

**Written Comments of the Manufacturers of Emission Controls Association on the
Maine Department of Environmental Protection's Proposed Rule to Delay Implementation
of California's Aftermarket Catalytic Converter Requirements**

Chapter 127: New Motor Vehicle Emission Standards

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The Manufacturers of Emission Controls Association (MECA) is pleased to provide comments on the Maine Department of Environmental Protection's (DEP) proposed rule to delay implementation of California's aftermarket catalytic converter requirements in the state for three years to June 1, 2018. MECA is a non-profit association of the world's leading manufacturers of emission control technology for mobile sources. Our members have over 40 years of experience and a proven track record in developing and manufacturing emission control technologies for a wide variety of on-road and off-road vehicles and equipment. MECA member companies represent the majority of aftermarket converter manufacturers who have been supplying converters under the California and the U.S. EPA aftermarket converter programs since the late 1980s.

MECA commends the Maine DEP for recognizing the opportunity to reduce emissions from their existing fleet of light-duty passenger cars and trucks by adopting the California ARB's aftermarket converter requirements back in December 2012. Significant emission reductions in oxides of nitrogen (NO_x), hydrocarbons (HCs), and carbon monoxide (CO) are achievable from in-use light-duty vehicles through implementation of a comprehensive aftermarket converter program such as California's. MECA member companies conducted a test program in 2012 that compared the emission reduction benefits of California aftermarket converters to federal aftermarket converters. After only 25,000 miles of equivalent aging, the ARB converters emitted 77% less NO_x, 60% less HCs, and 63% less CO than the equivalently aged EPA converters. The emission benefits of the ARB aftermarket converters were even more dramatic after 50,000 miles of aging. (A summary of this test program was published as an SAE paper in April 2013; see: papers.sae.org/2013-01-1298/.)

In the fact sheet for the proposed rule, Maine DEP says the purpose for delaying the effective date to implement California's aftermarket converter requirements is to allow more time for small manufacturers to comply and for other states in the region to adopt these requirements. MECA believes that the most effective approach for cleaning up the in-use light-duty fleet in the U.S. is through a more stringent federal aftermarket converter program. MECA staff and member companies have engaged in direct discussions with the U.S. EPA over the past several years to try to revise the current federal aftermarket converter program (adopted back in 1986) to be more in line with CARB's aftermarket converter program. A revised federal program would eliminate the complexity of enforcing on out-of-state vehicles or illegal converters installed in neighboring states that may have different requirements. In addition, a revised federal program would make available the most advanced aftermarket technology for federally certified vehicles that are not covered by existing CARB Executive Orders.

MECA continues to support the Ozone Transport Commission's (OTC) efforts to push EPA to act on a revised aftermarket converter program. MECA recognizes that, until EPA decides to act, OTC states that are in nonattainment for ozone are only left with California's aftermarket converter regulation as a means to help clean up their existing light-duty vehicle fleet. MECA staff and member companies have pledged to work with the OTC states that choose to adopt OTC's model rule to help them implement an effective aftermarket converter program.

Based on the experience gained through working with states that have already adopted CARB's aftermarket converter regulation, MECA has identified a number of issues with implementing a CARB aftermarket converter regulation in the absence of resources that California has committed to their program. Just as with new vehicle regulations, in order to facilitate a smooth transition, aftermarket converter manufacturers require sufficient lead-time to comply with new requirements to ensure that parts are available and that outreach to consumers, distributors, and installers is completed. MECA recommends that the Maine DEP consider the following issues when finalizing the date for implementing California's aftermarket converter requirements.

Prior to the effective implementation date for new aftermarket converter requirements, manufacturers will need to:

- Quantify and analyze the vehicle fleet population and engine families in the state.
- Consider the practices of the vehicle repair industry in the state to ensure the right mix of universal fit converters or direct fit exhaust assemblies are available in distributors' warehouses prior to the implementation date.
- Manufacture additional product inventory appropriate for the region.
- Procure a storage facility for new inventory and prepare for the smooth exchange of inventory once the regulation goes into effect.
- Develop specific aftermarket converter information tailored to the vehicle mix and model years covered by California regulation.
- Communicate the regulatory changes throughout the distribution and installation network and educate the supply chain on the new requirements.

In addition, MECA would like to work with the Maine DEP on the following areas to ensure the long-term success of the new aftermarket converter program:

- Enforcement of the new regulation to maintain a level playing field in the market.
- Prepare a regulatory summary to clearly describe the key aspects of the regulation. This information should be distributed to the registered converter installers, distributors, retailers, and vehicle owners in the state or region.
- Conduct workshops to address questions about the regulation and address implementation issues in preparation for a smooth transition.

MECA believes that a state's successful transition to a new aftermarket converter program requires thoughtful planning and execution in order to minimize confusion and frustration by consumers and installers with the regulatory changes. Furthermore, once

implemented, enforcement of the regulation is essential to achieve the full emission benefits of the program. To facilitate enforcement, we urge the Maine DEP to incorporate a visual inspection requirement under the state's light-duty vehicle inspection and maintenance (I/M) program, as is being done by California's Smog Check program, to confirm that the proper converter is installed on each vehicle.

MECA commends the Maine DEP for their leadership in taking steps to apply the best aftermarket converter technology to the state's existing light-duty vehicle fleet. MECA looks forward to working with the Maine DEP and other stakeholders to ensure a smooth regulatory transition and successful enforcement of the new aftermarket converter requirements. Once the new aftermarket converter requirements take effect, our industry is prepared to do its part to deliver the most advanced and cost-effective emission control technologies to the state of Maine.

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