AGC Warns Contractors Of Proposed CARB Regulations

The California Air Resources Board (CARB) is working on a new rule that could render millions of dollars of in-use construction equipment worthless unless it is fitted with emission controls or the engine is repowered. California is the only state that has legal authority from U.S. Congress to enact non-road engine exhaust standards that far surpass the emissions rules set by the federal government. All other states can opt-in to California’s more aggressive rules – but states must adopt California’s program identically and in its entirety.

During the AGC of America Midyear session in September, industry experts, Kenneth Katch, Caterpillar; Gary Rohman, ECCO Equipment Corp.; George Malouf, Emissions Technology; and Dave Sbaffi, Granite Construction explored California’s pioneering role in drafting engine exhaust standards that are more stringent than federal rules. The panelists also presented bottom-line facts about the supply and cost of retrofit devices that regulators want contractors to use, if they want to stay in business.

Key Proposed Regulations:

CARB’s key proposals would require contractors to:

- Comply with increasingly stringent particulate matter (PM) emission reduction targets;
- Meet CARB’s fleet average emission target by 2013 or scraping 10 percent of the company’s fleet horsepower per year or replace it with Best Available Control Technology (BACT) until the fleet meets CARB’s target;
- Affix a label with an identification number on each piece of construction equipment;
- Report annually on every offroad diesel engine.

The session brought to light many of the harmful impacts and concerns surrounding CARB’s proposal, including the potential for devalued company assets, mandated fleet turnover, increased equipment maintenance and cost, increased recordkeeping burdens, lack of “verified” emissions control technologies, inequitable enforcement and possible safety issues.

During AGC of California’s Board meetings in October, Gary Rohman provided contractors with an update on the Air Resources Board proposals, the Portable Equipment Registration Program and more. He provided a visual demonstration of CARB’s goals to eliminate Tier 0 and 1 engines and reduce particulate matter for Tier 2 and 3 engines.

ARB has posted the changed rules at: http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm. Any questions, please contact John Hakel at 626-608-5800 or hakelj@agc-ca.org.