



**Environmental  
Protection**

## **LOCAL LAW AIR REPORTS**

**FISCAL YEAR 2014**





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## **Local Law 38 Annual Report Fiscal Year 2014**

This report details New York City's purchase of fuel efficient light and medium duty cars (typically, cars and vans respectively). The aim of Local Law 38 (LL38) is to achieve a 20% reduction in fuel consumption by 2015 and thereafter as compared to baseline fuel efficiency data from 2004. This drop in fuel consumption would reduce the amount of greenhouse gas being released and would also improve the city's air quality.

The milestones in the legislation are as follows:

- October 1, 2005: The City will complete a fuel economy inventory of all light-duty vehicles purchased by the City during Fiscal Year 2005 and will calculate the average fuel economy of these vehicles.
- July 1, 2006: Each light-duty vehicle and medium-duty vehicle that the City purchases will achieve the highest California LEV II standards. The City will also achieve a 5% increase in average fuel economy in all light duty vehicles.
- January 1, 2007: The City will report for the last time, whether it has complied with the Local Law standard that 80% of the light duty vehicles are alternative fuel vehicles.

Following the July 2006 fuel economy milestone, the City is to achieve an increase of 8% in average fuel economy in 2007; 10% in 2008; 12% in 2009; 15% in 2010; 18% by 2012; and 20% for fiscal year 2015 and thereafter.

As of Fiscal Year 2014, the City exceeded the mandated 18% increase in fuel economy for light duty vehicles. Gasoline usage by light and medium duty vehicles has decreased from 2005, but diesel consumption increased because emergency services makes greater use of the gas card program for diesel fueling. This trend does not represent total fuel use which combines in-house and gas card (private) fueling. The City exceeded the legislative goal that 95% of purchases be of the lowest polluting vehicles in their class, by purchasing 97.6% of the City's fleet in the lowest polluting class. The City made a policy decision to purchase CNGs which are in a lower polluting category than the non CNG vehicles. However, not all agencies have the capacity for this charging infrastructure. Had the City not purchased these CNGs, the City would have purchased 100% of the vehicles in the lowest polluting category.

The answers below describe the status of the City’s implementation of the law and respond to the specific questions posed in the legislation.<sup>1</sup>

1. *What is the total number of light-duty vehicles and medium-duty vehicles purchased by each agency?*

<b>Agency</b>	<b>Light Duty</b>	<b>Medium Duty</b>	<b>Total</b>
Dept. of Health & Mental Hygiene (DOHMH)	2	0	2
Dept. of Environmental Protection (DEP)	102	33	135
Dept. of Transportation (DOT)	76	18	94
Dept. of Citywide Administrative Services (DCAS)	201	45	246
Dept. of Sanitation (DSNY)	49	2	51
Dept. of Parks & Recreation (DPR)	28	71	99
Dept. of Correction (DOC)	5	14	19
Dept. of Education (DOE)	24	11	35
<b>Total</b>	<b>487</b>	<b>194</b>	<b>681</b>

\* FDNY and PD are exempt from this reporting requirement as they are emergency vehicles. PD purchased 1,004 light and medium duty vehicles and FDNY purchased 125 light and medium duty vehicles.

2. *What is the total number of light and medium duty vehicles purchased in each rating category, disaggregated by vehicle model?*

- a. *The total number of zero emission vehicles (ZEV) purchased;*
- b. *The total number of advanced technology partial zero emission vehicles (ATPZEV) purchased;*
- c. *The total number of partial zero emission vehicles (PZEV) purchased;*
- d. *The total number of super ultra-low emission vehicles (SULEV) purchased;*
- e. *The total number of ultra-low emission vehicles (ULEV) purchased; and*
- f. *The total number of low emission vehicles (LEV) purchased.*

<b>Total ZEV</b>	<b>Total ATPZEV</b>	<b>Total PZEV</b>	<b>Total SULEV</b>	<b>Total ULEV</b>	<b>Total LEV</b>	<b>Vehicle Total</b>
63	304	0	62	252	0	681

Note: Please see Attachment A for the breakdown of the above numbers disaggregated by vehicle model. It shows that the vehicles purchased were within the highest fuel efficiency ratings.

3. *How many Alternative Fuel Buses were purchased?*

Zero buses were purchased.

<sup>1</sup>Section 24-163.1 (e)(1) of the Administrative Code sets forth seven questions to which the Annual Report is required to provide an answer.

