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TO: All Interested Parties

SUBJECT: DEADLINES APPROACHING FOR SOLID WASTE COLLECTION
VEHICLE RULE

California's Solid Waste Collection Vehicle (SWCV) Rule was passed by the California Air Resources Board (ARB) in September of 2003 and is now in effect. The rule phases in between 2004 and 2010 and the first implementation deadlines are fast approaching for wastehaulers and municipalities. As of December 31, 2004, ten percent of your 1988-2002 engine model year (MY) collection vehicles must be in compliance with ARB-verified Best Available Control Technology (BACT). In addition, as of December 31, 2004, all California collection vehicles must have appropriate labels.

The rule is available at: <http://www.arb.ca.gov/regact/dieselswcv/dieselswcv.htm>. Additional information about the rule, including fact sheets and Frequently Asked Questions, is available at <http://www.arb.ca.gov/msprog/SWCV/SWCV.htm>. Here are some things to keep in mind to achieve compliance.

1. Complying using a verified diesel emission control strategy:

BACT can be an alternative-fueled engine, a diesel engine certified to 0.01 grams per brake horsepower-hour particulate matter (PM) (not available until 2007), or any diesel engine with a verified diesel emission control strategy (DECS). DECSs are verified as Level 3, Level 2, or Level 1, depending on how much PM is reduced, and the verification is for specific manufacturer, make, and model year engines. Level 3 DECSs reduce the most PM and must be reviewed first to see if any verified Level 3 DECS will work on a particular collection vehicle engine. If no Level 3 DECS is verified or works for a particular engine, then you can look to see if there is a Level 2 verified product for that engine. Only if there is no verified Level 3 or Level 2 DECS, or one is not applicable for the specific engine and vehicle combination, can you use a Level 1 technology on that engine. In all cases, you must use ARB-verified technology, as shown on <http://www.arb.ca.gov/diesel/verdev/verdev.htm>. This remains true for normal or early compliance. Note that if you have a company with 15 or more collection vehicles, you may not use Level 1 DECS on any model year 1960-87 engine.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

There are now two Level 2 technologies, one hardware and one fuel option, that have been verified and are applicable for SWCV engines, and more new technologies are expected in the near future. This reinforces the need to frequently read <http://www.arb.ca.gov/diesel/verdev/verdev.htm>, the ARB's verifications web page, to see if new technologies are available.

Keep in mind also that alternative-fuel vehicles such as those powered by compressed natural gas, liquefied natural gas, and other non-diesel fuels are considered to be in compliance. Alternative-fuel vehicles are counted as a complying part of your diesel SWCV "active" fleet. An active fleet is the total, by terminal, of SWCVs, excluding backup vehicles.

2. Early Compliance:

If you intend to use the early compliance extension option you must still bring ten percent of 1988-2002 MY engines into compliance by December 31, 2004. Implementation requirements are found in the Final Regulation Order, section 2021.2 (c) Table 1 and early implementation requirements are at section 2021.2 (d)(1).

3. Labeling Requirements:

The regulation also requires that **all** collection vehicles have labels by December 31, 2004. This means that labels are required for vehicles that have already been brought into compliance, for those scheduled for future compliance, and those designated as backup vehicles or scheduled for early retirement. Label requirements are found in the Final Regulation Order, section 2021.2 (f)(2).

4. Municipality Requirements:

Municipalities that operate their own SWCV fleets must comply with all the foregoing requirements. Those that contract out for waste collection have two upcoming requirements. First, any new contract with an effective date of December 31, 2004 or later, must include language stating that the contractor be in compliance with all applicable air pollution control laws. Second, the municipality must submit an annual report, starting January 31, 2005, with a listing of its contractors and the following information:

- Municipality name, address, telephone number, fax number, contact name and electronic mail address.

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- For each contract, the contractor name, owner name, contact name (if different from owner name), business address, business telephone number, business fax number, contact electronic mail address and the address of each terminal in the jurisdiction that houses collection vehicles serving the municipality. These requirements are available in the Final Regulation Order, section 2021.1.

If you have questions please contact Mr. Rich Varenchik at (626) 575-6730 or by e-mail at rvarench@arb.ca.gov.

Sincerely,

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