



**IMPORTANT INFORMATION RELATED TO THE PROPOSED AMENDMENTS
TO THE PORTABLE DIESEL ENGINE ATCM (ATCM)**

Associates Environmental is providing this notice to inform you of potential upcoming changes to the Portable Diesel Engine Airborne Toxic Control Measure. These changes are anticipated to be adopted by the CARB Governing Board at the March 2017 meeting.

The California Air Resources Board (CARB) finds it necessary to revise the ATCM due to the inability of fleets to comply with its overly ambitious fleet requirements since the needed emission control technology to comply never became commercially available. The amendment process thus far has included public workshops held in March and June 2016, initial regulatory concepts developed by the CARB staff and meetings with the California Air Pollution Control Officers Association (CAPCOA) and stakeholder workgroups.

As proposed, the ATCM’s emission reduction strategies will be achieved chiefly through an engine emissions tier phase out for all fleets as show in the table below.

Engine Certification	Engines rated 50 to 750 bhp		Engines rated >750 bhp
	Large Fleet	Small Fleet	
Tier 1	1/1/2020	1/1/2020	1/1/2022
Tier 2	1/1/2023	1/1/2025	1/1/2027
Tier 3 built prior to 1/1/2009	1/1/2026	1/1/2028	NA
Tier 3 built on or after 1/1/2009	1/1/2028	1/1/2030	NA
Tier 1, 2, and 3 flexibility engines	December 31 of the year 18 years after the date of manufacture.		

*Pre-2007 on-highway engines in portable applications will be treated as Tier 3.

All portable diesel engines owned by a single entity and operated within California are defined as one fleet. A large fleet includes engines with horsepower totaling more than 750. Each military installation would be its own fleet regardless of total horsepower under the proposed changes.

Large fleets will have a fleet average option as shown in the table below:

Compliance Date	Fleet PM Standard (g/bhp-hr)
1/1/20	0.10
1/1/23	0.06
1/1/27	0.03

However, certain criteria will need to be met in order for large fleets to use the fleet average option. To use the fleet average option, all engines in the fleet must be registered in PERP and a request to use the option must be submitted to CARB by 2019. If the fleet has unregistered engines after 2019, it will not be able to use the fleet average option. CARB staff is also considering language that would ban older tiers in fleet average from operation in PM_{2.5} non-attainment districts after phase-out dates.

Engines retrofitted with Level 3 Verified Diesel Emission Control Strategies (VDECS) are exempt from the phase-out requirements but are still included if in a large fleet using the fleet average option.



Low-use and emergency-use engines will be exempt from fleet requirements and will not count towards the fleet average. In addition, the maximum hours of operation allowed for low-use engines will be increased from 80 to 200 hours per year, Tier 1 & 2 engines must be designated as low-use or emergency-use 6 months before their phase-out date and can not be converted back to regular use.

Some relief is proposed to the fleets that complied with the current ATCM early. Fleets in compliance with 2017 fleet standards as reviewed by engine size category (<175, 175-750, >750) will receive the benefit of two extra years for the phase-out for engines in the complying categories, or be able to double count Tier 4 (including Tier 4 interim) engines in the fleet average for the first two compliance dates (2020 and 2023).

Other early actions will be rewarded. Removing all Tier 1 and Tier 2 engines from service in California early, 1/1/2019 for Tier 1 and 1/1/2020 for Tier 2, will grant the fleet 2 additional years for Tier 3 (including flex) on the phase-out schedule.

Sellers of engines past their phase out date to buyers within the state may be subject to enforcement actions by the air pollution control districts. The resale of these engines out of California is allowed. To buyers within California, Tier 0 engine sales would be prohibited upon adoption of the changes. Tier 1, 2 and 3 engine sales will be prohibited after their respective phase-out dates. There is no pending prohibition of Tier 4 interim and final engine sales.

A written disclosure to the buyer must be provided for all legal engine sales. This disclosure requirement is consistent with other existing diesel regulations. A combined disclosure for multiple regulations may be allowed but none is currently approved.

Portable engines at agricultural operations will be clearly defined to be consistent with Stationary Engine ATCM and thus are not subject to the Portable Diesel Engine ATCM. Portable engines used in forest operations and points of first processing are still subject to the Portable Diesel ATCM.

The amendments will also limit the eligibility of flex engines to be permitted or registered to only the most recent tier, Tier 2 only above 750 horsepower and Tier 3 otherwise. Districts may permit lower tiers but you have to show California residency for Tier 1, 2 and 3.

The changes also make clear that two-engine vehicles will only be subject to Off-Road Vehicle Regulation. There will be other exemptions for certain equipment such as portable engines on commercial harbor craft and engines operated exclusively during emergency events.

The proposed amendment also makes changes to the recordkeeping requirements. Large fleets in fleet average must submit an updated ATCM compliance statement when adding lower tiers or removing Tier 4. Low-use engines may need to submit an annual report and records must be kept for each emergency use with the nature and date.

Other minor but necessary changes will also be made by the proposed amendment. A definition of replacement engines will be included in the ATCM fleet requirements. Obsolete language about a Tier 0 extension and SCR provisions will be removed.

A public workshop will be held in Sacramento on November 10, 2016. Please see the portable listserv for available for updates: www.arb.ca.gov/listserv/listserv_ind.php?list