



Local Law 39/Local Law 73 Annual Report Fiscal Year 2018

Local Law 39 (LL39) requires all City owned and operated diesel powered vehicles greater than 8,500 lbs., such as garbage collection trucks and DEP's truck fleet, to use ultra-low sulfur diesel (ULSD) to reduce pollutants. In order to lower the emission of harmful pollutants into the environment, these vehicles also must install emission reduction devices.

All on-road diesel vehicles are powered by ULSD (since the passage of LL39, the EPA has required ULSD to be sold nationwide for the on-road fleet). The City Council passed Local law 73 of 2013 (LL73) to further strengthen that the City fleet is using the cleanest vehicles. This law requires that as of January 1, 2017, 90% of on-road vehicles are equipped with Diesel Particulate filters. The City met this mandate by achieving a 93.49% compliance rate as shown in the Table for Q1 under the heading 'Percent of all Non-Emergency Vehicles in compliance'.

The answers below describe the status of the City's implementation of the law and respond to the specific questions set forth in Section 24-163.4 (g)(1) of the Administrative Code.

1. *What is the total number of diesel fuel powered motor vehicles owned or operated by each City agency? (Ad. Code 24-163.4(g)(1)(i))*

Please see table below for each City agency under the column 'All Non-Emergency Diesel Vehicles'. There are in total 6404 non-emergency vehicles owned or operated by the City.

AGENCY	TOTAL NUMBER OF PRE 2007 NON EMERGENCY DIESEL VEHICLES WITHOUT DPFs or MISSING DATA (1)	TOTAL NUMBER OF PRE 2007 NON EMERGENCY DIESEL VEHICLES RETROFITTED WITH DPFs	TOTAL NUMBER OF PRE 2007 NON EMERGENCY DIESEL VEHICLES LISTED FOR SALVAGE	IN PROGRESS OF INSTALLATION BY DCAS	TOTAL NUMBER OF PRE 2007 NON EMERGENCY DIESEL VEHICLES	TOTAL NUMBER OF 2007 AND LATER NON EMERGENCY DIESEL VEHICLES	ALL NON EMERGENCY DIESEL VEHICLES	PERCENT of All NON EMERGENCY DIESEL VEHICLES IN COMPLIANCE (2)
DCAS/DCAS CLIENTS	0	27	1	0	28	130	158	100.00%
DEP	11	78	43	0	133	419	552	97.83%
DOT	246	110	14	0	378	659	1037	75.51%
PARKS	9	12	5	0	27	568	595	98.32%
DSNY	141	157	0	0	298	3752	4050	96.52%
DOHMH	0	3	0	0	3	9	12	100.00%
TOTAL	407	387	63	0	867	5537	6404	93.49%

'(1) This column includes the 389 Diesel Vehicles that have a Diesel Oxidation Catalyst (DOC) installed. While LL73 calls for the tracking of DPF compliance, the reduction in diesel pollutants by using these devices should be noted.

'(2) Compliance includes units with retrofit DPFs, units purchased 2007 or later and governed by federal law on DPFs, units currently scheduled for salvage and units currently being retrofitted by DCAS.

2. *What is the number of such diesel fuel powered motor vehicles that used best available retrofit technology (BART) to reduce the emission of pollutants, including a breakdown by vehicle model and the type of technology used for each vehicle? (Ad. Code 24-163.4(g)(1)(iii))*

387

Refer to the table above for Q1 for the total under the column 'Total Number of Pre 2007 Non-Emergency Diesel Vehicles retrofitted with DPFs'.

The Table below shows a sample breakdown by vehicle model, type and technology.

Agency & Vehicle	BART Manufacturer	BART Type
DSNY Collection Truck	Clearie	Diesel Particulate Filter (DPF)
DSNY Collection Truck	Fleetguard	DPF
DSNY Mechanical Truck	Engine Control Systems	DPF
DPR 16 Yard Dump	OEM	DPF
DOT Utility Truck	ESW Thermacat	DPF
DOT Mack Dump Truck	Clearie	DPF
DOT Collection Truck	Engine Control Systems	DPF
DEP Mack CV713	Clearie	DPF
DEP Freightliner FL 70	HUG	DPF
DEP Sterling Acterra	HUG	DPF
DEP CAT L9500	Engine Control Systems	DPF
DEP Heavy Duty	ESW ThermaCat	DPF

Note: For a complete list of diesel equipment, engine details, and agency-specific vehicle counts, please contact DEP.

3. *What is the number of such diesel fuel powered motor vehicles that used other authorized technology in accordance with this section, including a breakdown by vehicle model and the type of technology used for each vehicle? (Ad. Code 24-163.4(g)(1)(iv))*

The table below shows a sample breakdown by vehicle model, type and technology.

Agency & Vehicle	BART Manufacturer	BART Type
DPR 16 Yard Packer	Donaldson	Diesel Oxidation Catalyst (DOC)
DOT Dump Truck Crew Cab	Nelson	DOC
DOT International 4700 LP	Cummings	DOC w/o CCV(technological concerns)

Note: For a complete list of diesel equipment, engine details, and agency-specific vehicle counts, please contact DEP.

4. *What were the number of such motor vehicles equipped with the applicable 2007 EPA standard for particulate matter as set forth in §86.007-11 of title 40 of the CFR? (24-163.4(g)(1)(v))*

5537

Refer to Table above for Q.1 under the column 'Total Number of 2007 and Later Non-Emergency Vehicles'.

5. *Were any findings made or waivers issued pursuant to §24-163.4(g)(1)(vii)?¹*
 No waivers were issued.

¹These waivers are granted for vehicles that do not use ultra-low sulfur diesel fuel. These waivers were contemplated during the enactment of this legislation, as it was uncertain a sufficient supply of vehicles that run on ULSDF would be available.