

**Written Testimony of the
Manufacturers of Emission Controls Association
on the California State Nonroad Engine Pollution Control Standards;
Transport Refrigeration Units; Request for Authorization**

Docket ID No. EPA-HQ-OAR-2012-0741

March 1, 2013

The Manufacturers of Emission Controls Association (MECA) is pleased to provide written comments in support of the California Air Resources Board's (ARB) request that the U.S. EPA grant a waiver for ARB's adopted amendments to their Airborne Toxic Control Measure (ATCM) for In-Use Diesel-Fueled Transport Refrigeration Units (TRUs) and TRU Generator Sets, and Facilities Where TRUs Operate.

MECA is a non-profit association made up of the world's leading manufacturers of emission control technology for mobile source applications and stationary internal combustion engines. A number of our members have extensive experience in the development, manufacture, and commercial application of retrofit emission control technologies for diesel engines, including those used in TRU applications.

MECA supports ARB's adopted amendments to their TRU ATCM. Among other things, these amendments provide model year 2001 through 2003 TRU engines that complied with the low emission TRU in-use performance standards (LETRU) by the original implementation period a one- to two-year extension from the more stringent ultra-low emission TRU in-use performance standards (ULETRU). MECA and our member companies were actively engaged in the regulatory development process and we believe that ARB staff's inventory and emission impact analysis provided strong justification for retaining the seven-year operational life for model year 2004 and newer TRU engines. Furthermore, given the generally low compliance rates in the California-based TRU fleet, MECA supports the provision requiring that entities generally responsible for the shipping and receiving of refrigerated freight employ only compliant operators.

In discussions with MECA member companies, we believe there is an effective plan in place for the sufficient supply of Level 3 VDECS (verified diesel emission control strategies) (i.e., diesel particulate filters) to meet the expected demand for these devices as a result of the ULETRU requirements. Currently, there are four Level 3 VDECS and three Level 2 VDECS (i.e., flow-through filters) available for TRU engines. MECA members are in the process of verifying additional retrofit devices with ARB that can meet ULETRU requirements. These units are extensions of the current LETRU designs, with only slight mechanical and filter medium modifications required in order to achieve the higher efficiency required for ULETRU performance. They will incorporate all of the durability improvements identified during the LETRU program. One MECA member has over 5,000 units in the field, which have accumulated an estimated one million operating hours, and has developed a network of at least 50 dealers in and outside of California who sell, install, and service TRU retrofit devices.

In supporting the adopted amendments, MECA believes any further delays would be unnecessary and counterproductive to ARB's mission of reducing particulate matter emissions to protect public health and the environment. MECA member companies have invested and continue to invest significant resources in developing and commercializing emission control technologies for the whole range of in-use diesel engines currently operating in California and the rest of the U.S. Retrofit technology providers, including those developing and verifying ULETRU-compliant devices, rely on regulatory stability and effective enforcement in order to continue making the necessary investments to meet the commercial needs in time for future implementation targets. However, delays in the implementation of emission control requirements and ineffective enforcement will only cause retrofit manufacturers to be extremely cautious in making these investments. Our members' experience has shown that market adoption by fleets is heavily influenced by the regulatory deadlines and few, if any, operators elect to comply early. For example, LETRU systems were available in mid-2008; however, minimal compliance activity was experienced even 60 days prior to the actual compliance date.

On a related note, the success of ARB's efforts to clean up the existing diesel vehicles and equipment depends on the agency having adequate staff and support to manage its verification and enforcement programs for diesel emission control strategies. Going forward, we urge the ARB Board to continue to provide sufficient resources to these programs to enable the agency to maintain a verified retrofit technology portfolio that provides end-users with a variety of proven, cost-effective retrofit options from a number of suppliers and enforcement of a level economic playing field for end-users.

In summary, MECA supports ARB's adopted amendments to their TRU ATCM and we ask EPA to grant ARB a waiver for this comprehensive regulatory program. Furthermore, MECA asks that ARB remain vigilant on any further attempts to stay or delay the overall goals of the agency's various in-use fleet rules or the agency's broader Diesel Risk Reduction Plan. These important emission reduction strategies not only protect the health of the citizens of California but also provide an important source of economic growth and green jobs for the state. Our industry is prepared to do its part to deliver cost-effective, verified diesel emission control devices to the market.

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