

# Medium-and Heavy-Duty Diesel Retrofit Compliance Program — Draft Rule Review Vehicle Inspection Program

Nov. 6, 2020

# Today's Agenda

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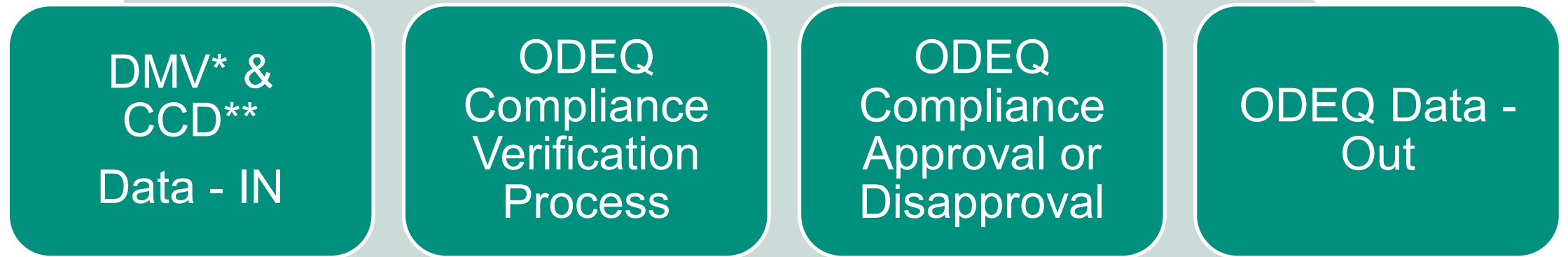
- ✓ Review Rules Advisory Committee ground rules and webinar practices
- ✓ Overview of Retrofit Compliance Flow Chart scenarios
- ✓ Section by section rule review and discussion
- ✓ Public comment period
- ✓ Next steps
- ✓ Adjourn

# Advisory Committee Ground Rules

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- Prepares for and sets aside time for the meetings;
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for each meeting;
- Comments constructively and in good faith;
- Consults regularly with constituencies to inform them on the process and gather their input;
- Treats everyone and his or her opinions with respect;
- Allows one person to speak at a time;
- Is courteous by not engaging in sidebar discussions; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

# Retrofit Compliance Process



\* DMV- Driver and Motor Vehicle Division

\*\* CCD - Commerce and Compliance Division

Retrofit Compliance Data Flow Chart located:

<https://www.oregon.gov/deq/Regulations/rulemaking/RuleDocuments/hddrr2021AC2flowchart.pdf>

# Draft Rule Review

The purpose of this presentation is to provide committee members a summary of draft rules establishing Oregon's Retrofit Compliance Program.

Each slide will address one section of the rule language, key issues and questions for committee

Please follow along with a copy of the rule text open in front of you

## **Rule Summary:**

- Summary of draft rules to inform committee discussion

## **Key Issues:**

- Policies and requirements meant to ensure compliance with Approved Retrofit Technology and proven diesel pollution reduction

## **Questions for Committee:**

- Requests for feedback and committee expertise to inform DEQ's proposed approach

# Draft Rule Review – 340-256-0010 Definitions

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## **Rule Summary:**

- Incorporated in Division 256, Vehicle Inspection Program existing definitions
- Defines elements of the Retrofit Compliance Program

## **Key Issues:**

- Establishes shared understanding of key terms in Retrofit Compliance Program

## **Questions for Committee:**

- Any feedback on this list of definitions?
- Are there any definitions that could be added?

# Draft Rule Review – 340-256-0500 Background

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## **Rule Summary:**

- Establishes purpose, background and scope of Retrofit Compliance Program
- Provides framework for new rule language

## **Key Issues in this section:**

- Provides the purpose of Approved Retrofit Technology

## **Questions for Committee:**

- Do you recommend additional background language?
- Is any of the existing language out of place?

# Draft Rule Review – 340-256-0510 Requirements for Approved Retrofit Technology

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## **Rule Summary:**

- Provides manufacturer and installer requirements for Approved Retrofit Technology
- Establishes the diesel particulate matter reduction of a least 85%

## **Key Issues:**

- Establishes requirements for Approved Retrofit Technology

## **Questions for Committee:**

- Any feedback on this list of requirements?
- Are there any requirements missing?



# Draft Rule Review – 340-256-0520 Certification of Approved Retrofit Technology

## Rule Summary:

- Provides installation requirements for Approved Retrofit Technology
- Requires technology approved by the Environmental Protection Agency or California's Air Resource Board
- Provides criteria for vehicle information requirements

## Key Issues:

- Approves proven diesel pollution reduction of at least 85%

## Questions for Committee:

- Any feedback on the certification criteria?

\* 0520(1)(e) states: “(e) Information sufficient to allow the Department to determine that the retrofit technology meets the requirements in OAR 340-256-0510(2).” The section will be corrected to OAR 340-256-0510(4), which is the reduction of Diesel Particulate Matter by at least 85%

# Draft Rule Review – 340-256-0530 Approved Retrofit Compliance Process

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## **Rule Text:**

- Approved Retrofit Technology application review, denial and certification authority
- Certification condition based on Periodic Verification Process

## **Key Issues:**

- Establishes the process of issuing or denying a Certificate of Approved Technology.
- Provides a verification process for Approved Retrofit Technology

## **Questions for Committee:**

- Any feedback on the compliance process?
- Is 60 days prior to renewal the right amount of time?

# Draft Rule Review – 340-256-0540 Periodic Verification Process

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## **Rule Text:**

- Maintaining Certified Approved Technology
- Periodic Certification Requirements

## **Key Issues:**

- Confirms the Approved Retrofit Technology is operating and maintained over the life of the system
- Provides third party visual inspection and review of manufacturers' specifications

## **Questions for Committee:**

- Does the process cover concerns over continued compliance of the Approved Retrofit Technology?
- Are the requirements practical?
- Should DEQ require a new Certificate of Approved Retrofit Technology if the Periodic Verification is not submitted or if it is denied?

# Draft Rule Review – 340-256-0550 Approved Retrofit Technology Labeling Requirements

## Rule Text:

- Establishes a labeling requirement for purpose of identification of an Approved Retrofit Technology
- Identifies the Approved Retrofit Technology has been verified by CARB or EPA

## Key Issues:

- Provides a clear identification process for Approved Retrofit Technology
- Applies common industry labeling practices for the specific installation

## Questions for Committee:

- Is there anything else DEQ should consider for labeling of Approved Retrofit Technology?
- Should the labeling requirements be included in the Requirements for Approved Retrofit Technology?

# Draft Rule Review – 340-256-0650 Swapping or Re-designating Approved Retrofit Technology

## **Rule Text:**

- Provides guidelines for Component Swapping or Re-designating of Approved Retrofit Technologies

## **Key Issues:**

- Component Swapping or Re-Designation can help owners with common engine families in their fleets
- DEQ will have a process and application before Component Swapping or Re-designation is approved

## **Questions for Committee:**

- Is there anything else DEQ should consider for Component Swapping or Re-designation?
- Should the Swapping and re-designation requirements be included in the Requirements for Approved Retrofit Technology?

# Next Steps

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RAC Meetings  
Next: Proposed  
Rules and Fiscal  
Impact Statement

Public Hearing,  
March 2021

EQC Adoption,  
Summer 2021