4. *What is the percentage of light and medium duty vehicles purchased as the lowest polluting vehicle in each category? Target of 95%.*

<b>Lowest Category</b>	<b>Other</b>	<b>Vehicle Type</b>
367*	0	Medium Size Sedan
33	0	Regular Size Van
50	0	Small-size Sports Utility
5	0	Mid-size Sports Utility
8	0	Large size Sports Utility
9	0	Light Duty Vans
62	47**	Medium Duty Vans
85	0	Medium Duty Pick-ups
15	0	Light Duty Pick-ups
<b>Total: 634</b>	<b>Total: 47</b>	
<b>Total: 97.6%(accounting for the 5% exemption)</b>		

\*As per 24-163.1(b)(2), the city shall not be required to purchase a zero emission vehicle or advanced technology partial zero emission vehicle in accordance with paragraph one of this subdivision if the only available vehicle or vehicles that achieve such a rating cost greater than fifty percent more than the lowest bid as determined by the applicable procurement process for a vehicle available in the next highest rating category that meets the requirements for the intended use by the city of such vehicle. EVs and plug-in vehicles fall within this exception.

\*\*As per 24-163.3 (b)(3) five percent of light and medium duty vehicles are not subject to the purchasing requirements. All 62 vehicles are CNGs and not all vehicles have the charging infrastructure to purchase them.

5. *What is the average fuel economy of light duty vehicle purchases?*

The average fuel economy is 50.8 miles per gallon. Please see Attachment B for details.

6. *If a vehicle was not purchased in the highest fuel rating category, what was the basis for purchasing a vehicle in the next highest fuel rating category?*

A waiver is needed from DEP in order to select a vehicle in the next rating category. In FY 2014, DEP issued no waivers.

7. *What is the percentage increase in fuel economy? Target of 5% to 20%.*

The increase in average fuel economy was 50.8%, which exceeds the required reduction of 18% by Fiscal Year 2014. The baseline 2005 average fuel economy was 31.1 miles per gallon.

8. *What is the estimated amount of fuel consumed by motor vehicle, disaggregated by vehicle type?*

The chart below is based on the Gas Card System which shows an increase in consumption of diesel since 2005. The increase in diesel use is because emergency services makes greater use of the gas card program for diesel fueling. This trend does not represent total fuel use which combines in-house and gas card (private) fueling. There was a decrease in gasoline consumption across the entire city fleet (light and medium duty vehicles) since 2005 as well as in FY 2014, when 2,674,269 gallons were consumed.

<b>2005 Gallons of Diesel</b>	<b>2014 Gallons of Diesel</b>
337,554	1,058,145

<b>2005 Gallons of Gasoline</b>	<b>2014 Gallons of Gasoline</b>
2,828,217	2,674,279

9. *What is the estimated total amount of equivalent carbon dioxide emitted for each type of fuel consumed by motor vehicles, disaggregated by fuel type?*

<b>CO<sub>2</sub> Calculations for LL38 Fiscal Year 2014</b>		
<b>Year</b>	<b>2005</b>	<b>2014</b>
Gasoline Consumed (gal)	2,828,217	2,674,279
CO <sub>2</sub> emissions (lbs)	54,867,410	51,881,012.6
Diesel Consumed (gal)	337,554	1,058,145
CO <sub>2</sub> emissions (lbs)	7,493,699	23,490,819
Total CO <sub>2</sub> Emissions (lbs)	62,361,109	75,371,831.6
Reduction (lbs)	NA	(13,010,722.6)
Reduction (%)	NA	(20.86)

Note: As diesel fuel consumption increased, so too did the emission of CO<sub>2</sub>. The diesel consumption is all inclusive, and includes other than vehicles, including but not limited to generators. DCAS is working on a more refined system to better include only those vehicles that use diesel. In addition, equipment used for snow removal increased diesel consumption in FY 14.



## Emissions Ratings on City Requirements Contracts for Fiscal Year 2014

### Attachment A

Vehicle Type	ZEV	AT PZEV	PZEV	LEV II SULEV	LEV II ULEV	LEV II LEV
<b>Light Duty Vehicles</b>						
Medium Sedan						
Toyota Prius, Hybrid		4				
Toyota Camry, Hybrid		30				
Chevrolet Volt	8*					
Toyota Prius		188				
Ford Fusion, Hybrid		82				
Nissan Leaf EV	55*					
Regular Size Van						
Ford Transit Connect					22	
Toyota Sienna					1	
Dodge Grand Caravan					10	
Small-Size Sports Utility Vehicles						
Ford Escape					50	
Mid-Size Sports Utility Vehicles						
Ford Explorer					5	
Large Sport Utility Vehicles						
Ford Expedition					2	
GMC Yukon					6	
Light Duty Vans						
Ford E-150					9	
<b>Medium Duty Vehicles</b>						
Medium Duty Vans						
Ford E-250					2	
Ford E-350					16	
Ford Club Wagon E 350					21	
Chevrolet Express					8	
Chevrolet Express CNG				62		
Medium Duty Pickups						
Ford F-250					85	
Light Duty Pickups						
Ford F 150					15	

## **Emission Ratings**

(as defined by the California Air Resources Board)

[www.driveclean.ca.gov](http://www.driveclean.ca.gov)

### **ZEV: Zero Emission Vehicles**

ZEVs have zero tailpipe emissions and are 98% cleaner than the average new model year vehicle. These include battery electric vehicles and hydrogen fuel cell vehicles.

