

**The State and Territorial Air Pollution Program Administrators
and the
Association of Local Air Pollution Control Officials
Multistate Clean Diesel Initiative**

**STATE NTE RULEMAKING EFFORTS
(March 2003)**

	STATE			STATUS OF RULEMAKING
1	California			<p><u>RULE ADOPTED</u></p> <p>The NTE rule was adopted by CARB on 12/8/00. The final package was filed with OAL on 6/12/01; OAL approved the rulemaking and filed it with the Secretary of State on 7/25/01. The regulation became effective on 7/25/01. On 10/26/01 a federal district court dismissed a suit brought by International based on CARB's argument that suit was not ripe. On 12/26/01 CARB requested that the EPA Administrator confirm that the NTE rule is within the scope of California's current HDD waiver, issued in 1988.</p>
2	North Carolina			<p><u>RULE ADOPTED</u></p> <p>The EMC voted to adopt the rule on 10/11/01. On 12/27/01, Governor Easley signed an E.O. making the rule effective on 12/31/01. The rule appeared in the NC Register on February 1, 2002 (with the 12/31/01 effective date reflected in the history).</p>
3	New Jersey			<p><u>RULE ADOPTED</u></p> <p>A rule adoption was signed 10/28/01 and filed with the state Office of Administrative Law 11/1/01 (the effective date is 60 days from that filing). The final rule was published in the NJ Register on 12/3/01.</p>
4	Maryland			<p><u>RULE ADOPTED</u></p> <p>The notice of final action was signed</p>

	STATE			STATUS OF RULEMAKING
				on 11/6/01 and published in the MD Register on 11/30/01. The rule took effect on 12/10/01.
5	Delaware			<u>RULE ADOPTED</u> The order was signed on 11/16/01. The regulation was published in the DE Register on 12/1/01 (Vol. 5, Issue 6, pp. 1302-1305) with an effective date of 12/11/01.
6	D.C.			<u>RULE ADOPTED</u> The final NTE rule, as adopted, was published in the DC Resister on 12/7/01, at which time it became effective.
7	Georgia			<u>RULE ADOPTED</u> The Board of Natural Resources adopted the NTE rule (as part of general air quality rules) on 12/5/01. The rule, "Heavy-Duty Diesel Engine Requirements," took effect on 12/26/01.
8	Massachusetts			<u>RULE ADOPTED</u> DEP filed the NTE rule with the Secretary of State on 12/6/01. The rule was published in the MA Register and took effect on 12/21/01.
9	Maine			<u>RULE ADOPTED</u> The Maine Board of Environmental Protection adopted the NTE rule on 12/6/01. The rule took effect on 12/22/01.
10	Texas			<u>RULE ADOPTED</u> The Texas Natural Resource Conservation Commission adopted NTE on 12/19/01.
11	Rhode Island			<u>RULE ADOPTED</u> The NTE rule was adopted on 12/19/01.
12	New York			<u>RULE ADOPTED</u>

	STATE			STATUS OF RULEMAKING
				The state filed an emergency adoption of the NTE rule on 12/26/01.
13	Pennsylvania			<u>RULE ADOPTED</u> The final NTE rule was published in the Pennsylvania Register on 5/11/02.
14	Connecticut			<u>RULE ADOPTED</u> The state adopted its NTE rulemaking on 3/4/03; the rule also took effect on 3/4/03.