

Low Emission Vehicles II

Updating CT's LEV II Program

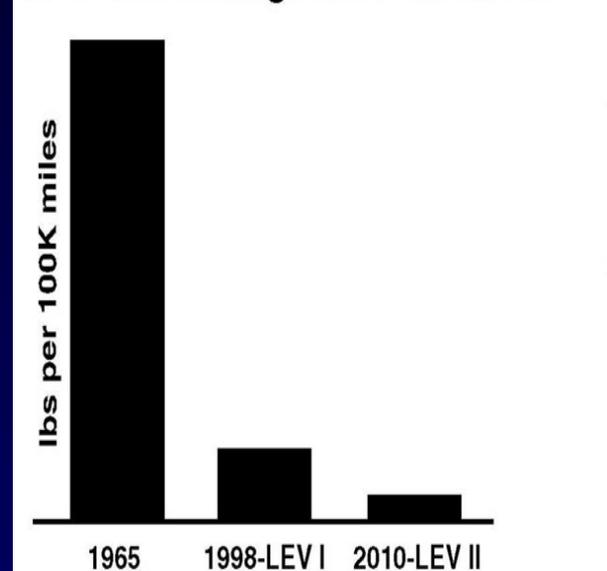
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Background

Cars have gotten much cleaner, but there are more cars being driven more miles every year – and it adds up to about 50% of our “home grown” emissions.

How much smog forming pollution does the average new car make?



•A new 1965 car produced about a ton of smog-forming hydrocarbons during 100,000 miles of driving. California's low-emission standards have cut that to around 50 pounds for the average 1998 car. Lev II would further reduce emissions from the average new 2010 car to approximately 10 pounds.

Background

- CT Legislation
- Public Act 04-84, AAC Clean Cars:
 - On or before December 31, 2004, [DEP] shall adopt regulations to implement the light duty motor vehicle emission standards of the state of California and shall amend such regulations from time to time, in accordance with changes in said [CA] standards.
 - Applicable to 2008 model year and later vehicles.
 - Such regulations may incorporate California standards by reference.
 - PA 04-84 does not limit DEP's authority to regulate motor vehicle emissions for any other class of vehicle.

Background

- DEP Responded to PA 04-84
- R.C.S.A. Section 22a-174-36b, Low Emission Vehicles II Program
 - <http://www.dep.state.ct.us/air2/regs/mainregs/sec36b.pdf>
 - Adopted December 3, 2004,
 - Applies to light duty vehicles (passenger cars, light-duty trucks, and SUVs up to 8,500 lbs),
 - Includes individual tailpipe standards and fleet average emissions standard for non-methane organic gases (NMOG).

Background

- Developing new programs always a challenge. . .
- As a result, Section 36b would benefit from a number of minor changes
- And one big change. . .

2005 LEV II amendments

- Section 22a-174-36b(a) Definitions and abbreviations
 - A new definition proposed for “advanced technology vehicle” as a shorthand reference for any PZEV, ATPZEV or ZEV;
 - A new definition proposed for “alternative fuel” as fuel commonly or commercially known as: M-100, M-85, E-100, E-85, CNG, LPG or hydrogen;
 - A new definition proposed for “greenhouse gas” as any of the following gases: carbon dioxide, methane, nitrous oxide and hydrofluorocarbons;

2005 LEV II amendments. . .

- Definitions, cont'd
 - A new definition proposed for “greenhouse gas vehicle test group” to incorporate by reference the definition in the California Code of Regulations;
 - A new definition proposed for “independent low volume manufacturers” to incorporate by reference the definition in the California Code of Regulations;
 - A new definition proposed for “medium-duty passenger vehicle” to incorporate by reference the definition in the California Code of Regulations;
 - A revised definition proposed for “small-volume manufacturer” to incorporate by reference the definition in the California Code of Regulations;
 - The re-numbering of remaining definitions, as needed.

2005 LEV II amendments. . .

- Section 22a-174-36b(b) Applicability
 - Proposes to adopt the greenhouse gas emission standards and related provisions for 2009 and subsequent model year passenger cars, light-duty trucks and medium-duty vehicles.

2005 LEV II amendments. . .

- Section 22a-174-36b(c) Prohibitions and compliance requirements
 - Subdivision (1)(H) is amended to require large volume manufacturers of 2009 and subsequent model year vehicles described above and delivered for sale into Connecticut meet the applicable greenhouse gas emission standard set forth in California Code of Regulations, Title 13, section 1961.1 (as incorporated by reference into Table 36b-1)
 - Subdivision (2)(A) is amended to clarify that the ZEV travel provisions set forth in California Code of Regulations, Title 13, section 1962 also apply in Connecticut.

2005 LEV II amendments. . .

- Section 22a-174-36b(d) Exemptions
 - A new subdivision (13) is proposed tracking the exemptions to be adopted by California for light-duty trucks certified to the option 1 LEV II standard for oxides of nitrogen in California Code of Regulations, Title 13, section 1961(a)(1).
- Section 22a-174-36b(e) Emission standards, warranty, recall and miscellaneous provisions
 - Proposes to amend Table 36b-1 containing relevant greenhouse gas provisions of the California Code of Regulations Title 13, sections 1900 and 1961.1 and to incorporate by reference such provisions into section 22a-174-36b.

