



Trade Waste Vehicle Regulation

Monthly BIC Meeting

March 23, 2017

For information purposes only.
Consult Local Law 145 of 2013 directly.

Local Law 145 of 2013 Background

- LL 145 of 2013 was enacted to reduce emissions of pollutants from heavy duty waste hauling vehicles.
- All licensed or registered companies that provide trade waste services in NYC that are heavy duty trucks which exceed a weight of 16,000 lbs. must utilize Best Available Retrofit Technology (BART) by January 1, 2020.
- DEP is required to review technology verified by the Environmental Protection Agency (EPA) or California Air Resources Board (CARB) that reduce PM emissions.

- The Air Code specifically requires BART that is defined in Section 24-163.11.
- BART is defined as technology certified by the US EPA or the CARB for reducing emissions in Particulate Matter (PM) at the highest classification level.
- Engines that meet 2007 EPA engine standards as set forth in 40 CFR Section 86.007-11 for PM emissions is BART compliant. This section requires that the PM not exceed 0.01 grams per brake horsepower-hour (0.0037 grams per megajoule).

BART for Engines that are NOT 2007 or Later

- DEP has published several rules that require vehicle retrofits using the same EPA and CARB selection process for several local laws including LL 39 of 2005, *Concerning the Use of Ultra-Low Sulfur Fuel and Emissions Control Technology on City Motor Vehicles*. See <http://www.nyc.gov/html/dep/pdf/ll39.pdf>
- In making their selections, contractors are directed to consult the EPA and CARB verified lists at <https://www.epa.gov/verified-diesel-tech/verified-technologies-list-clean-diesel> and <https://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>.
- The rule will set forth BART to mean: A Diesel Particulate Filter (DPF) or other technology verified for a specific application from either the CARB or EPA verified lists (see above link) that reduces particulate matter emissions by 85 percent or greater, or reduces engine emissions to less than or equal to 0.01 grams diesel particulate matter per brake horsepower-hour.

Other BART Classifications

- DEP will permit the following three other hierarchical classification levels if the DPF cannot be used because of technological feasibility issues:
- Any DPF or Flow Through Filter (FTF) or combination of technologies verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 50 and 84 percent.
- Any DOC or FTF or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 25 and 49 percent.
- Any DOC or emulsified diesel fuel or FTF or other technology verified for a specific application from either the CARB or EPA verified lists that reduces diesel particulate matter emissions by between 20 and 24 percent.

- If the applicant cannot install a DPF, then the applicant must request a waiver, in order to select one of the lower classification levels.
- The rule will also contain a waiver process that the applicant can request if one of the three remaining technologies defined as BART is unavailable. A written finding of unavailability subject to the Commissioner's approval can be requested.
- The Air Code also contains a financial hardship waiver that the chairperson of BIC may grant if compliance with the BART requirements would cause an undue financial hardship.