

F.A.Q. re: Local Law 145 of 2013

1) What does Local Law 145 of 2013 require?

By January 1, 2020, all “heavy duty trade waste hauling vehicles,” as defined by the law, must be equipped with either an EPA certified 2007 (or later) engine or utilize “Best Available Retrofit Technology,” as defined by the New York City Department of Environmental Protection (DEP).

2) What is the goal of the law?

The law was enacted in December 2013 to reduce air pollution from heavy duty trade waste vehicles by requiring controls that will limit the amount of particulate matter emitted into the open air.

3) Which of my trucks does the law apply to?

The law applies to all heavy duty trade waste hauling vehicles. A “heavy duty trade waste hauling vehicle” means any diesel fuel-powered vehicle with a gross weight of over 16,000 that is owned or operated by an entity that is required to be licensed or registered by the New York City Business Integrity Commission and that is operated in NYC for collection and/or removal of trade waste.

4) I am a small-sized hauling or landscaping company with a small fleet. Do I still need to comply with the vehicle emission law?

Yes. The vehicle emission law applies to all companies regardless of size. Each truck in your fleet that qualifies as a “heavy duty trade waste hauling vehicle” must comply with the law.

Retrofit Technology

1) My truck has a 2006 or older engine. Where do I find more information on retrofits for my truck?

To see a list of the verified retrofit technology, please consult the federal Environmental Protection Agency and California Air Resource Board (CARB) verified lists, which can be found at the following two links: <https://www.epa.gov/verified-diesel-tech/verified-technologies-list-clean-diesel> and <https://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>.

2) I have already installed a retrofit on my truck—what paperwork will I need to submit to get it verified?

Each company will need to complete a compliance reporting form – which can be found here: http://www.nyc.gov/html/dep/html/air/emissions_from_transportation.shtml.

Fill in all the information regarding the vehicle about which you are reporting. Then send this form via email to LocalLaw145Inquiries@dep.nyc.gov. DEP will contact you if you need further assistance. If the vehicle passes DEP’s inspection, DEP will issue a decal for the truck.

3) Who do I contact at DEP if I have any technical questions relating to the retrofits?

You may send your questions or concerns to LocalLaw145Inquiries@dep.nyc.gov

4) Where do I find a list of local retrofit installers?

DEP does not maintain a list of installers. Please consult the manufacturers as provided on the EPA and CARB websites:

<https://www.epa.gov/verified-diesel-tech/verified-technologies-list-clean-diesel>

<https://www.arb.ca.gov/diesel/verdev/vt/cvt.htm>

5) Where can I apply for a variance if there is no available verified control retrofit for a particular engine?

To learn more about the variance procedure, please review the rule, which can be found here: <http://www.nyc.gov/html/dep/pdf/air/air-heavy-duty-trade-waste-hauling-rule.pdf>.

A Variance Application is available on this link/page:

http://www.nyc.gov/html/dep/html/air/emissions_from_transportation.shtml. You must submit the application to DEP by June 1, 2019.

Questions relating to Waivers based on Financial Hardship

1) When will the application be available to apply for a waiver based on financial hardship?

BIC will release the online applications by November 1, 2018. Once the application is released, BIC will send an e-mail notification.

2) How long will the waivers be valid for?

Waivers will be valid for up to two years. The length of each waiver will vary depending on the circumstances of the company to whom it is issued. An application for renewal of an existing waiver must be filed no later than 180 days prior to its expiration date. All waivers will expire by January 1, 2025.

Pending Applicants

1) I have applied for a license or registration for the first time and my application is pending. I want to apply for a financial hardship waiver. When would my application be due?

If you submitted your application prior to January 1, 2019, you must apply for the waiver by close of business on January 1, 2019.

2) How do I apply for the waiver?

If your company's application is currently pending and BIC has not assigned your company plates yet, you must submit a paper application, which will be available on November 1, 2018, the same day as the on-line version. BIC will be providing you with more information on the paper application procedure.