

# NY State Diesel Emission Law *FACT SHEET*

	New York State DEC DERA Part 248/249	New York City Local Law 77	Westchester County Department of Health
<b>Effective Date</b>	2009	2003	2006
<b>Enforcement Date</b>	1/1/2011	2006	9/1/2009
<b>Equipment Type Effected</b> <i>Exempt Equipment</i>	Onroad and Nonroad Vehicles <i>Nonroad Construction Vehicles</i> <i>Nonroad Vehicles under 50 HP</i>  <i>Onroad Vehicles under 8,500 lbs.</i>  <i>Engine meets EPA or CARB 2007 Standards</i>	Nonroad Vehicles  <i>Nonroad Vehicles under 50 HP</i>  <i>OEM Installed technology that surpasses EPA 2007 Standards</i>	Onroad and nonroad Vehicles <i>Delivery Vehicles</i> <i>Nonroad Vehicles under 50 HP</i> <i>Nonroad Vehicles on-site under 5 calendar days</i> <i>Onroad Vehicles under 14,000 lbs.</i>  <i>Engine meets EPA or CARB 2007 Standards</i>
<b>Fuel Requirements</b>	Ultra Low Sulfur Diesel (15 ppm)	Ultra Low Sulfur Diesel (15 ppm)	Ultra Low Sulfur Diesel (15 ppm)
<b>Best Available Technology (BAT)</b>  <b>Retrofit Categories</b>	Level 1: 25% Reduction w. Diesel Oxidation Catalyst  Level 2: 50% Reduction w/ Diesel Oxidation Catalyst + Flow Thru Filter  Level 3: 85% Reduction w/ Diesel Particulate Filter (DPF)	Level 1: 85% Reduction w/ Diesel Particulate Filter (DPF)  Level 2: 50% Reduction w/ Diesel Oxidation Catalyst + Flow Thru Filter  Level 3: 25% Reduction w. Diesel Oxidation Catalyst	Level 1: 85% Reduction w/ Diesel Particulate Filter (DPF)  Level 2: 50% Reduction w/ Diesel Oxidation Catalyst + Flow Thru Filter  Level 3: 25% Reduction w. Diesel Oxidation Catalyst
<b>Best Available Technology (BAT)</b> <b>Retrofit Waiver Conditions</b>	BAT unavailable or incompatible  Retrofit with approved device prior to February 12, 2010	BAT unavailable, incompatible or Safety Hazard	BAT unavailable, incompatible or Safety Hazard  Retrofit with Level 3 or better before September 1, 2009
<b>Waiver Length</b>	1 Year	180 Days	1 Year
<b>Reporting Requirements</b>	Annual Reporting - Equipment and Fuel Information and Usage	Monthly Reporting - Equipment and Fuel Information and Usage	Monthly Reporting - Equipment and Fuel Information and Usage
<b>Penalties</b>	Up to \$26k plus daily fines	Up to \$10k plus 2x money saved	Up to \$10k plus 2x money saved