

State of California  
AIR RESOURCES BOARD

Notice of Public Availability of Modified Text

MODIFICATIONS TO THE PROPOSED AMENDMENTS TO THE REGULATIONS TO  
ESTABLISH A STATEWIDE PORTABLE EQUIPMENT REGISTRATION PROGRAM

Public Hearing Date: December 11, 1998  
Public Availability Date: February 16, 1999  
Deadline for Public Comment: March 3, 1999

At a public hearing held on December 11, 1998, the Air Resources Board (Board) approved for adoption the proposed amendments to sections 2450 - 2465, article 5, title 13, California Code of Regulations (CCR), creating the Statewide Portable Equipment Registration Program. The Board adopted Resolution 98-77 approving the proposed amendments to the Regulations to Establish a Statewide Portable Equipment Registration Program (regulations) with modifications. The modifications are summarized below:

Section 2451(d)(2) text was modified to clarify the intent of the regulations that engines required to register with the Statewide Registration Program due to preemption of a district program by the federal Clean Air Act, may elect to use "current" district daily and annual emission limit permit conditions in place of the daily and annual requirements of the regulations.

Section 2452(gg) text was modified to clarify the intent of the regulations that adequate documentation to prove engine residency includes "valid" permits, rather than merely existing permits.

Sections 2453(l), 2453(l)(1), and 2453(l)(2) text were modified to clarify and make consistent throughout the regulations, that once statewide registrations are issued, the registrations preempt "current" district permits, except in certain cases as specified.

Section 2456(e)(8) was modified to clarify that applications for portable engine equivalent replacements, in addition to identical replacements, filed on or after July 1, 2001, must meet the most stringent emissions standard. It is the intent of the section to encourage turnover of higher-emitting engines over time.

Section 2456(j)(4) was modified to allow districts the ability to conduct an ambient air quality impact analysis (AQIA) for each project in State Territorial Waters (STW) prior to granting authorization of the project. The owners and operators are required to submit any information necessary to perform the AQIA to the districts. Districts must complete the AQIA within 30 days of receipt of complete information. Registration is not valid for any portable engine operating at a location where the AQIA demonstrates that the portable engine will cause a potential violation of any ambient air quality standard.

Section 2456 (Table 2 Spark-ignition Engine Requirements) was modified to lower the pounds per day limits to 15 lbs/day for nitrogen oxides (NOx) and to 25 lbs/day for volatile

organic compounds (VOC). The pound per day limitations are consistent with calculated emissions from an average size spark-ignition engine based on portable engine emission limits contained in the regulations and United States Environmental Protection Agency (U.S. EPA) emission factors. The pound per day limits are not applicable in the South Coast Air Quality Management District jurisdiction.

Section 2456 (Table 2 Spark-ignition Engine Requirements) footnote, denoted as \*\*, was modified to correct the assumed engine efficiency to 24.2 percent. This percentage relates to the default brake specific fuel consumption of 10,500 Btu/bhp-hr, which was used in the conversion for naturally aspirated gasoline spark-ignition engines.

Section 2461(g) language referring to “regulation” was modified to “article,” as this is the correct reference in the context of the section.

Section 2461 (Table 3 Registration and Renewal Fees for Statewide Registration Program) was modified to remove the words “military” with respect to tactical support equipment. This is consistent with the initially proposed amendments and other references in the regulations. The modification does not change the scope of tactical support equipment to include exclusively military units since it is inherent in the definition in the regulations.

Section 2466, Sunset Review, was added to the article requiring that the Air Resources Board, in consultation with the Secretary for Environmental Protection, review the provisions of the article to determine whether it should be retained, revised, or repealed, within five years from the effective date of adoption or date of implementation, which ever comes later.

Resolution 98-77 is attached. The entire text of the proposed amendments to sections 2450 - 2465, article 5, title 13, CCR, was originally distributed as Appendix A to the *Initial Statement of Reasons for Rulemaking, Proposed Amendments to the Regulation for the Statewide Portable Equipment Registration Program*, (October 1998). It is referred to as Attachment A in Resolution 98-77 and is not contained in this package. However, the modified text of sections 2450 - 2465, article 5, title 13, CCR, are included as Appendix B. Comments regarding the modifications must be submitted to the Clerk of the Board, Air Resources Board, P.O. Box 2815, Sacramento, California 95812, no later than March 3, 1999, for consideration by the Executive Officer. Questions regarding this mail-out may be directed to Mr. Michael Tollstrup, Manager, Project Support Section, at (916) 323-8473.

Sincerely,

Raymond E. Menebroker, Chief  
Project Assessment Branch  
Stationary Source Division

Attachments