

Senate Resolution 109

By: Senators Tolleson of the 20th, Mullis of the 53rd, Balfour of the 9th, Pearson of the 51st and Stoner of the 6th

A RESOLUTION

1 Creating the Joint Study Committee on the Retrofit of Diesel Engines; and for other
2 purposes.

3 WHEREAS, a total of 27 full or partial counties in Georgia are classified by the United
4 States Environmental Protection Agency (EPA) as "nonattainment areas" for not meeting the
5 federal air quality standards for ground level ozone, particulate matter, or both, including 20
6 counties in metro Atlanta as well as areas surrounding Macon, Rome, and Chattanooga; and

7 WHEREAS, additional areas around Georgia, including Athens-Clarke County, Augusta, and
8 Columbus, are experiencing air quality levels above the national health standard limits; and

9 WHEREAS, these areas are fast growing, could be adversely affected by continued growth,
10 and ultimately could be designated as "nonattainment areas" in the near future; and

11 WHEREAS, a designation of nonattainment could jeopardize economic development and
12 additional growth in those areas; and

13 WHEREAS, federal transportation funding could be jeopardized if those areas continue to
14 exceed the federal air quality standards; and

15 WHEREAS, diesel engines play an essential role in Georgia's economy through powering
16 the majority of our port, rail, construction, and agriculture industries, as well as our
17 emergency systems; and

18 WHEREAS, the United States Environmental Protection Agency lists diesel particulate
19 matter plus diesel exhaust organic gases as a mobile source air toxic; and

20 WHEREAS, stringent federal emissions standards have been adopted for all new diesel
21 engines; and

22 WHEREAS, "legacy" diesel engines, which include those on-road engines built prior to 2007
23 and nonroad engines built prior to 2011, were manufactured under less stringent or
24 nonexistent federal rules; and

25 WHEREAS, by retrofitting "legacy" engines, emissions can immediately be reduced by 30
26 to 90 percent, depending on the type of retrofit applied and the size of the engine; and

27 WHEREAS, retrofitting durable diesel engines provides long-lasting environmental and
28 public health benefits, yet vehicle and equipment owners, the majority of which are small
29 companies, could likely experience financial hardships in paying for the cost of retrofit
30 equipment; and

31 WHEREAS, federal funds are currently available for use in Georgia to address this problem
32 through the Congestion Mitigation and Air Quality Fund (CMAQ) and the Diesel Emissions
33 Reduction Act (DERA); and

34 WHEREAS, additional outreach is needed to inform and educate fleet owners about the
35 availability of existing funding and retrofit options available; and

36 WHEREAS, federal funds are insufficient to retrofit the tens of thousands of diesel vehicles
37 and pieces of equipment in the State of Georgia; and

38 WHEREAS, additional incentives and funding from the federal government are needed to
39 encourage retrofitting of "legacy" diesel engines by vehicle and equipment owners, public
40 and private; and

41 WHEREAS, federal funding for an inventory of diesel engines is needed to gauge the extent
42 and complexity of this issue and how best to address it; and

43 WHEREAS, education and outreach on the air quality benefits to be attained by retrofitting
44 "legacy" engines and equipment is needed for fleet owners of diesel powered vehicles and
45 equipment.

46 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
47 GEORGIA that there is created the Joint Study Committee on the Retrofit of Diesel Engines,
48 to be composed of 22 members as follows:

49 (1) Five members of the House of Representatives, including the chairperson of the
50 House Committee on Natural Resources and Environment and four members to be
51 appointed by the Speaker of the House from among the membership of the House
52 Committee on Appropriations, the House Committee on Transportation, and the House
53 Committee on Natural Resources and Environment;

54 (2) Five members of the Senate, including the chairperson of the Senate Natural
55 Resources and the Environment Committee and four members to be appointed by the
56 President of the Senate from among the membership of the Senate Appropriations
57 Committee, the Senate Transportation Committee, and the Senate Natural Resources and
58 the Environment Committee; and

59 (3) Twelve persons who are not members of the General Assembly, to be appointed by
60 mutual agreement of the Speaker of the House and the President of the Senate, including
61 one person from each of the following groups:

- 62 (A) Southern Alliance for Clean Energy;
- 63 (B) Mothers & Others for Clean Air at the Georgia Conservancy;
- 64 (C) American Lung Association, Southeast Region;
- 65 (D) Georgia Conservation Voters;
- 66 (E) Clean Energy Strategies, LLC;
- 67 (F) Clean Air Task Force;
- 68 (G) Diesel Technology Forum;
- 69 (H) Engine Manufacturers Association;
- 70 (I) Georgia Equipment Distributors Association;
- 71 (J) Georgia Highway Contractors Association;
- 72 (K) Georgia Chamber of Commerce; and
- 73 (L) Georgia Construction Aggregators Association.

74 The chairperson of the House Committee on Natural Resources and Environment and the
75 chairperson of the Senate Natural Resources and the Environment Committee shall serve as
76 cochairpersons of the study committee. The committee shall meet upon the call of either
77 cochairperson.

78 BE IT FURTHER RESOLVED that the committee shall:

79 (1) Study the air quality benefits to be derived from the retrofit of diesel engines, with
80 emphasis on the reduction of particulate matter;

81 (2) Evaluate various incentives that will encourage diesel engine owners to retrofit their
82 engines and investigate the availability of funding for grants and other funding sources
83 that might be made available to diesel engine owners for this purpose;

84 (3) Investigate the potential need for other approaches to reduce diesel exhaust; and

85 (4) After providing notice, a hearing, and the opportunity for comment from the public,
86 including interested citizens, air quality experts, diesel powered vehicle and equipment
87 owners, and industry specialists, recommend any administrative action or legislation that
88 the committee deems necessary or appropriate to encourage retrofitting and upgrading
89 of in-use diesel engines.

90 The committee may conduct such meetings at such places and at such times as it may deem
91 necessary or convenient to enable it to exercise fully and effectively its powers, perform its
92 duties, and accomplish the objectives and purposes of this resolution. The legislative
93 members of the committee shall receive the allowances authorized for legislative members
94 of interim legislative committees but shall receive the same for not more than five days
95 unless additional days are authorized. No allowance shall be paid to other members of the
96 committee. The funds necessary to carry out the provisions of this resolution shall come
97 from the funds appropriated to the House of Representatives and Senate. The committee
98 shall submit a report of its findings and recommendations no later than December 1, 2009.
99 The committee shall stand abolished on December 31, 2009.