# NSC Technical Subcommittee Call Minutes – May 1, 2023

**Participation [by region]:**

2: Edward Bakos - **NJ**

3: Lee Ann Briggs & Carrie Wintersteen – **PA**

4: Jessica Dalton – **FL**; Donovan Grimwood – **TN**; Tony Pendola – **NC** and Sherry Waldron – **GA**

5: Samantha Connolly – **MN**;Lisa Ashenbrenner-Hunt, Jennifer Feyerherm & Renee Bashel - **WI** and Tracy Barnes, Hani Sharaya, Heath Dill, Kari Clevenger & Mark Stoddard – **IN**

6: Teri Waldron - **NM**

7: Allison Crowther – **KS**; Jennifer Wittenburg - **IA** and Bob Randolph - **MO**

8: Eleanor Divver - **UT**

9: Sydney Boogaard – **AZ**

**Presenter:** Tyler Salamasick, EPA Region 5

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| **Tech-Subcommittee:** [**https://nationalsbeap.org/sbeap/resources/subcommittees/technical**](https://nationalsbeap.org/sbeap/resources/subcommittees/technical)***\*\* This presentation was recorded and will be posted on the National SBEAP YouTube channel at*** <https://www.youtube.com/channel/UC5PupYpZ1W6IG8CtzCINK8Q> ***\*\******EPA’s Recent Efforts to Address****Tampering of Diesel Vehicles’ Emission Control Systems**Tyler Salamasick, EPA’s Region 5 Control Strategies SectionThe presentation will cover a brief description of how individuals and companies tamper with these federally required aftertreatment systems, the pervasiveness of the issue and the resulting negative environmental impacts caused by this illegal activity.**Bio****Tyler Salamasick**EPA Region 5Control Strategies Sectionsalamasick.tyler@epa.govTyler works on mobile source voluntary programs, State Implementation Plans and state inspection and maintenance programs in EPA’s Region 5 Control Strategies Section.He has a Bachelor of Biomedical Science from Grand Valley State University with an emphasis in human health. Prior to joining Region 5’s state and voluntary programs in 2022, he worked in air compliance and enforcement for 6 years.**References:**<https://ww2.arb.ca.gov/executive-orders-certifications-verifications> **Series C** – Experimental Permits for vehicle emission controls**Series D** – Aftermarket part & aftermarket catalytic converter exemptions**Series DE** – Verification of diesel emission control strategies“**Exempted parts are add-on or modified parts that have undergone a CARB engineering evaluation**. If the part or modification is shown to not increase vehicle emissions, it is granted an exemption to emission control system anti-tampering laws. This exemption is called an Executive Order (EO) and allows the modification to be installed on specific emission-controlled vehicles.” <https://ww2.arb.ca.gov/our-work/programs/aftermarket-performance-and-add-parts> **Big Boss Tuner** (example) - <https://ww2.arb.ca.gov/sites/default/files/aftermarket/devices/eo/d-773-3.pdf> **EPA Tampering Policy Memo, November 23, 2020**<https://www.epa.gov/sites/default/files/2020-12/documents/epatamperingpolicy-enforcementpolicyonvehicleandenginetampering.pdf>**Tips about conduct that might be illegal activity**—may be directed to the EPA’s Vehicle and Engine Enforcement Branch. Contact tampering@epa.gov **Emissions Tampering is illegal & pollutes our air poster**<https://www.epa.gov/system/files/documents/2021-11/antitamperingposter.pdf> **Tampering Pollutes Our Air pamphlet**<https://cleanairnortheast.epa.gov/pdf/tampering/anti-tampering-pamphlet.pdf> **Vehicle Aftermarket Defeat Devices & Tampering fact sheet, March 2020**<https://cleanairnortheast.epa.gov/pdf/tampering/aftermarket-mobile-fs.pdf> **Stopping Aftermarket Defeat Devices for Vehicles and Engines EPA National Compliance Initiative Framework,** November 2019 – attached with minutes**EPA Enforcement Alert - Aftermarket Defeat Devices and Tampering are Illegal and Undermine Vehicle Emissions Controls**, December 2020<https://www.epa.gov/sites/default/files/2020-12/documents/tamperinganddefeatdevices-enfalert.pdf> **Tampering & Aftermarket Defeat Devices – Clean Air Northeast** (includes federal enforcement, citizen suits, state/local laws & FAQ)<https://cleanairnortheast.epa.gov/tampering.html> **Q&A**1. Is there flexibility for maintenance/repair work done on emergency vehicles?
	1. There is no exemption from the prohibited acts for emergency vehicles. EPA’s regulations provide flexibilities for manufacturers of emergency vehicles in the certification process, but once manufactured the vehicle’s emission control system must remain in its certified configuration.
2. Do repair shops that repair emission controls (by replacing them with new emission control parts) have to keep the old catalyst/dpf (diesel particulate filter)/scr (selective catalytic reduction) for a period of time after the fix was complete?
	1. EPA’s 1986 Aftermarket Catalytic Converter Policy provides that installers should retain the replaced catalytic converters for at least 15 days from the date of installation.
3. Is there a public EPA policy for racing cars and emission control devices?
	1. Purpose-built race cars such as those used in NASCAR or IndyCar racing are excluded from regulation under the Clean Air Act. For street cars, the EPA’s longstanding approach is, as a matter of enforcement discretion, to not bring an enforcement action against a vehicle owner who removes or defeats emission controls on an EPA-certified motor vehicle as part of permanently converting it to a vehicle used solely for sanctioned competition and not on public roads. EPA’s civil enforcement program also routinely asks companies for information to support claims that the products they sell are in fact being used solely in motorsports and declines enforcement when a company can make that showing.

Also, if you know of anyone/group that could benefit from hearing our presentation please feel free to put them in contact with me and I would be happy to provide them with a webinar. Ideally, I am trying to focus on presenting this material for heavy duty mechanics or fleet managers but am open to other suggestions or ideas. **Future topics:** * **June 20:** ECHO Notify & Climate and the Economic Justice Screening Tool, Tony Pendola, NC & Leena Divakar, KSU
* **July 18: Effluent Guidelines updates including data collection regarding PFAS,** Jodie Opie, EPA Region V, Water Division
* **August 15:** New emission reduction techniques & harmonization of 40 CFR 60, Subpart MMa & the ALDT (Automobile & Light Duty Truck) NESHAP, Paula Hirtz, EPA
* **September 19:** TBD

**Next Call: June 20, 2023** 1 pm CDT (2 pm EDT) (3rd Tuesday of month) |