



January 5, 2010

**REMINDER TO REGISTER OFF-ROAD DIESEL EQUIPMENT
CALIFORNIA AIR RESOURCES BOARD'S OFF-ROAD DIESEL RULE**

As you are probably aware, if you own self-propelled off-road diesel equipment you were required to obtain Equipment Identification Numbers (EINs) by registering your equipment with the California Air Resources Board (CARB) during 2009. Even if your office is located outside the state of California, in order to operate off-road diesel equipment in California it must be registered.

If you have registered your equipment and obtained your EINs, congratulations! If you operate a large equipment fleet please be reminded that your first Annual Compliance Report is due to CARB by April 1, 2010.

If you have not yet registered your equipment and obtained your EINs, please be aware that CARB will begin enforcing the Off-Road Diesel Rule in early 2010. We have attached a Compliance Advisory recently issued by CARB discussing the end of the grace period for companies that have not registered their equipment.

Associates Environmental staff have been working with the Off-Road Diesel Rule since CARB launched its development in late 2004 and we are ready to assist you if you lack the time or willingness to deal with registering your fleet and obtaining your EINs. At the end of 2009 Associates Environmental moved to a new office location and added staff and services to support our growth. We have included a brochure describing our services which also includes our updated contact information.

If we can help you comply with the Off-Road Diesel Rule, or if you would simply like to discuss the services Associates Environmental offers, please call us at (714) 916-4953 or send us an e-mail at info@associatesenvironmental.com.

Wishing you health and prosperity in the coming year.

Sincerely,

Mike Buckantz
Associates Environmental

Ricardo Flores
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Drew Delaney
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Enforcement Division

Advisory

To: Owners of Off-road Diesel
Vehicles in California

Number 394

Revised November 2009

REPORTING REQUIREMENTS FOR OWNERS OF IN-USE OFF-ROAD DIESEL VEHICLES EFFECTIVE 4/01/09

The Air Resources Board's (ARB) regulation for In-Use Off-Road Diesel Vehicles became effective under California law on June 15, 2008. This regulation is intended to reduce harmful emissions from diesel powered construction and mining vehicles operating in California. Among other things, fleet owners are subject to retrofit or accelerated replacement/repower requirements, as well as restrictions on unnecessary idling.

The regulation requires all off-road diesel vehicles subject to the off-road diesel regulation to be reported to the ARB in 2009. After reporting, ARB will issue an Equipment Identification Number (EIN) for each vehicle, which must be labeled on the vehicle within 30 days of receipt.

Deadlines

The deadlines for reporting off-road diesel vehicles varied from March 1, 2009, to August 1, 2009, depending on the size of the fleet. However **all fleets were required to report no later than August 1, 2009.**

Non-Compliance

Fleets that did not report by the deadline should do so as soon as possible.

Although the deadlines for all fleets are past, ARB will allow fleets some additional time to self report their vehicles without penalty. Fleets that **self-report** will not face enforcement action if they report all of their vehicles prior to:

Large or medium size fleets: January 1, 2010

Small fleets: March 1, 2010

Large and medium fleets are those over 2,500 horsepower when the horsepower from their off-road diesel vehicles are summed, and all state and federal agencies regardless of horsepower. Small fleets are those under 2,500 horsepower.

Fleets that have not yet reported and are found to be in violation by enforcement personnel before they report themselves will be subject to enforcement action, including fines. Health and Safety Code, Sections 39674 (a) and (b) authorize civil penalties for the violation of the programs for the regulation of toxic air contaminants not to exceed **one thousand dollars or ten thousand dollars respectively for each day in which the violation occurs, which can be applied to each vehicle that is not reported.**

Reporting the Vehicle and Engine Information

Vehicles can be reported via ARB's online reporting system, DOORS. The reporting system and user guides are available online at:

https://secure.arb.ca.gov/ssldoors/doors_reporting/reporting.php.

Paper forms are also available through the mail by calling 877-59-DOORS or by emailing doors@arb.ca.gov. However, ARB recommends the use of the online tool as it is faster, more convenient, and includes more help for fleet owners.

Incomplete Reports

ARB staff recognizes it is not always possible to find data to complete every reporting field requested, and has provided a guide regarding when it is acceptable to report with incomplete data at:

<http://www.arb.ca.gov/msprog/ordiesel/documents/doors/missingdata.pdf>.

ARB staff will evaluate fleets' initial reporting data for completeness upon submission. If the data is unacceptably incomplete, ARB will contact the reporting fleet with a description of the information that was missing, and will provide the fleet additional time to gather information or explain why the data cannot be provided. ARB will reevaluate the resubmitted reporting data and upon finding the report complete or determining that the fleet cannot reasonably provide the missing data, will issue EINs. If the fleet does not respond to the notification and provide additional information on their fleet, their vehicles will not be issued EINs and the fleet will be in violation of the reporting and labeling requirements.

Further Information

After a fleet reports, they will be required to label their vehicles, as described in:

<http://www.arb.ca.gov/msprog/ordiesel/faq/faq-labeling.pdf>

For further information about the In-Use Off-Road Diesel Vehicle regulation, please visit our website at: <http://www.arb.ca.gov/ordiesel>. Fact sheets are available at <http://www.arb.ca.gov/msprog/ordiesel/knowcenter.htm>.

For questions regarding enforcement of the In-Use Off-Road Vehicle regulation, please contact Mr. Eric Brown at (916) 322-8939 or ebrown@arb.ca.gov.

If you have questions about reporting, please contact the Air Resources Board at 1-877-59-DOORS (1-877-593-6677) or email doors@arb.ca.gov.