### **AT PZEV: Advanced Technology PZEVs**

AT PZEVs meet the PZEV requirements and have additional “ZEV-like” characteristics. A dedicated compressed natural gas vehicle or a hybrid vehicle with engine emissions that meet the PZEV standards would be an AT PZEV.

### **PZEV: Partial Zero Emission Vehicle**

PZEVs meet SULEV tailpipe emission standards; have zero evaporative emissions and a 15 year/150,000 mile warranty. No evaporative emissions means that they have fewer emissions while being driven than a typical gasoline car has while just sitting.

### **SULEV: Super Ultra Low Emission Vehicle**

SULEVs are 90% cleaner than the average new model year car.

### **ULEV: Ultra Low Emission Vehicles**

ULEVs are 50% cleaner than the average new model year car.

### **LEV: Low Emission Vehicle**

Minimum rating that will meet California Air Resources Board standards.

**Citywide Light Duty Vehicle Purchases Fiscal Year 2014  
Calculation If Average City Mileage As Required For LL38 Reporting**

**Attachment B**

<b>TYPE VEHICLE</b>	<b>NUMBER PROCURED IN FY'14</b>	<b>FUEL TYPE</b>	<b>EPA MPG CITY</b>	<b>WEIGHTED FACTOR (COL. B x COL. C)</b>
CHEVROLET VOLT	8	ELECTRIC/GAS	98	784
DODGE GRAND CARAVAN	10	GAS	17	170
FORD E150	9	GAS	13	117
FORD ESCAPE	50	ELECTRIC/GAS	22	1,100
FORD EXPEDITION	2	GAS	14	28
FORD EXPLORER	5	GAS	17	85
FORD F150	15	GAS	17	255
FORD FUSION HYBRID	82	ELECTRIC/GAS	44	3,608
FORD TRANSIT CONNECT	22	GAS	21	462
GMC YUKON	6	GAS	15	90
NISSAN LEAF	55	ELECTRIC	126	6,930
TOYOTA CAMRY HYBRID	30	ELECTRIC/GAS	43	1,290
TOYOTA PRIUS HYBRID	192	ELECTRIC/GAS	51	9,792
TOYOTA SIENNA	1	GAS	18	18
<b>GRAND TOTALS</b>	<b>487</b>			<b>24,729</b>
<b>AVERAGE CITY MILEAGE FOR LIGHT DUTY VEHICLES PURCHASED IN FY'14</b>				<b>50.8</b>

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**Local Law 39 Annual Report Fiscal Year 2014**

Local Law 39 (LL39) requires all City owned and operated diesel powered vehicles greater than 8,500 lbs., such as garbage collection trucks and DEP’s truck fleet, to use ultra-low sulfur diesel (ULSD) to reduce pollutants. In order to lower the emission of harmful pollutants into the environment, these vehicles also must install emission reduction devices.

All on-road diesel vehicles are powered by ULSD (since the passage of LL39, the EPA has required ULSD to be sold nationwide for the on-road fleet). As of Fiscal Year 2014, 98% of the required vehicles used an emission reduction device, which falls slightly short of the required mandate of 100% by Fiscal Year 2014.

The answers below describe the status of the City’s implementation of the law and respond to the specific questions set forth in Section 24-163.4 (g)(1) of the Administrative Code.

1. *What is the total number of diesel fuel powered motor vehicles owned or operated by each City agency? (Ad. Code 24-163.4(g)(1)(i))*

<b>Agency</b>	<b>Vehicles Owned as of June 30, 2014</b>
DEP	558
DSNY	3,668
DPR	569
DOT	922
DCAS	93
<b>Total</b>	<b>5,810</b>

2. *What is the number of such diesel fuel powered motor vehicles that were powered by ULSD? (Ad. Code 24-163.4(g)(1)(ii))*

<b>Agency</b>	<b>ULSD Vehicles as of June 30, 2014</b>
DEP	558
DSNY	3,668
DPR	569
DOT	922
DCAS	93
<b>Total</b>	<b>5,810</b>

3. *What is the number of such diesel fuel powered motor vehicles that used best available retrofit technology (BART) to reduce the emission of pollutants, including a breakdown by vehicle model and the type of technology used for each vehicle? (Ad. Code 24-163.4(g)(1)(iii))*

