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Air Resources Board

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Arnold Schwarzenegger
Governor

TO: All Interested Parties Mail-out #MSC 09-28

DATE: August 25, 2009

SUBJECT: OXIDES OF NITROGEN (NO_x) REQUIREMENTS FOR 2007, 2008, AND 2009

This advisory is a reminder for transit agencies with over 30 urban buses who have opted to comply with the Transit Agency or Urban Bus regulation by meeting the “diesel path” requirements. These fleets must mitigate NO_x emissions when purchasing 2007, 2008, or 2009 diesel urban buses with engines certified above 0.2 grams per brake horse power-hour (g/bhp-hr) NO_x [title 13, California Code of Regulations, section 2023.1(1)(5)].

The regulation requires for each diesel urban bus purchased with engines certified above the 0.2 g/bhp-hr NO_x, the transit agency must install (retrofit) one level 3 particulate matter (PM) verified diesel emission control strategy (DECS) with a NO_x emission reduction efficiency of at least 40 percent, if available, otherwise, with a NO_x reduction efficiency of at least 25 percent to an urban bus or a transit fleet vehicle in its fleet. The retrofit requirement applies on a one-to-one basis until all diesel urban buses and transit fleet vehicles within the transit agency's fleet are either retrofitted or are determined to be unable to be retrofitted. If a vehicle has been determined to be unable to be retrofitted with a level 3 DECS with NO_x reduction capability, a PM only DECS will not be required to be installed for the one-to-one requirement.

If a transit agency does not have transit vehicles to retrofit, then they must submit a report to the Air Resources Board 90 days prior to the delivery of the urban bus. The report shall provide information that demonstrates that all vehicles in the transit agency's fleet have been retrofitted or determined to be unable to be retrofitted, including when the inability to retrofit occurs for reasons other than a device not being verified for the specific urban bus or transit fleet vehicle family. The transit agency should mail the report to:

Mr. Tony Brasil, Chief
Heavy-Duty Diesel Implementation Branch
P.O. Box 2815
Sacramento, California 95812

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

All Interested Parties
August 25, 2009
Page 2

Retrofits must be installed by December 31 of the year the diesel urban bus is delivered. Transit agencies may report the NOx mitigating retrofit information with their annual report by January 31 of each year. Also, be aware that these retrofits can not be funded by incentive funding, such as the Carl Moyer grant program. These programs require the devices to mitigate emissions beyond existing regulatory requirements.

If you have any questions about this advisory, please contact Mr. Eric Bissinger, Air Pollution Specialist, at ebissing@arb.ca.gov. If you have any additional questions, please contact Mr. Warren Hawkins, Manager, at whawkins@arb.ca.gov.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: Mr. Tony Brasil, Chief
Heavy-Duty Diesel Implementation

Mr. Warren Hawkins, Manager
In-Use Control Measures Section

Mr. Eric Bissinger, Air Pollution Specialist
In-Use Control Measures Section