

Q & A for the Portable Diesel Engine ATCM – PERP Regulatory Advisory No. 347

1) **Question** – Why is ARB amending the current ATCM fleet average standards?

Answer – ARB has concluded the upcoming 2017 ATCM fleet average standards are not reasonably achievable for fleet owners because cleaner engine technologies did not become available as quickly as was anticipated when the Rule was adopted in 2004. For example the original rulemaking anticipated:

- Verified Diesel Emission Control Strategies (VDECS) would be developed and marketed to portable diesel engine operators. Instead, very few VDECS were verified for portable equipment applications and so many fleets cannot use this option to comply with regulatory requirements, and;
- Newer cleaner engines would become available following the 2004 adoption of the ATCM. While newer cleaner engines were manufactured, their introduction into the portable equipment category did not occur as quickly as anticipated. In addition, manufacturers produced and sold a large amount of engines certified under manufacturer flexibility provisions that allowed higher emitting engines to be sold in portable equipment applications over a longer period of time. As a result fleets have not been able to naturally turnover their fleets to cleaner technologies as quickly as predicted in the original rulemaking.

2) **Question** – Can I register an older engine in PERP now that the standards will be revised?

Answer – This advisory does not change PERP registration requirements. PERP registered engines may still undergo changes of ownership and only current tiered engines and engines manufactured under the flexibility provisions will be accepted for initial registration.

3) **Question** – Can I get a definitive response as to whether or not the 2017 standard will be enforced?

Answer – ARB will not enforce and is advising the air districts not to enforce the 2017 standards. Please contact your local air district for information on enforcement issues.

<http://www.arb.ca.gov/capcoa/roster.htm>

4) **Question** – Can I continue using my portable engines during the amendment process in the same way I've been using them before the amendment process?

Answer – Yes, please contact your local air district for information regarding use of PERP registered equipment within their jurisdiction.

5) **Question** – Is ARB still going to require compliance with the 2013 ATCM reporting requirements?

Answer – Yes. ARB will continue to take all steps necessary to ensure continued compliance with the current 2013 ATCM standards and reporting requirement.

6) **Question** – Will I be able to continue using my Tier 0 engine beyond the current 2017 deadline?

Answer – No. Tier 0s must be removed from service no later than January 1, 2017.

7) **Question** – What are the new standards going to look like?

Answer – The new standards are under development and your input will be important for their development. To participate in the regulatory process please join our listserv:

http://www.arb.ca.gov/listserv/listserv_ind.php?listname=portable. Through the listserv you will receive invites to workshops and informational updates regarding the regulatory amendment process.