

# **Explanatory Statement**

## **Proposed Minor Variation of the National Environment Protection (Diesel Vehicle Emissions) Measure**

### ***National Environment Protection (Diesel Vehicle Emissions) Measure***

The National Environment Protection (Diesel Vehicle Emissions) Measure (Diesel NEPM) was developed as one part of an integrated suite of approaches to manage emissions from diesel vehicles.

The Diesel NEPM provides a framework for the management of in-service emissions from diesel vehicles and complements and protects the emissions improvements obtained from existing regimes, including emission standards for new vehicles and fuel quality standards that are specified in Commonwealth legislation.

The Diesel NEPM provides guidelines for developing programs to minimise the deterioration in exhaust emissions performance, or improve exhaust emissions performance, from diesel vehicles while they are in service.

The NEPM is complemented by the Australian Vehicle Standards Rules (AVSR) Rule 147A which specifies the DT80 test as the standardised test for test and repair programs.

### ***Reasons for the proposed minor variation to the NEPM***

The Diesel NEPM was reviewed in 2007 and, overall, was found to provide a sound framework for programs to reduce emissions from diesel vehicles. However the Review also found scope for improving and updating the schedules to the NEPM. Submissions received from stakeholders during the Review indicated that the schedules required updating to:

- incorporate reference to new technology
- reflect knowledge gained through experience in implementing the NEPM and its guidelines
- improve the effectiveness of the NEPM.

The DT80 test is an essential element of the implementation of the Diesel NEPM. However, the DT80 test and associated standards will be reviewed as part of a separate process under the Australian Vehicle Standards Rules and are outside the consultations being undertaken on the amendments to the Diesel NEPM.

### ***Nature and effect of the proposed variation to the NEPM***

It is important to note that the proposed minor variation does not affect the main body of the NEPM and is limited to amendments of the schedules to the NEPM. As the affected schedules are changed in a number of places, the proposed variation is presented with entire revised schedules to replace the existing schedules, rather than listing the individual amendments to the text.

The nature and effects of the proposed minor variation are outlined below:

Schedule A (1) Guideline on Smoky Vehicle Programs is amended to include additional guidance to jurisdictions on the design and operation of smoky vehicle programs.

Schedule A (2) Guideline on Diesel Vehicle Emission Testing and Repair Programs is amended to simplify reference to the in-service emissions standards and test.

Schedule A (4) Guideline on Diesel Vehicle Retrofit Programs is amended to:

- Update the list of incentive mechanisms for diesel retrofits to include bundling highly fuel-efficient technologies with emission control devices;
- Indicate that retrofit devices should not be fitted to engines emitting excessive smoke or using excessive amounts of oil;
- Incorporate the use of diesel particle filters and partial filter traps;
- Provide guidance to assist selection of the appropriate retrofit technology based on existing knowledge of engine exhaust temperature and duty cycle.

The amendments to the three guidelines listed above are designed to provide a higher level of protection to the emissions improvements achieved through existing regimes, including Commonwealth legislation.

Schedule A (5) Guideline on Diesel Engine Rebuild Programs is deleted because the review found that it is redundant as it has never been implemented to date and is unlikely to be in the future.

***Reasons why NEPC is satisfied that the variation is a minor variation***

The proposed variation does not involve a significant change in the effect of the NEPM and will have no financial impacts.

The proposed variation relates only to improvements to the Schedules to the NEPM. The Schedules provide guidance for jurisdictions on the management of diesel vehicle emissions and are implemented on a voluntary basis.