

## California Air Resource Board cracks down on big rigs

By Tillie Fong

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For the past few months, Monte Eberhardt had been hearing from other big rig drivers that he may have to retrofit his cattle-hauling truck to meet new emission standards.

"I looked it up about the filter and I have until the end of January," said Eberhardt, 40, of Wheatland.

But the owner of Eberhardt Livestock found that he was wrong Tuesday, when he was pulled over just north of Sacramento for a state Air Resources Board truck inspection.

He was issued a citation for not having an emission control label on the engine of his 1998 Kenworth rig, and was told that he would be fined \$800 if he did not have the engine tested and certified as meeting emission standards within 45 days. That means he either gets a particulate-matter filter installed or switches out the engine for a 2007 or newer model. At that point, the fine drops to \$300.

"I became an owner-operator recently, and I'm still learning," said Eberhardt, who bought the truck a year and half ago. He said he would likely install a particulate-matter filter, which he estimates would cost about \$20,000. "The truck is still in pretty good shape," he said.

Tuesday, two ARB inspectors were checking big rigs southbound on Highway 99, just north of the split with Interstate 5, to see if they were complying with the agency's requirements. Older trucks were pulled aside for inspection, and refrigerated trucks were also checked to see if the engine for the refrigerator unit was in compliance with idling regulations.

Truck drivers were asked to rev up their engines so that the inspectors could see if black smoke was coming out of the smokestacks. Then they were asked to pop open the hood, so that inspectors could check the engine to see what year it was and whether it had an emission control label. Inspectors can also check via laptop to whether the truck has been registered and whether the company has other trucks. If the truck passes muster, then a yellow sticker is placed on the windshield, which means it doesn't need to be checked again for three months.

The inspection usually takes less than five minutes, and a number of newer trucks were allowed to bypass the inspection.

"We don't want to take up any more time than we have to," said Mark Tavianini, manager of the ARB's mobile source compliance training section, who was helping with the inspections. "We know they have a job to do. Time is money."

For the 57 trucks pulled over at the spot Tuesday, eight citations were issued. Eberhardt's citation was one of three involving emission control labels. Three citations fell under statewide truck and bus regulations, one was for commercial vehicle idling, and one was a transport refrigeration unit-related citation. For the first six months of 2013, the agency has conducted about 3,100 inspections of trucks and buses in the state and has issued about 390 citations.

"There are likely many trucks still out of compliance with California's strict anti-pollution laws," said ARB spokeswoman Melanie Turner. "Our overall goal is for all heavy-duty diesel trucks to have 2010 or newer engines by 2023."

On any given day, about a million trucks and buses are traveling in the state, half of which are based in California, according to Turner. The exhaust from those vehicles contains particulate matter – soot – as well as nitrogen oxides, which can adversely affect health.

"Seventy percent of the cancer risk from air toxics is from diesel particulate matter," Turner said.

"Technology has improved so much over the past 15 years. Now filters are available that reduce diesel emissions by 85 percent or more, compared to having no filter at all."

For that reason, in 2008, the ARB established rules to reduce those pollutants from diesel-powered vehicles weighing 14,000 pounds or more. A phased schedule was set up for trucks to either install a particulate-matter filter or switch over to a 2010 engine, depending on the year of the engine. For

example, Eberhardt's truck would fall in the schedule for 1996-1999 engines, which are required to have a particulate-matter filter installed by 2012, and switch out to a 2010 engine by the year 2020.

Under the regulations, all trucks with 2005 to 2006 engines have until the end of this year to install a filter, so another 50,000 trucks would have to come into compliance before Jan. 1. In addition, companies that have two or more trucks in their fleet must have at least one truck retrofitted by 2014. After that, the company faces a \$1,000-a-month fine for every month out of compliance.

"People will be finding that the flexibility will go away," said Bruce Tuter, an ARB air resource specialist, about the fleet requirement.

For Daniel Guerrero, 40, of Madera, owner of Daniel's Trucking, that was bad news. He has three trucks in his fleet, and he was driving one of them – a Freightliner with a 2000 engine – when he was pulled over Tuesday. None of his trucks have particulate filters installed.

