



Air Resources Board



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Mail-Out #MSC 10-16

TO: All Interested Parties

SUBJECT: EXCLUSION OF FULLY CONTROLLED LATE MODEL YEAR LARGE SPARK IGNITION (LSI) ENGINE EQUIPMENT FROM THE LSI FLEET AVERAGE CALCULATIONS UNTIL APRIL 16, 2011

In April 2009, the Air Resources Board (ARB or Board) issued LSI Program Advisory 08-03. The Late Model Certified Engines component of the advisory allowed operators of LSI engine-powered equipment fleets to exclude equipment from calculations performed to determine compliance with the LSI fleet average emission level (FAEL) standards contained in title 13, section 2775.1(a) Table 2, California Code of Regulations, until April 16, 2010, but only if every LSI piece of equipment in the fleet was powered by an original equipment manufacturer (OEM) controlled engine as of January 1, 2009. Additionally, equipment could no longer be excluded once it reached seven years of age. This mail-out extends the Late Model Certified Engines provisions of LSI Program Advisory 08-03 until April 16, 2011.

LSI Program Advisory 08-03 provided relief to LSI equipment operators whose fleets were wholly comprised of recent model year LSI engines controlled to a 3.0 gram per brake horsepower-hour hydrocarbon and oxides of nitrogen standard. Based upon routine turnover assumptions, these engines or pieces of equipment were not expected to leave the fleet for seven years. However, as there were no retrofit emission control systems (retrofit kits) for OEM-controlled engines, these fleets were not able to meet the 2009 FAEL standards.

The exclusions provided for by LSI Program Advisory 08-03 are scheduled to end on April 16, 2010; however, ARB has determined that there are still no retrofit kits for OEM-controlled engines and this lack of availability may impact an operator's ability to comply with the FAEL standard. Therefore, an extension in compliance, as provided for in the LSI Regulation is warranted. Since the FAEL standards are based upon a seven-year turnover rate, ARB will allow fleets that were comprised entirely of OEM-controlled LSI engine equipment as of January 1, 2009, to address their equipment as follows:

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

- Leased equipment may be excluded from the January 1, 2011 FAEL standard calculation through April 15, 2011 or until they reach seven years of age, whichever is earlier. Leased equipment seven years of age or older must be included in FAEL standards calculations.
- Owned equipment for which retrofit kits are not available may be excluded from the operator's fleet average calculations through April 15, 2011, or until they reach seven years of age, whichever is earlier.
- ARB will revisit the availability of retrofit kits for OEM-controlled leased or owned equipment and the need for any additional exclusion periods prior to the end of this one-year exclusion.
- Owned equipment seven years of age or older or for which retrofit kits become available prior to April 16, 2011, may not be excluded from the operator's FAEL standard calculations. However, ARB will allow retrofit kits that were purchased on or before April 15, 2011, for installation on OEM-controlled LSI engine equipment, to be incorporated into the January 1, 2011 FAEL standard calculation. Evidence of purchase may be a purchase order or equivalent document. The verification absolute emission level for the retrofit kit may be used in place of the certification standard of the OEM-controlled equipment being retrofitted until the retrofit kit has been installed as evidenced by inventory records. Installation must occur on or before December 31, 2011.

Should you have any questions regarding this advisory, please contact Mark Williams, Air Pollution Specialist, at (916) 327-5610 or via email at mwilliam@arb.ca.gov, or Elise Keddie, Manager, at (916) 323-8974 or via email at ekeddie@arb.ca.gov.

Sincerely,

/s/

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cc: Elise Keddie, Manager
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