Agency	Vehicles Owned	Vehicles Retrofitted	Vehicles Retrofitted with Other Technology*	2007 or Newer Vehicles	Number of Vehicles to be retrofitted	% Complete
DEP	558	228	118	181	31	94%
DSNY	3,668	0	401	3,247	20	99%
DPR	569	0	188	372	7	98%
DOT	922	117	474	298	32	96%
DCAS	93	25	0	64	4	96%
<b>Total</b>	<b>5,810</b>	<b>370</b>	<b>1,181</b>	<b>4,162</b>	<b>94</b>	<b>98%</b>

Of the vehicles to be retrofitted:

- Notes: DCAS (3 slated for retirement, 1 to be done FY2016)  
 DEP (7 pending relinquishment, 3 Emergency Responders, and 21 'CAP FLEET 13').  
 CAP FLEET means replacements are funded.  
 We considered DOCs as Other technology.  
 The Clean Cat DOC in DOT is not verified. It is not clear if they have all been replaced.

4. *What is the number of such diesel fuel powered motor vehicles that used other authorized technology in accordance with this section, including a breakdown by vehicle model and the type of technology used for each vehicle? (Ad. Code 24-163.4(g)(1)(iv))*

Agency & Vehicle	BART Manufacturer	BART Type
DSNY Collection Truck	Clearie	Diesel Particulate Filter (DPF)
DSNY Collection Truck	Fleetguard	DPF
DSNY Mechanical Truck	Engine Control Systems	DPF
DPR 16 Yard Packer	Donaldson	Diesel Oxidation Catalyst (DOC)
DPR 16 Yard Dump	OEM	DEP
DOT Utility Truck	ESW Thermacat	DPF
DOT Mack Dump Truck	Clearie	DPF
DOT Collection Truck	Engine Control Systems	DPF
DOT Dump Truck Crew Cab	Nelson	DOC
DEP Mack CV713	Clearie	DPF
DEP Freightliner FL 70	HUG	DPF
DEP Sterling Acterra	HUG	DPF
DEP CAT L9500	Engine Control Systems	DPF
DOT International 4700 LP	Cummings	DOC w/o CCV(technological concerns)

Note: For a complete list of diesel equipment, engine details, and agency-specific vehicle counts, please contact DEP.

5. *What were the number of such motor vehicles equipped with the applicable 2007 EPA standard for particulate matter as set forth in §86.007-11 of title 40 of the CFR? (24-163.4(g)(1)(v))*

As the chart for question three shows, there were 4,162 vehicles from 2007 or newer certified to these requirements.

6. *Were any findings made or waivers issued pursuant to §24-163.4(g)(1)(vii)?<sup>2</sup>*

No waivers were issued.

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<sup>2</sup>These waivers are granted for vehicles that do not use ultra-low sulfur diesel fuel. These waivers were contemplated during the enactment of this legislation as it was uncertain a sufficient supply of vehicles that run on ULSD would be available.

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**Local Law 40 Annual Report Fiscal Year 2014**

Local Law 40 (LL40) requires all contractors managing the City’s solid waste disposal program or recycling program for the Department of Sanitation to use ultra-low sulfur diesel fuel (ULSD). It also requires these vehicles to be equipped with emissions reduction technology to reduce the pollutants their vehicles emit into the environment.

As of Fiscal Year 2014, all contractor vehicles were in compliance with this legislation or had received an appropriate waiver.

Below are answers to the questions posed in the legislation describing the City’s status in achieving these milestones. The data for these questions was provided from the Department of Sanitation and their contractors.

1. *What is the total number of diesel fuel-powered motor vehicles and diesel powered off road vehicles, respectively, used in the performance of solid waste contracts or recyclable materials contracts? (Ad. Code 24-163.5(j)(1)(i))*

There were 61 vehicles used for these contracts and all of them are off road vehicles.

No.	Type of Vehicle	Model	Year	Technology
1	Loader	CAT 966	1996	ESW/Thermacat ADPF
2	Loader	CAT 950	1994	ESW/Thermacat ADPF
3	Front Loader	WA-500	1996	DCL MINE-X Sootfilter
4	Front Loader	WA-500	1997	DCL MINE-X Sootfilter
5	Excavator	PC 200	1998	DCL MINE-X Sootfilter
6	Excavator	PC 300	1998	DCL MINE-X Sootfilter
7	Waste Handler	WA-470	2010	DCL MINE-X Sootfilter
8	Waste Handler	CAT-966H	2008	DCL MINE-X Sootfilter
9	Wheel Loader	L180F	2008	HUSS/ADPF
10	Wheel Loader	L180F	2008	HUSS/ADPF
11	Forklift	H80FT	2007	HUSS/ADPF
12	Wheel Loader	L70	2009	HUSS/ADPF
13	Excavator	EC300	2014	Tier 4i
14	Container Handler	SK122467	1993	HUSS/ADPF
15	Container Handler	975	2012	Tier 4i
16	Railcar Switcher	SS4600	2000	HUSS/ADPF
17	Railcar Switcher	SWX 465	2002	HUSS/ADPF
18	Wheel Loader	L180	2012	Tier 4i
19	Wheel Loader	L60	2012	Tier 4i
20	Excavator	330	2007	HUSS/ADPF

