

Environmental Quality Commission Meeting

Heavy-Duty Engine and Vehicle Exhaust Emission Standards Temporary Rulemaking

Agenda Item C, Action Item
Nov. 16, 2023

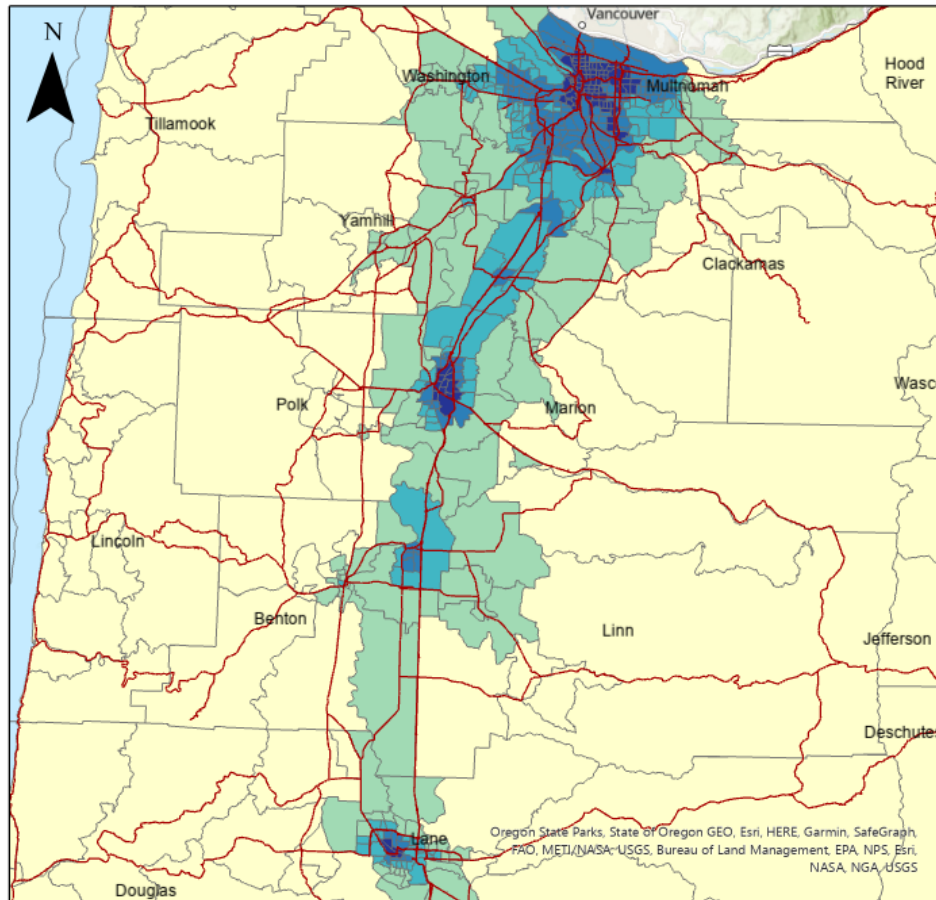
Background: Diesel Impacts



Willamette Valley 2019 ATS Cancer Risk- Diesel Particulate Matter

Cancer Risk By
Census Tract:
Lowest Risk Yellow
and Highest Dark
Blue

References:
EPA AirToxScreen (ATS) 2019
Ambient Concentration data for Diesel
PM; CAO Diesel PM Cancer Toxicity
Reference Value. Map made by AQ
Technical Services.

