July 2, 2008 and July 1, 2009	2 years	December 31, 2019
Between July 2, 2007 and July 1, 2008	3 years	December 31, 2020

To qualify for a ULETRU extension, TRUs or TRU gen sets must be registered in ARB's Equipment Registration (ARBER) system. There is no other way to identify the TRU and match the ULETRU extension to the correct TRU without an ARB Identification Number (IDN) assigned to the TRU. ARB IDNs are assigned to each unit after registration information is confirmed.

Applying for a ULETRU extension for early LETRU compliance must be done after applying for an IDN. To apply, fill out an ULETRU Extension form, which is available by calling the TRU Help Line at 1-888-878-2826. The required information shows that you qualify for the ULETRU extension and provides information necessary to match the TRU in the ULETRU extension application with the ARBER database record for the TRU.

ULETRU extension applications must be submitted to ARB no later than 30 days before the normal ULETRU compliance date for the unit. Submit the completed and signed form to ARB at the address included on the form. If the owner has not applied for the ULETRU extension and been approved by ARB by the normal ULETRU compliance date, and the TRU is inspected after the normal ULETRU compliance date, then the TRU may be considered to be in violation and a citation may be issued.

When ARB approves the ULETRU extension, ARB enters the application information and delayed ULETRU compliance date into the ARBER database. ARB will notify the owner if the ULETRU extension was granted, or not. When ARB inspectors check the ARBER database to see if the TRU is in compliance, they will be informed of the new ULETRU compliance date.

ULETRU Extension for On-Time LETRU Compliance

Sections 2477.5(g) and 2477.5(m) were added with the 2011 amendments to the TRU ATCM. Section 2477.5(g) grants an additional year of compliance before the ULETRU in-use standard must be met if LETRU was met by MY 2001 and older TRU engines by the original December 31, 2008, compliance deadline, provided certain conditions were met. Section 2477.5(m) awarded an additional year of compliance before the ULETRU in-use standard must be met if LETRU was met by MY 2003 and older TRU engines by the respective compliance deadlines for each model year (see Table 1), provided certain conditions were met. In the case where MY 2001 and older engines met LETRU by December 31, 2008, the ULETRU extension

awarded for sections 2477.5(g) and (m) would be combined to result in a two-year ULETRU extension. However, in the case of MY 2001 and older engines that met LETRU by the delayed enforcement date (December 31, 2009), only one year of ULETRU extension would be awarded.

Table 6 shows what the ULETRU extended compliance deadlines would be if LETRU compliance is on-time.

Table 6
ULETRU Extension for On-Time LETRU Compliance

Engine MY	LETRU Compliance Achieved By	Compliance Date for ULETRU
2001 or older	December 31, 2008 (original)	December 31, 2017
2001 or older	December 31, 2009 (delayed)	December 31, 2016
2002	December 31, 2009	December 31, 2017
2003	December 31, 2010	December 31, 2018

In order to apply for a ULETRU extension for on-time LETRU compliance, certain qualifications must be met, as follows:

1. The TRU must be registered in ARB’s Equipment Registration (ARBER) program;
2. The original engine or TRU met the Low Emission TRU (LETRU) in-use standard by being retrofitted with a Level 2 Verified Diesel Emission Control Strategy (VDECS). LETRU may also be achieved by replacing the TRU or TRU engine with an EPA emission Tier 4 engine; and
3. Compliance with LETRU was achieved by the following compliance dates:
 - a. December 31, 2009 for MY 2001 and older engines (MY 2001 or older engines which met LETRU before December 31, 2008 may be eligible for an additional year extension); or
 - b. December 31, 2009 for MY 2002 engines; or
 - c. December 31, 2010 for MY 2003 engines.

TRU owners may apply for the ULETRU extension by submitting an application at least 90 days before the ULETRU compliance deadline. Application forms are only available by calling the TRU Help Line at 1-888-878-2826. Documentation for the purchase and installation of the new VDECS, engine, or TRU, dated on or before the compliance date required above must be included with the completed application. Submit the completed and signed form to ARB at the address included on the form.

Frequently Asked Questions:

If I replace a noncompliant engine with a new replacement engine, can it qualify for a ULETRU extension?

The answer depends on a comparison of the emissions standards met by the original engine and the replacement engine. Repowering with a replacement engine must result in at least 50 percent reduction in PM emissions to qualify as meeting LETRU. Not all engine replacements do that. For example, for all TRU engine horsepower categories, if an original engine met Tier 1 and was replaced by an engine that meets Tier 2, the emissions reductions would be less than 50 percent, so LETRU would not be met and no ULETRU extension would be granted for early or on-time compliance with LETRU. However, if a Tier 1 TRU engine in the 25 to 50 horsepower category is replaced by a Tier 4i engine, the emissions reduction would be 63 percent, so LETRU would be

met; and, provided the other qualification criteria are met, a ULETRU extension may be awarded. TRU Advisory 13-18 explains how to comply with the TRU Regulation's in-use performance standards by repowering with new replacement engines and includes a discussion on how to determine if at least 50 percent PM reductions are achieved with the replacement engine compliance option. TRU Advisories are listed at: <http://www.arb.ca.gov/diesel/tru/advisories.htm>.

If I comply by using an Alternative Technology, would I still get a ULETRU extension?

Complying with LETRU by using one of the Alternative Technologies (e.g. electric standby), also meets ULETRU, so there would be no need for a ULETRU extension.

Can I transfer a ULETRU extension from one unit to another?

No. ULETRU extensions cannot be transferred from one TRU to another.

Do I have to pay a fee to apply for the ULETRU Extension?

No. There is no fee associated with applying for an ULETRU extension.

For more information

To obtain a copy of the regulation or other related compliance assistance documents, visit the TRU website at <http://www.arb.ca.gov/diesel/tru/tru.htm>. Additional questions may be addressed by calling the toll-free TRU Help Line at 1-888-878-2826 (1-888-TRU-ATCM).

If you require special accommodation or language needs, please call 1-888-878-2826 or email tru@arb.ca.gov. TTY/TDD/Speech users may dial 711 for a California Relay Service.