

NYS Diesel Emissions Reduction Act

Business Council of NYS
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Background

- “Diesel Emissions Reduction Act 2006” (DERA) amended the ECL
- ECL 19-0323 added: “Use of Ultra Low Sulfur Diesel Fuel & Best Available Technology by the State”
- Proposed Draft Part 248 Regulation
- Applies to state agencies, public authorities, and their contractors



General Overview of Major Compliance Components

- 1) Ultra low sulfur diesel fuel (ULSD) required for covered heavy duty vehicles (HDVs) effective 2/12/07
- 2) Best Available Retrofit Technology (BART) required for covered HDVs according to a compliance schedule
- 3) Installation of Low NOx Rebuild Kit required for certain covered HDV engines prior to BART installation



General Overview of Major Compliance Components (con't)

- compliance schedule for BART installation:
 - Minimum 33% of covered HDVs by 12/31/08
 - Minimum 66% of covered HDVs by 12/31/09
 - All covered HDVs by 12/31/10



Subpart 248-1 Definitions

- ULSD: diesel fuel w/ 15 ppm sulfur or less
- BART: retrofit technology verified by the USEPA or CARB that achieves reductions in particulate matter (PM) at the highest classification level applicable to the specific engine. Technologies which also reduce NOx at reasonable cost must be considered. (There are 3 classification levels: L3, L2, and L1)
- Low NOx Rebuild Kit: an engine manufacturer's upgrade kit required under consent order to be installed on the engine control module of an affected engine



Part 248 Information & Requirements

- exempted HDVs
- HDVs deemed in compliance
- BART options in lieu of retrofitting
- waiver provisions
- vehicle labeling requirements
- reporting requirements
- record keeping requirements



For further information

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