



Driving Trucking's Success

ISSUE: California Transport Refrigeration Unit (TRU) Regulation (www.arb.ca.gov/diesel/tru.htm)

STATUS: Owners of California-based TRUs were required to apply for TRU identification numbers and file operator reports by July 31, 2009. Enforcement of the California-based TRU requirements began in August 2009. Enforcement of the initial in-use emissions requirements affecting 2002 and older TRUs is scheduled to begin in January 2010. ATA is awaiting a decision in the D.C. Circuit Court seeking a reversal of EPA's decision to authorize the regulation.

BACKGROUND: In February 2004, the California Air Resources Board (CARB) adopted a regulation affecting in-use diesel-fueled transport refrigeration units (TRUs) and TRU generator sets. The regulation applies to owners of TRUs that operate in California, regardless of where the truck or trailer is registered. This includes all carriers that transport perishable goods using diesel-powered refrigeration systems on trucks, trailers, shipping containers, and railcars which operate in California.

CARB requested that the U.S. Environmental Protection Agency (EPA) grant a waiver of preemption from Clean Air Act requirements. EPA held a public hearing on January 23, 2006 to receive public testimony and accepted comments until February 22, 2006. ATA led efforts to oppose EPA's approval of this regulation due to its extraterritorial reach and technology forcing standards aimed at users rather than manufacturers. ATA presented testimony at the hearing and submitted extensive comments. EPA approved CARB's waiver request on January 16, 2009.

REQUIREMENTS: This regulation requires engines used in TRUs operating in California to meet performance standards that vary by horsepower range. By December 31, 2009, TRUs with 2002 and older model year engines must lower their particulate matter (PM) emission levels by at least 50 percent. By year-end 2010, TRUs with model year 2003 engines must lower their PM emission levels by at least 85 percent. Thereafter, the minimum 85 percent PM reduction requirement carries forward to all TRU engines that are older than seven years.

To meet these standards, TRU owners will need to either:

- Establish a trade-in cycle of seven years or less for TRUs or trailers;
- Repower TRUs with a new engine or an engine that is less than 7-years-old;
- Retrofit the engine with the required level of verified diesel emission control strategy (i.e., at least 50% reduction through 2009 and at least 85% reduction thereafter);
- Ensure only the compliant portion of their TRU fleet operates in California; and/or

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- Use an alternative technology. Alternative technologies can be used to meet the in-use performance standards if diesel PM emissions are eliminated while at a facility, with limited exceptions (e.g. during an emergency or normal yard maneuvering). They include use of:
 - Electric standby,
 - Cryogenic temperature control systems or hybrid cryogenic temperature control systems,
 - Alternative fueled engines or alternative diesel-fueled engines,
 - Fuel cell-powered temperature control systems, and
 - Other systems approved by CARB to not emit diesel PM or increase public health risk near a facility.

Owners of TRUs based in California were required to apply for a CARB identification number by July 31, 2009. Owner/operators of non-California-based TRUs may choose to voluntarily apply for a CARB identification number. The coded identification numbers include information that CARB has indicated should reduce roadside inspection time.

Owners of California-based TRUs were to submit an initial operator report to CARB that provides information about the TRUs they operate by July 31, 2009. Updated reports are to be provided as TRUs are leased, purchased, or sold. Enforcement of the labeling of California-based TRUs with identification numbers and receipt of operator reports began in August 2009. Noncompliance with the labeling or reporting requirements can result in fines of up to \$500 per TRU. Enforcement of the in-use emission standards for 2002 and older TRUs is scheduled to begin in January 2010. Noncompliance with the in-use requirements can result in fines of up to \$1,000 per TRU.