



Summary of Proposed Rules

HB 2007 Retrofit Compliance Rulemaking
Advisory Committee Meeting #3

Rule	RAC Input	Proposed Rule Language	Other notable changes
<p>340-256-0510 Requirements for Approved Retrofit Technology</p>	<p>Draft rules state that retrofit technologies must be installed by “licensed installers” and asked if Oregon would have a licensing program for installers. DEQ responded that is that is not the intent.</p>	<p>(a) Was installed by an installer authorized by the Approved Retrofit Technology manufacturer</p>	<p>Other changes include adding a provision for used equipment that is covered under the Swapping or Re-designation requirements in OAR 340-256-0560</p>
<p>340-256-0520 Certification of Approved Retrofit Technology</p>	<p>“Will DEQ’s requirement for the data log time and date (referred to in Section C of this section of the draft rules) follow the requirements from CARB or EPA?”</p>	<p>“A Pre-Installation Compatibility Assessment as prescribed by the Approved Retrofit Technology manufacturer, signed by the installer.”</p> <p>Reason for change: DEQ is approving technologies from both the EPA and CARB currently verified devices.</p>	<p>Added a section (1)(a)(A) to include a requirement that the registrant will, "ensure that the Approved Retrofit Technology remains operational, functioning efficiently or notify the Department immediately in writing that the Approved Retrofit Technology is functioning with decreased efficiency or effectiveness or is no longer operational and functioning ."</p> <p>Added section (1)(f)(C) to clarify the provision for approving retrofit technology that CARB & EPA approve after the rules are adopted by EQC. Added section (2) to clarify the provision for "Swapping and Re-designation"</p>

	Stakeholder suggested that DEQ include engine family number as a piece of information that vehicle owners must submit to DEQ.	Added Engine Family Number to submission information requirement	
340-256-0530 Issuance of a Certification of Approved Retrofit Compliance	General stakeholder input was around requiring the Periodic Verification Process (PVP) and the timeline of submitting the documentation within 60 days of their registration renewal date.	Removed the section and updated process for the PVP to be required only upon agency request. "The Department may conduct its Periodic Verification Process as a result of a random audit of a Certificate of Approved Retrofit Compliance or as a result of individualized suspicion regarding whether the Certificate of Approved Retrofit Compliance remains valid or should not have initially been issued."	Added record keeping requirement to include, "filter cleaning, temperature, back pressure and maintenance (warranty and other than warranty repairs) for a minimum period of 24 months."
340-256-0540 Periodic Verification Process (PVP)	Stakeholder input was generally around the logistics around DEQ reviewing the relevant records and ensuring ongoing compliance	Updated language includes and annual inspection and opacity test by an installer authorized by the retrofit manufacturer to maintain certification and updated process for the PVP. Adopting opacity standard and process from CARB for vehicles equipped with DPF retrofit technologies.	Separated the ongoing compliance process to include the annual inspection requirement in (1)(A)&(B) and the PVP process which includes record keeping requirements for the registrant. Added language to include a requirement the retrofit installer attests the retrofit conforms to the manufacturer's specifications of function and is not operating with decreased efficiency or effectiveness" as part of an annual inspection. Added process to reapply for certification. Added language to not or allow anyone to remove, modify, alter, or tamper with the labeling of the equipment

<p>340-256-0550 Approved Retrofit Technology labeling requirements</p>	<p>Stakeholder input was in regards to the wording for being able to visually inspect the retrofit label underneath the vehicle and thus will not be legible without artificial light.</p>	<p>Updated language with or without the assistance of artificial lighting or reflective devices</p>	
<p>340-256-0560 Component Swapping or Re- Designation of Approved Retrofit Technology</p>	<p>“Not all manufacturers of retrofit technologies allow for component swapping.”</p>	<p>“All documentation associated with the Component Swapping or Re-Designation under Title 13, California Code of Regulations, Section 2706(i) (2020) sufficient to allow the Department to determine that the Component Swapping or Re- Designation would comply with those provisions.”</p>	<p>Added a section to clarify the process for the registrant to submit an application to DEQ for approval of Component Swapping or Re- Designation.</p>