No.	Type of Vehicle	Model	Year	Technology
21	Excavator	325MH	2005	HUSS/ADPF
22	Compactor	826H	2007	HUSS/ADPF
23	Wheel Loader	980H	2007	HUSS/ADPF
24	Wheel Loader	L 180 G	2013	Tier 4i
25	Wheel Loader	L70E	2008	HUSS/ADPF
26	Compactor	826G	2005	ESW/ADPF
27	Rail Switcher	SWX525BE	2010	HUSS/ADPF
28	Rail Switcher	SWX605C	2007	HUSS/ADPF
29	Wheel Loader	L180	2008	HUSS/ADPF
30	Wheel Loader	L180	2008	THERMACAT/ADPF
31	Wheel Loader	L180	2002	HUSS/ADPF
32	Forklift	H80FT	2007	HUSS/ADPF
33	Wheel Loader	L150	2012	Tier 4i
34	Loader	CAT 966D	1987	*DCL/DOC
35	Loader	CAT 966E	1990	*DCL/DOC
36	Top Pick / Kalmar	DCF410CSG	2006	Claire Phoenix
37	Top Pick / Kalmar	DCF410CSG	2006	Claire Phoenix
38	Skid Loader	Bobcat S220	2006	Waiver/Custom ECS DOC
39	Switcher Yard Jocky	Ottawa 4X2	2007	Claire Phoenix
40	Switcher Yard Jocky	Ottawa 4X2	2007	Claire Phoenix
41	Switcher Yard Jocky	Ottawa 4X2	2007	Claire Phoenix
42	Mech. Broom	Elgin/ Pelican	2006	Claire Phoenix
43	Front Loader	CAT 962G	1999	DCL Mine-X Sootfilter
44	Front Loader	CAT 966H	2010	DCL Mine-X Sootfilter
45	Skid Steer Loader	Bobcat 863	2002	Waiver Issued/BAT Unavailability
46	Front Loader	CAT 966H	2010	DCL Mine-X Sootfilter
47	Skid Steer Loader	Bobcat S250	2009	Waiver/Custom ECS DOC
48	Skid Steer Loader	Bobcat 863	2000	Waiver Issued/BAT Unavailability
49	Front Loader	CAT 966G	2002	JM CCRT
50	Front Loader	CAT 966H	2008	JM CCRT
51	Skid Steer Loader	Bobcat 863	2000	Waiver Issued/BAT Unavailability
52	Skid Steer Loader	Bobcat S630	2011	Waiver Issued/BAT Unavailability
53	Loader	CAT 966FII	1998	DCL/DPF
54	Excavator	PC220LC-7L	2004	DCL/DPF
55	Loader	L120G	2013	Tier 4i
56	Material Handler	830M'E'	2012	Tier 4i
57	Material Handler	830	2012	Tier 4i
58	Loader/VOLVO	L120G	2014	Tier 4i
59	Loader/VOLVO	L150G	2013	Tier 4i
60	Material Handler	840M'E'	2013	Tier 4i
61	Material Handler	840M'E'	2014	Tier 4i

\*Unavailability Waiver expired, could not renew because of Local Law no.74 of 2013

2. *What is the number of such vehicles that were powered by ultra-low sulfur diesel fuel (ULSDF)? (Ad. Code 24-163.5(j)(1)(ii))*

All 61 vehicles used for these contracts were powered by ULSDF.

3. *What is the number of such vehicles that used the best available retrofit technology (BART), including a breakdown of such vehicles by model, engine year, and technology? (Ad. Code 24-163.5(j)(1)(iii))*

The above chart shows that out of the sixty one vehicles, thirteen certified to a Tier IV engine. Forty of these vehicles used Classification Level IV Diesel Particulate Filters. Of the eight remaining vehicles, two used small custom made DOCs. Six were under waiver for unavailability in which for 2 machines waiver expired and could not renew, because of Local Law no. 74 of 2013. These classification levels are a hierarchical structure for reducing particulate matter. Classification Level IV is the most effective way to decrease pollutants as it uses a diesel particulate filter as compared to Level II which uses a diesel oxidation catalyst.

