

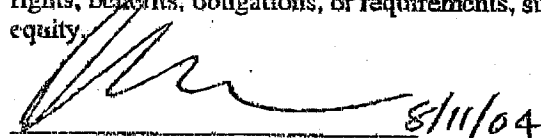
**Memorandum of Agreement
On-road Heavy-duty Diagnostic Regulation Development**


This agreement is entered into by the U.S. Environmental Protection Agency and the California Air Resources Board. We enter into this agreement to demonstrate to our collective staffs, the industries we regulate, and our other stakeholders that we are committed to working in a collaborative way toward developing a nationwide heavy-duty onboard diagnostic regulation.

The onboard diagnostic (OBD) system is a critical element of a comprehensive emission control system on today's high technology vehicles and engines. As such, OBD is an essential element of a comprehensive emission control program. The emissions standards slated to phase-in on new heavy-duty trucks beginning in 2007 represent one of the most significant emission control programs in our history. These standards will result in the incorporation of aftertreatment devices that are capable of reducing harmful emissions from gasoline and diesel trucks by more than 90 percent. An effective OBD system on these trucks will serve to ensure that the full air quality benefits associated with these new emissions standards are ultimately realized by identifying if and when the aftertreatment devices, the sensors upon which they depend, and the complete emission control system are not working as designed. Heavy-duty trucks are one of the major means of transporting goods throughout the United States. Due to the highly mobile, regional, and often cross-country nature of these pollution sources, maintaining a nationwide approach to emissions control on these vehicles clearly is desirable.

This agreement is important for many reasons, including the expected widespread application of PM and NOx aftertreatment technology to heavy-duty engines and vehicles in the 2010 time frame, as well as the non-integrated nature of the heavy-duty engine and vehicle market place which may require new and innovative approaches for the application of on-board diagnostics. We recognize that our two staffs bring a unique but complementary set of skills to this effort. CARB staff brings extensive light-duty OBD regulatory development and in-use experience, and CARB has adopted an Engine Manufacturer Diagnostics regulation applicable to 2007 model year heavy-duty on-road engines. EPA staff brings extensive experience in the areas of heavy-duty diesel engines and diesel aftertreatment emission controls and access to a world class heavy-duty emissions testing laboratory. By partnering on this effort, we jointly present not only a single voice to our stakeholders but also a complete set of skills and resources upon which to draw.

This document reflects EPA's and CARB's commitment to cooperate as partners towards development of a nationwide heavy-duty OBD regulation through parallel rulemaking processes with the objective of implementing the program no later than 2010. Note that this voluntary Memorandum of Agreement does not supplant the notice and comment process, nor does it imply a commitment of funds or other resources from one agency to another. Both parties' participation in this Memorandum of Agreement is subject to the availability of appropriated funds. The activities undertaken in connection with this Memorandum of Agreement are not intended to provide services to the Federal government or the California government and both parties agree not to seek compensation from the other agency for this work. This Memorandum of Agreement does not negate any existing legal right or requirements, nor does it create any new legal rights, benefits, obligations, or requirements, substantive or procedural, under state or federal law, or equity.


Chet France, Director (Date) 8/11/04
Assessment and Standards Division
Office of Transportation and Air Quality
U.S. Environmental Protection Agency


Tom Cackette (Date) 8/11/04
Chief Deputy Executive Officer
California Air Resources Board