

New Air Regulations for Ground Support Equipment

The California Environmental Protection Agency has issued new air regulations, via the California Air Resources Board (CARB), for ground support equipment (GSE) at airports. The new rule has placed an unexpected burden on the ground handling community in California, and the rule's promulgation is equally concerning to NATA members in other states who may face similar regulations in the future.

BACKGROUND

CARB was established to work with the public, the business sector and local governments to find solutions to California's air pollution problems. Specifically, CARB is responsible for maintaining healthy air quality, conducting research into the causes of and solutions to air pollution, and systematically attacking the serious problems caused by motor vehicles, which are the major causes of air pollution in the state.

CARB has taken measures to reduce emissions from automobiles and trucks in the state and recently announced a stricter focus on off-road vehicles and equipment which includes GSE at airports. This group, referred to as Off-Road Large Spark-Ignition (LSI) Equipment, is intended for gasoline and liquefied petroleum gas (LPG) fueled vehicles and equipment. Diesel-fueled vehicles are also regulated, but under a separate rule. The off-road engines covered under this rule only include engines that are greater than 25 horsepower, but this will likely include almost all GSE.

ISSUE

The new rule was published on May 12, 2007, and initial compliance objectives are expected by January 1, 2009. Stricter compliance objectives are expected in 2011 and 2013. The complete text of the rule and other pertinent information can be obtained from the CARB Web site at www.arb.ca.gov.

Compliance is determined by fleet size of tugs, forklifts, and other GSE that has 25 HP motors or greater and are fueled by either gasoline or LPG. Electric and other zero-emission powered equipment is exempt from compliance inventory but will be included in average emission level calculations. In addition, diesel-powered equipment should not be included as part of compliance inventory. The regulations define small, medium, and large fleets below:

- Small Fleets are defined as 1 – 3 units.
- Medium Fleets are defined as 4 – 25 units.
- Large Fleets are defined as 26 or more units.

Detailed records of fleet should be kept on site (not sent to CARB) and include the following:

- Equipment type
- Make
- Model
- Serial Number
- Emission Certification Standard or Retrofit Verification level (see regulations for details)

Three or fewer forklifts and/or three or fewer non-forklift equipment in a fleet qualifies a facility as exempt from these regulations. (Note that a facility can have up to three forklifts and up to three pieces of GSE and still be exempt.) Forklift and non-forklift equipment are handled separately in the regulations. (Also note that in this initial inventory for compliance electric-powered equipment need not be included, but these pieces of equipment will help lower the average emission level if the facility is not exempt).

If a facility has four or more pieces of equipment, then it must comply with the following requirements.

**Table 2: Fleet Average Emission Level Standards
in grams per kilowatt-hour (brake-horsepower-hour)
of hydrocarbons plus oxides of nitrogen**

Fleet Type	Initial Compliance Date		
	1/1/2009	1/1/2011	1/1/2013
Large Forklift Fleet	3.2 (2.4)	2.3 (1.7)	1.5 (1.1)
Medium Forklift Fleet	3.5 (2.6)	2.7 (2.0)	1.9 (1.4)
Non-forklift Fleet	4.0 (3.0)	3.6 (2.7)	3.4 (2.5)

Reductions in the fleet average emission levels can be obtained by retrofitting existing equipment, purchasing newer equipment that meets the new California standards and/or substituting electric or zero-emission equipment. These practices will help reduce a facility's average emission level. (Note that CARB does not expect facilities to conduct tail pipe testing and emission estimates available from the manufacturer or defaults available on the Web site, www.arb.ca.gov, should be used).

CARB is allowing extensions for certain facilities with GSE to allow more time to comply. [Please click here to view the specific details of the extension procedure.](#)

NATA POSITION

NATA is concerned that the LSI compliance rulemaking process has excluded GSE operators but included the Air Transport Association which represents a majority of U.S. air carriers. Furthermore, the first compliance deadline is approaching, catching many ground handling companies by surprise. Although there are a number of compliance options for fleet operators, replacing or retrofitting equipment is extremely costly.

[To view a copy of the NATA letter sent to Governor Arnold Schwarzenegger, please click here.](#)

[To view of copy of the NATA letter sent to California Air Resources Board Chair Mary D. Nichols, please click here.](#)

ACTION NEEDED

NATA members are encouraged to seek a compliance extension if they meet the following criteria:

- A verified retrofit emission control system is not verified or not commercially available for GSE.
- Model year 1990 GSE or newer with an uncontrolled LSI engine that has no verified retrofit as of **January 1, 2007**, or that is not commercially available by that date, is excluded from the GSE fleet average emission level standards until January 2, 2011.
- Model year 1990 GSE or newer with an uncontrolled LSI engine with no verified retrofit as of **January 1, 2009**, or that is not commercially available by that date, is excluded from the GSE fleet average emission level standards until January 1, 2013.

Other compliance extensions for GSE:

- Operators may apply to the Executive Officer for an initial compliance extension of up to two years and one or more compliance extension renewals of up to one year for circumstances not addressed above. Extensions will be granted by the Executive Officer if the applicant has made a good faith effort to comply with the fleet average emission level standards. [More information can be found here.](#)

[Members may download a sample letter to send to the California Air Resources Board by clicking here.](#) Letters may also be faxed to California Air Resources Board Chair Mary Nichols at 916-327-5748.

STATUS

Earlier this month, the California Air Resources Board issued a Regulatory Advisory stating that it will not commence enforcement actions prior to April 1, 2009, at the earliest.

[A copy of this Regulatory Advisory can be reviewed by clicking here.](#)

While the enforcement postponement is helpful, NATA members are still strongly encouraged to **act today!!!**

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