4. *What is the number of such vehicles that used other authorized technology? (Ad. Code 24-163.5(j)(1)(iv))*

No technology, other than those discussed above, was used.

5. *What is the number of vehicles equipped with an engine certified to the applicable 2007 EPA standard for particulate matter as set forth in section 86.007-11 of title 40 of the Code of Federal Regulations (CFR)? (Ad. Code 24-163.5(j)(1)(v))*

There are 36 vehicles certified to comply with section 86.007-11 of Title 40 of the CFR as they are model engine year 2007 or later.

6. *What were the locations where such vehicles were used? (Ad. Code 24-163.5(j)(1)(vi))*

The locations were as follows:

- 1) Brooklyn Transfer Inc.  
105-115 Thames Street  
Brooklyn, NY 11237
- 2) American Recycling Mgmt.  
172-33 Douglas Ave  
Jamaica, NY 11433
- 3) Tully Environmental Inc.  
127-20 34<sup>th</sup> Ave  
Flushing, NY 11368
- 4) Waste Management of NY LLC  
221 Varick Ave  
Brooklyn, NY 11237

- 5) Waste Management of NY LLC  
98 Lincoln Ave  
Bronx, NY 11237
- 6) Waste Management of NY LLC  
38-50 Review Ave  
Brooklyn, NY 11101
- 7) Waste Management of NY LLC  
475 Scott Ave  
Brooklyn, NY 11222
- 8) Regal Recycling  
172-02 Douglas Ave  
Jamaica, NY 11433
- 9) Allied Waste Systems  
600 West Service Road  
Staten Island, NY 10314
- 10) IESI NY Corporation  
110 50<sup>th</sup> Street  
Brooklyn, NY 11232
- 11) IESI NY Corporation  
577 Court Street  
Brooklyn, NY 11231
- 12) Action Carting  
941 Stanley Ave  
Brooklyn, NY 11208
- 13) Sims Municipal Recycling of NY  
30-27 Greenpoint Ave  
Long Island City, NY 11101
- 14) Sims Municipal Recycling of NY  
850 Edgewater Road  
Bronx, NY 10474
- 15) Sims Municipal Recycling of NY  
472 2<sup>nd</sup> Ave  
Brooklyn, NY 11232

7. *What waivers were issued for ULSDf (Ad. Code 24-163.5(j)(1)(vii))*

There were no waivers requested.

8. *What waivers were issued for the use of other authorized technology in lieu of the best available technology (Ad. Code 24-163.5(j)(1)(viii))*

There were total eight waivers were issued, but two were expired and could not renew because of Local Law no.74 of 2013. Other six waivers were permitted for unavailability for smaller equipment, until 2017 then Local Law no. 73 of 2013 will take effect.

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**Local Law 41 Annual Report Fiscal Year 2014**

Local Law 41 (LL41) requires all City-licensed sightseeing diesel buses to use ultra-low sulfur diesel (ULSD) to reduce pollutants. In addition, to lower the emission of harmful pollutants into the environment, these vehicles must install emission reduction devices (BART).

As of Fiscal Year 2014, 100% of the required vehicles are in compliance by use of classification level 4 (BART) or equipped with 2007 or newer certified engines. Also, all diesel vehicles are powered by ULSD (since the passage of LL41, the EPA has required ULSD to be sold nationwide).

LL41 codified at Section 24-163.6 (g) (1) of the Administrative Code, sets forth seven questions to be answered in the Annual Report. The questions and the charts below summarize those responses from Sightseeing Bus Companies and City Agencies.

1. *What is the total number of diesel fuel-powered sightseeing buses licensed pursuant to subchapter 21 of chapter 2 of title 20 of the administrative code? (Ad. Code 24-163.6(g) (1) (i))*

There are 260 diesel sightseeing buses.

2. *What is the number of such buses that utilized the best available retrofit technology? (24-163.6(g) (1) (ii))*

<b>Sight Seeing Bus Company</b>	<b>Number Licensed by DCA</b>	<b>Number with BART</b>	<b>Type of Technology</b>
Gray Line New York Tours Inc.	80	80	There are 80 Classification Level IV Johnson Matthey CRT's.
Skyliner Travel and Tour Bus Corp.	17	17	Five are certified with 2009 model year engines, two are 2010 model year engines and one certified with 2011 model year engine. There are nine 2012 MY engines.
MCIZ	16	16	There are eleven 2010 model year engines and five are 2013 model year engines.
Skyline Tours, LLC	16	15	Nine are certified as 2012 model engine year. Two are 2013 model engine year. Four with JM Level IV DPF's and <u>(one is a Gasoline Vehicle)</u> .

