

From: SCOUT LOGISTICS

Date: 12/12/2012

Re: CALIFORNIA AIR RESOURCES BOARD - TRANSPORT REFRIGERATION UNIT REGULATION

A MAJOR CHANGE IS COMING THAT WILL EFFECT REEFER FREIGHT TRANSITING CALIFORNIA

ARB/TRU

As the Air Resources Board (ARB) staff investigations have found a greater frequency of noncompliant carriers operating Transport Refrigeration Units (TRUs) that breach in-use engine emission standards, ARB has amended the Airborne Toxic Control Measure (ATCM) so that only TRU compliant carriers are authorized to transit California.

WHAT THIS MEANS:

ARB has instituted a compliance schedule detailing equipment standards (by age). TRU's will be deemed compliant only within 7 years of their engine model year - for example TRUs with an engine model year of 2005 will be compliant until December 31, 2012 and TRUs with an engine model year older than 2005 are therefore deemed to be non-compliant.

In order to bring TRUs up to compliance standards, older units may be replaced or be retrofitted with new VDEC filters:

- TRUs with engine years 2003 or newer **MUST** install level 3 VDEC filters (once installed the TRU will be deemed compliant indefinitely).
- TRUs with engine years 2003 or older may install level 2 VDEC filters which will extend the compliance period by 7 years of the original compliance schedule - for example a 2002 model year engine will have been non-compliant as of 2009. A replacement level 2 filter will extend the compliance period by 7 years of the original date, or 2016.

It is worth noting that beginning January 1, 2013, all persons found to be in violation of this regulation may be cited and subject to the penalty provisions set forth in the California Health and Safety Code (\$1,000 fine per occurrence).

WHAT CARRIERS NEED TO DO:

Carriers are required to become compliant by January 1, 2013. While it is not mandatory, Scout recommends that carriers register their equipment with ARB. This registration can be completed by going to the follow webpage:

<https://arber.arb.ca.gov/Welcome.arb?prg=tru>

WHAT SCOUT IS DOING:

Scout Logistics will be mandating that **ALL** carriers hauling loads transiting California be compliant with the associated regulations. Motor Carriers must **ONLY** dispatch trucks and trailers equipped with TRUs that comply with ARBs TRU ATCM in-use performance standards ¹ as of January 1st 2013.

Given that many of our partner carriers may already be compliant with ARB regulations, we are requesting that you contact us to confirm compliance so that we may update our records accordingly. We will follow up with all of you to ensure compliance and under **NO** circumstances will a shipment be dispatched to a non-compliant carrier who would be transiting California beginning January 1st, 2013.

Should you have any questions, concerns or comments please contact us so that we can assist in the registration/compliance process.

¹ <http://www.arb.ca.gov/diesel/tru/tru.htm#mozToclid728447>