

Senate Resolution 667

By: Senator Tolleson of the 20th

### A RESOLUTION

1 Creating the Senate Retrofit of Diesel Engines Study Committee; and for other purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that there is created the Senate  
46 Retrofit of Diesel Engines Study Committee, to be composed of 19 members as follows:

47 (1) Three members of the Senate, including the chairperson of the Senate Natural  
48 Resources and the Environment Committee and two members to be appointed by the

49 President of the Senate from among the membership of the Senate Transportation  
50 Committee and the Senate Natural Resources and the Environment Committee; and  
51 (2) Sixteen persons who are not members of the General Assembly, to be appointed by  
52 the President of the Senate, including one person from each of the following groups:

- 53 (A) Southern Alliance for Clean Energy;
- 54 (B) Mothers & Others for Clean Air at the Georgia Conservancy;
- 55 (C) American Lung Association, Southeast Region;
- 56 (D) Georgia Conservation Voters;
- 57 (E) Clean Energy Strategies, LLC;
- 58 (F) Clean Air Task Force;
- 59 (G) Diesel Technology Forum;
- 60 (H) Engine Manufacturers Association;
- 61 (I) Georgia Equipment Distributors Association;
- 62 (J) Georgia Highway Contractors Association;
- 63 (K) Georgia Chamber of Commerce;
- 64 (L) Georgia Construction Aggregators Association;
- 65 (M) Georgia Railroad Association;
- 66 (N) Georgia Farm Bureau;
- 67 (O) Georgia Forestry Association; and
- 68 (P) Georgia Mining Association.

69 The chairperson of the Senate Natural Resources and the Environment Committee shall serve  
70 as chairperson of the study committee. The committee shall meet upon the call of the  
71 chairperson.

72 BE IT FURTHER RESOLVED that the committee shall:

- 73 (1) Study the air quality benefits to be derived from the retrofit of diesel engines, with  
74 emphasis on the reduction of particulate matter;
- 75 (2) Evaluate various incentives that will encourage diesel engine owners to retrofit their  
76 engines and investigate the availability of funding for grants and other funding sources  
77 that might be made available to diesel engine owners for this purpose;
- 78 (3) Investigate the potential need for other approaches to reduce diesel exhaust; and
- 79 (4) After providing notice, a hearing, and the opportunity for comment from the public,  
80 including interested citizens, air quality experts, diesel powered vehicle and equipment  
81 owners, and industry specialists, recommend any administrative action or legislation that  
82 the committee deems necessary or appropriate to encourage retrofitting and upgrading  
83 of in-use diesel engines.

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