<b>Sight Seeing Bus Company</b>	<b>Number Licensed by DCA</b>	<b>Number with BART</b>	<b>Type of Technology</b>
Suburban Trails	16	16	Seven are certified with 2009 model year engines and nine are 2012 model year engines.
Taxi Tours Inc. / Big Bus Tours NY	16	16	There are eight Classification Level IV Diesel Particulate Filters (DPF)'s. Eight are with 2013 model year engines.
RDSL Urban NY, LLC/ DBA Open Tour NY	15	15	All are 2014 model year.
Go New York Tours Inc.	12	12	Eight CDTI Electrical Regeneration units and four are Classification Level IV Johnson Matthey CRTs.
Experience the Ride	4	4	All four are certified as 2008 model year engines.
NY Limo Express, Inc.	4	2	Two are certified as 2012 model engine year, <u>(Two are Gasoline Vehicles)</u> .
Kevin Travel Inc.	3	3	One with 2008 model year engine and two with 2009 model year engine.
CP Limousine & Consulting Services Inc	2	2	Two model engine year 2013.
Go By Bus LLC / NYC Beach Bus	2	2	Two certified with 2011 model year engines.
Golden Touch	2	2	Two are certified as 2009 model year engines.
CitySights New York LLC	58	58	There are 58 Classification Level IV Diesel Particulate Filter (DPF's). Continuous Regenerating Traps (CRT's).
<b>Total</b>	<b>263</b>	<b>260</b>	<b>3 are gasoline vehicles</b>

\* Pursuant to EPA regulations, all 2007 and later model engine years are certified to be at least as stringent as “BART” requirements because the manufacturer pre-retrofits the majority of them with DPFs. These engines, therefore, meet LL41 requirements.

2007 and newer engines meet applicable United States Environmental Protection Agency (EPA) standards for particulate matter as set forth in section 86.007-11 of title 40 of the Code of Federal Regulations.\*

According to Local Laws of the City of New York for the year 2013 no.73 and no.74. None of these buses are under any waiver provisions and they all meet level 4 emission control strategy.

3. *What is the number of such buses that utilized other authorized technology? (24-163.6(g)(1)(iii))?*

Not applicable. All were either Level IV (DPF) or equipped with 2007 or newer model year engine.



4. *What is the number of such buses that are equipped with engines certified to the applicable 2007 USEPA standard for particulate matter as set forth in §86.007-11 of title 40 of the CFR? (24-163.4(g)(1)(iv))*

There are 105 such buses out of the 263 that are certified to the applicable 2007 USEPA standard. The remainder equipped with BART and three that utilizes gasoline.

5. *What were the locations where such buses utilized the best available retrofit technology? (24-163.6(g)(1)(v))*

These buses tour all of New York City, and as a result, this report provides the permanent addresses for the sightseeing companies.

Sight Seeing Bus Co.	Permanent Address	Mailing Address
Gray Line New York Tours Inc.	1500 Clinton Street, Hoboken, NJ 07030	1430 Broadway, New York, NY 10018
Skyliner Travel and Tour Bus Corp.	19-41 42 <sup>nd</sup> Street, Astoria, NY 11105	Same
MCIZ Corp.	33 Second Avenue, Brooklyn, NY 11215	Same
Skyline Tours, LLC	1934 East 18 <sup>th</sup> Street, Brooklyn, NY 11229	Same
Suburban Trails, Inc.	750 Somerset Street New Brunswick, NJ 08901	Same
Taxi Tours Inc. / Big Bus Tours	333 Fifth Avenue, 4 <sup>th</sup> Floor New York, NY 10016	Same
RDSL Urban NY, LLC/ DBA Open Tour NY	757 3 <sup>rd</sup> Avenue, 20 <sup>th</sup> Floor New York, NY 10017	Same
Go New York Tours Inc.	218W 37 <sup>th</sup> Street, 5 <sup>th</sup> Floor New York, NY 10018	Same
Experience the Ride	545 8 <sup>th</sup> Avenue, 14S New York, NY 10018	Same
NY Limo Express, Inc.	2955 Brighton 4 <sup>th</sup> Street, Suite 3 Brooklyn, NY 11235	Same
Kevin Travel Inc.	5609 8 <sup>th</sup> Avenue Brooklyn, NY 11220	Same
CP Limousine & Consulting Services Inc.	275 Madison Avenue, 6 <sup>th</sup> Floor New York, NY 10019	Same
Go By Bus LLC / NY Beach Bus	596 East 83 <sup>rd</sup> Street Brooklyn, NY 11217	Same
Golden Touch Transportation of NY, Inc.	45-02 Ditmars Boulevard Astoria, NY 11105	Same
CitySights NY, LLC	33 Second Avenue, Brooklyn, NY 11215	Same

6. *What was the age of the engine that did not utilize BART? (§ 24-163.6(g)(1)(vi))?*

All were certified to 2007 and later model engines, which are exempt from BART pursuant to 40 C.F.R. § 86.007-11.