2005 LEV II amendments. . .

- Section 22a-174-36b(f) Fleet average requirements, reporting and projections, and delivery reporting requirements
 - Proposes to amend subdivision (5) to change delivery reporting requirements from sixty days subsequent to the end of each model year to March 1st of the calendar year succeeding the end of the model year;
 - Proposes to adopt new subdivision (6) concerning fleet average greenhouse gas requirements for 2009 and subsequent model year passenger cars, light-duty trucks and medium-duty passenger vehicles produced by large volume manufacturers;

2005 LEV II amendments. . .

- Section 22a-174-36b(f) Fleet average requirements, reporting and projections, and delivery reporting requirements, con'td. .
 - Proposes to adopt new subdivision (7) concerning fleet average greenhouse gas requirements for 2016 and subsequent model year passenger cars, light-duty trucks and medium-duty passenger vehicles produced by small volume manufacturers and independent low volume manufacturers.
 - Proposes to adopt new subdivision (8) concerning early reduction credit provisions that are identical to those proposed by California.

2005 LEV II amendments. . .

- Section 22a-174-36b(g) Fleet average emissions reporting requirements
 - Proposes to amend subdivision (1) to change annual reporting requirements from sixty days subsequent to the end of each model year to March 1st of the calendar year succeeding the end of the model year.
 - Proposes to adopt a new subdivision (3) concerning greenhouse gas emissions reporting on a timeframe consistent with California and using the same format that is used to report such emissions to the California Air Resources Board.

2005 LEV II amendments. . .

- Section 22a-174-36b(*l*) Incorporation by reference. Availability and interpretation of referenced material
 - Clarifies that section 22a-174-36b, in accordance with the provisions of section 22a-174g of the Connecticut General Statutes, incorporates by reference certain sections of Title 13, California Code of Regulations relating to the implementation and administration of the Low Emission Vehicle II program and subsequent greenhouse gas requirements in the state of Connecticut.

2005 LEV II amendments. . .

- Section 22a-174-36b(m) Alternative compliance mechanisms
 - Proposes to amend subdivision (2)(D) to change the due date of annual compliance reports from March 31st to May 1st following the completed model year;
 - Proposes to amend subsection (m) to adopt the same optional alternative compliance mechanisms that employ identical criteria to those put forth by California.

2005 LEV II amendments. . .

- New section 22a-174-36b(n) Greenhouse gas emission standards and related requirements
 - New subsection proposed to require each manufacturer who is subject to the greenhouse gas provisions of this section, to demonstrate compliance with such provisions in accordance with Title 13, CCR section 1961.1.
 - The incorporated standards are:

2005 LEV II amendments...

Fleet Average Greenhouse Gas Exhaust Mass Emission Requirements for Passenger Car, Light-Duty Truck, and Medium Duty Passenger Vehicle Weight Classes (4,000 mile Durability Vehicle Basis)		
Model Year	Fleet Average Greenhouse Gas Emissions (grams per mile CO ₂ -equivalent)	
	All PCs; LDTs 0-3750 lbs. LVW	LDTs 3751 lbs. LVW – 8500 lbs. GVW; MDPVs
2009	323	439
2010	301	420
2011	267	390
2012	233	361
2013	227	355
2014	222	350
2015	213	341
2016 and later	205	332

2005 LEV II amendments. . .

- **New section 22a-174-36b(o) Severability**
 - In the event that any provision is held invalid this subsection will ensure that the remainder of the regulation remains in full force and effect.
 - This subsection is in addition to a general severability provision in DEP's air regulations.

Challenges & Opportunities

- LEV II is still a new program for CT
- We are not alone and will continue to work closely with other NE states and stakeholders
- GHG standards (and associated issues) will add a level of complexity
- DEP anticipates that CA will finalize their GHG rule in August
- DEP will continue to work cooperatively with stakeholders in an effort to craft a workable and sustainable program
 - DEP is always open to suggestions to improve and build upon its work.

Next Steps. . .

- Amend Section 36b as described today in accordance with Connecticut's administrative requirements.
- Anticipated rulemaking schedule:
 - Public notice on June 21 or 28.
 - Public hearing in Hartford on July 27 or August 3.
 - California finalizes their amendment in August.
 - DEP finalizes section 36b for legislative approval in October.
 - Legislative action in November.

Next Steps. . .

- Amend Connecticut's State Implementation Plan (SIP) for Air Quality
- LEV II emission reductions need to be quantified and credited towards CT's clean air goals
 - EPA and DEP will need to agree on modeling methodology
- LEV II regulation would also be made federally enforceable
- DEP anticipates moving the SIP process ahead this summer

But Wait, There's More!

- Special Act 05-6, AAC A CT Clean Car Incentive Program.
 - Requires DEP, in consultation with (et al.*), to develop a plan for the implementation of a decrease of the sales tax by not more than three per cent for new motor vehicles that have low emissions of greenhouse gases, as defined in section 22a-200 of the general statutes, and an increase of the sales tax by not more than three per cent for new motor vehicles that have high emissions of such gases.
 - Requires DEP, by Jan. 1, 2006, to submit the plan to the CT General Assembly's Environment committee.

“Et al’s” of SA 05-6

- The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the environment,
- The United States Environmental Protection Agency,
- The Governor's Steering Committee on Climate Change,
- Representatives from the state's business community,
- Representatives from environmental organizations,
- Representatives of public health interests, and
- Representatives from the automotive industry

Next Steps. . .

- Implementing SA 05-6:
 - DEP meeting with stakeholders in July
 - First public meeting in late July,
 - Second public meeting in mid August,
 - DEP assembles draft plan in late August,
 - DEP holds public informational meeting on the draft plan in late September,
 - DEP revises plan, if necessary, based on public comment by late October/November, and
 - DEP finalizes report to the General Assembly in December.

QUESTIONS?