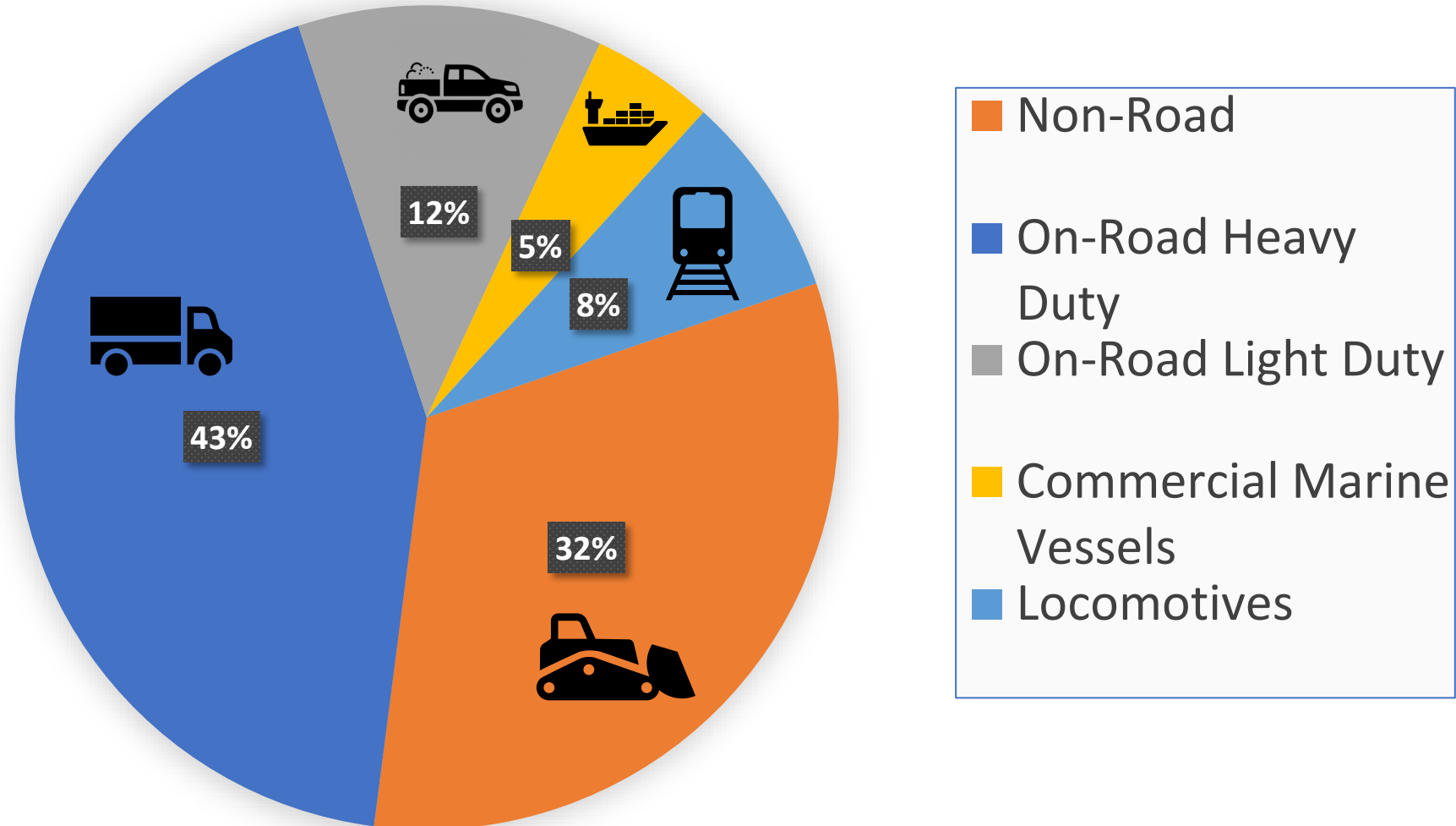


Date Map Created: 06/29/2023
Data Source: \\deqh1\1\Files\Area and Point Source Inventories\Presentations\EQC\DPM\Maps\2019
DPMqry_OR_DPM_TotalAmbConc.xlsx

- Diesel PM causes cancer and other negative health effects
- Diesel exhaust is a major contributor to smog-forming pollution
- Diesel exhaust disproportionately impacts communities of color

Background: Sources of Diesel Particulate

(2020 state level data)



Background: Heavy-Duty Low NOx Omnibus Rule

- Legal Authority
- Adopted by EQC in Nov. 2021
- Omnibus Rule Elements
 - Lower NOx and PM_{2.5}
 - New low load standard
 - Longer Warranty Periods
- Applicability
- Exemptions



Background: Timeline of Recent Actions

What has happened since Oregon adopted these rules?



Background: Legacy Engines & CARB Amendments

- Legacy engine sales – a transition flexibility
 - Emissions neutral
 - Excess emission offsets required
- CARB proposed Omnibus changes
 - Increase in volume of legacy engines that can be sold
 - Can sell legacy engine before compliant engine is certified
 - Offset projects can start as early as 2024

Proposed Temporary Rule

- Delays Omnibus implementation for one year
- Delayed implementation will allow:
 - More time for CARB to permanently adopt proposed amendments
 - Development of legacy engine offset project criteria
- Consequence of not delaying implementation
 - Potential rule challenge
 - Likely suspension of new on-road diesel engine sales

Environmental Justice & Stakeholder Involvement

- Disproportionate impacts of diesel exhaust
 - Risks associated with no delay
 - Least harm approach
- Stakeholder meetings
 - March through September
- Public Forum
 - Sept. 29



Next Steps

- Public event
- Notify manufacturers
- Work with CARB on CA proposed amendments
- Propose permanent rules by May 2024 to:
 - solidify the temporary rule
 - adopt the final CARB amendments
- Track amendments to the ACT rules

Requested EQC Action

DEQ recommends the Environmental Quality Commission:

- 1) Determine that failure to act promptly would result in serious prejudice to the public interest or the interests of the parties concerned as provided under the Justification section of the DEQ staff report; and
- 2) Adopt TEMPORARY rules as proposed in Attachment A as part of Chapter 340, Division 261 of the Oregon Administrative Rules to be effective Jan. 1, 2024