7. *Were any waivers issued for failure to use BART? (§24-163.6(g) (1)(vii))?*

No waivers were issued.



## Local Law 42 Annual Report for Fiscal Year 2014

Local Law 42 (LL42) required that by September 1, 2006, certain General Education (GE) diesel fuel-powered school buses be powered by a specific diesel fuel, ultra-low sulfur diesel fuel (ULSD). In addition, LL42 required that by September 1, 2007, all of these school buses use best available retrofit technology (BART) to reduce emissions.

Of the Department of Education's (DOE) GE diesel fueled fleet, 88.7% are using emission control devices with 78.2% using the best available devices. The buses without controls are typically the older buses slated for retirement and used only as reserve vehicles. At least half of the vehicles in question will age out of the fleet within five years and will not be retrofitted. The other half either has already been retrofitted or will be by the end of June as this report was prepared for FY 14.

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Below are answers to the questions posed in the legislation describing the City's status in achieving these milestones.<sup>[1]</sup> Table 1 summarizes the answers to questions one through five.

1. *What is the total number of school buses used to fulfill the requirements of school bus contracts? (Ad. Code 24-163.7(j)(1)(i))*

There was a fleet of 2,109, Type C and D, general education school buses used to fulfill the requirements.

2. *What is the total number of such buses that were powered by ULSD? (Ad. Code 24.163.7 (j)(1)(ii))*

2,109 buses were powered by ULSD.

3. *What is the number of such buses that used BART, including a breakdown by vehicle model, engine year, and the type of technology used for each vehicle? (Ad. Code 24.163.7(j)(1)(iii))*

772 buses used this technology. Please see Table 1 for the breakdown, the actual list may be obtained by contacting DOE.

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<sup>[1]</sup>Section 24-163.7 (j)(1) of the Administrative Code sets forth seven questions to which the Annual Report is required to provide an answer.

4. *What is the number of such buses that used other authorized technology in accordance with the law, including a breakdown by model and engine age technology? (Ad. Code 24.163.7 (j)(1)(iv))*

157 buses used other authorized technology. Please see Table 1 for the breakdown.

5. *What is the number of such buses that are equipped with an engine certified to the applicable 2007 EPA standard for particulate matter in accordance with the law? (Ad. Code 24.163.7(j)(1)(v))*

877 buses were equipped with the applicable 2007 EPA standard engines.

6. *Where were the locations of the school districts where such buses were powered by ULSD, used BART or other authorized technology in accordance with this section, or were equipped with an engine certified to the applicable 2007 EPA standard for particulate matter? (Ad. Code 24.163.7(j)(1)(vi))*

All 32 community school districts in the city used these buses.

7. *Were any waivers granted pursuant to 24-163.7(h) of this law?<sup>[2]</sup>*

A waiver was granted to DOE on September 14, 2007, after they provided documentation that diesel particulate filters (DPFs), which constitute the best available technology, would have caused serious operational issues. On May 24<sup>th</sup>, 2010, that waiver was extended to March 15, 2011. DOE is currently in the process of obtaining DPFs.

**Table 1**

<b>Technology</b>	<b>Manufacturer</b>	<b>Engine-Type</b>	<b>ULSD</b>	<b>Meets 2007 EPA Standard</b>	<b>No. of Buses</b>
Diesel Particulate Filter (DPF)	IC, Bluebird, Thomas & Freightliner	Unavailable	Yes	877	1,649
Diesel Oxidation Catalyst (DOC) with Closed Crankcase Ventilation System (CCVS)	IC, Bluebird, GMC, Thomas, Ford & Freightliner	Unavailable	Yes	Unknown	157

<sup>[2]</sup>Section 24-163.7(h) authorizes DEP to grant such a request when best available technology is unavailable.

<b>Technology</b>	<b>Manufacturer</b>	<b>Engine-Type</b>	<b>ULSD</b>	<b>Meets 2007 EPA Standard</b>	<b>No. of Buses</b>
DOC Only	IC, Bluebird, GMC, Thomas, Ford, Chevy & Freightliner	Unavailable	Yes	Unknown	41
CCVS Only	IC, Bluebird, Thomas & Freightliner	Unavailable	Yes	Unknown	23
None	IC, Bluebird, Thomas & Freightliner	Unavailable	Yes	Unknown	239
<b>Total GE Diesel Fueled Bus Fleet</b>		<b>Unavailable</b>	<b>Yes</b>	<b>877</b>	<b>2,109</b>

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