"It puts the heat on the small guys, said Guerrero, who learned that he had to retrofit one truck this year, another truck next year and a third after that. "Only the big companies have the resources to comply with the regulations. When I bought this truck, it was legal. Now they're saying it's not. They are changing the rules."

He estimates that it would cost \$12,000 to \$18,000 to install the particulate-matter filter on one of his trucks. If he had to replace an engine, Guerrero said, that would run \$25,000 to 30,00, while getting a new truck – for \$140,000 to \$160,000 – would be out of the question. He said the regulations would drive him out of business, as he can't afford to make the necessary upgrades.

"I will have to downsize and let go of the other drivers," he said. "I am going to run this until the end of this year, and I will have to raise my rates."

However, complying with the regulations may not be as onerous as Guerrero suggested. A typical particulate filter usually runs about \$15,000.

"There are funding opportunities for the upgrades," said Eloy Florez, an ARB air pollution specialist. "They (truckers) are eligible for funding up to \$45,000 toward a truck replacement."

Eberhardt was interested in seeing if he was eligible for funding to help with the retrofits, and although he was cited, he said he didn't mind the random inspection.

"We can't breathe dirty air," he said. "There are lot of vehicles, cars and trucks. It is what it is."

## **State clears way for use of 'offsets' in carbon restrictions**

By Dale Kasler

Sacramento Bee, Tuesday, Sep. 17, 2013

Starting in a couple of weeks, the hundreds of companies subject to California's strict curbs on greenhouse-gas emissions will have a new way to meet the regulations.

They'll be able to buy "offset" credits generated by dairy farms and others who have managed to reduce their own carbon emissions.

After years of study, the California Air Resources Board said Tuesday it has cleared the way for heavy industries in California to start purchasing offsets. David Clegern, a spokesman for the agency, said offsets should be available by the end of this month.

By giving industrial firms greater flexibility, offsets are expected to ease the costs of complying with the state's carbon emissions rules, the centerpiece of AB 32, the state's 7-year-old climate-change law.

But offsets are controversial among some environmentalists, who argue that they let the companies off the hook.

Under the state's cap-and-trade program, more than 400 oil refiners, food processors and others have to gradually reduce their carbon footprint by a certain amount. If they can't make the necessary reductions, they can get into compliance by purchasing state-issued emissions allowances, either directly from the state or on the open market.

Buying offsets will provide a third method for abiding by the rules. Offsets essentially are a form of investment in dairy farms and others that have been able to slash their greenhouse gas pollution. The reductions are verified by independent auditors working for the Air Resources Board, and each ton of carbon eliminated generates a credit. Some 600,000 offset credits will become available for sale at month's end.

The industrial firms governed by cap and trade will be allowed to use offsets to cover a maximum of 8 percent of their obligation.

Offsets have been around for years, frequently used on a voluntary basis by environmentally conscious consumers, and the universe of providers is large. There are dairy farmers, seeking to reduce methane emitted by their cows, as far away as upstate New York. There is a company in Arkansas that destroys greenhouse gases found in refrigerator coolants. In California, nonprofits that manage some of the North Coast forests generate offsets, too. The list of approved offsets for use in California's carbon system will be released next Wednesday.

Some environmental groups say the industrial firms covered by the greenhouse-gas rules should be forced to reduce their own emissions – and not be allowed to meet the standards by paying someone else. Because many of the offset projects are in other states, pollution in California isn't reduced, they argue.

But state officials say offsets represent a legitimate form of carbon reduction. With climate change a global phenomenon, officials say it doesn't really matter where the reductions take place.

Offsets "achieve real greenhouse gas reductions ... and deliver a range of additional environmental benefits," Air Resources Board Chair Mary Nichols said in a news release.

Offsets do carry risk for buyers. The independent auditors could determine that a particular project didn't deliver the promised carbon reductions, making the offset credits worthless. Because of that, offsets are expected to sell for less money than the state-issued carbon emissions allowances. Allowances currently trade at around \$13 a ton.