

Air Quality Update

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CARB PORTABLE ENGINE TIER PHASE-OUT REQUIREMENTS

Phase-Out Schedule

The California Air Resources Board (CARB) Portable Engine Airborne Toxic Control Measure (ATCM) mandates reduction of emissions from diesel portable engines in California, whether permitted with the Bay Area Air Quality Management District (BAAQMD) or registered with the CARB Portable Equipment Registration Program (PERP). Small fleets have up to 750 cumulative horsepower (HP) under common ownership in California and must follow the tier phase-out schedule for small fleets (see Table 1). Large fleets have over 750 cumulative HP and must follow the large fleet tier phase-out schedule (see Table 1) if they did not opt into the fleet average option back in June 2019.

Note that Tier 4 engines (interim or final) do not phase-out, nor do engines with Level 3 Verified Diesel Emission Control Strategy (VDECS) [85% reduction of particulate matter (PM) or to 0.01 gram per brake-horsepower-hour (g/bhp-hr) of PM].

Low-use and emergency-use engines are exempt from the phase-out schedule. The switch to low-use or emergency-use must be made by:

- For Tier 1 and Tier 2, at least 6 months before phase-out dates in Table 1; and
- For Tier 3, in January at least 12 months before phase-out dates in Table 1.

Low-use engines are limited to 200 hours per calendar year, and hour-meter reports are due by March 1st annually.

Engines certified as “flexibility” (flex)¹ will phase-out on December 31st of the year 17 years after the engine build date.

Table 1: January 1st Phase-Out Dates

Tier	Engines 50-750 HP		Engines Over 750 HP
	Large Fleet	Small Fleet	
1	2020	2020	2022
2	2022	2023	2025*
3	2025	2027*	N/A
4	N/A	N/A	N/A

*Engines built on or after 1/1/2009 have an additional 2 years.

Portable Engine Sales

Portable engines cannot be sold in California after the January 1st dates shown in Table 2, corresponding to the tier. Change of ownership applications, however, are due at least 6 months prior to the sale prohibition dates.

Table 2: January 1st Sale Prohibition Dates

Tier	Engines 50-750 HP	Engines Over 750 HP
1	2020	2022
2	2023	2025*
3	2027*	N/A
4	N/A	N/A

*Engines built on or after 1/1/2009 have an additional 2 years.

¹See Code of Federal Regulations (CFR) Title 40 Part 1039.625: <https://www.ecfr.gov/current/title-40/chapter-1/subchapter-U/part-1039/subpart-G/section-1039.625>

Air Quality Tip

California is continuing to develop zero-emission vehicle requirements for on-road and off-road vehicles. If you are purchasing diesel, gas, or propane vehicles, you may want to evaluate electric options. In some cases, there may be funding available from CARB or your local air district. Electric fueling stations that qualify can generate Low Carbon Fuel Standard (LCFS) credits, which can fund additional electrification.

Upcoming Online EH&S Training Offered by Yorke Engineering – Each Session Is Presented Over 4 Half-Days

- Northern California Air Quality Regulations, Permitting, and Compliance Seminar: November 2, 3, 9, 11, 2021
 - California Industrial Hygiene and OSHA Safety Regulations Seminar: October 12, 13, 19, 20, 2021
- Class Info at: <http://yorkeengr.com/classes>

Upcoming Due Dates for 2021/2022*

- CARB LCFS Q2 Fuel Report..... 9/30/21
- CARB GHG Cap-and-Trade Annual Compliance Surrender 11/1/21
- CARB LCFS Q3 Fuel Report..... 12/31/21
- CARB Off-Road Diesel Compliance for All Fleets, by Fleet Average or BACT 1/1/22
- CARB On-Road HDDVs That Must Be Repowered, Retired, or Low-Use..... 1/1/22
 - GVWR > 26,000 lbs, EMY 2006 or Older
- CARB On-Road TRUCRS Reporting for Flexibility Options... 1/31/22
- CARB Off-Road DOORS Reporting for All Fleets 3/1/22
- CARB PERP Reporting: Usage Reports for Equipment Units or Low-Use..... 3/1/22
- CARB Refrigerant Reporting for Med./Lrg. Systems (≥ 200 lbs)..... 3/1/22
- CARB GHG Reporting for Semiconductor Operations 3/1/22
- Semi-Annual Title V Report ...Semi-Annually
- Annual Title V Compliance Cert... Annually
- Title V – Application for Permit Renewal – Due 180 Days Prior to Permit Expiration

*Due dates listed are statutory dates; sometimes dates are extended when on a weekend/holiday.

BAAQMD PROPOSED RULE CHANGES TO PERMITTING IN OVERBURDENED COMMUNITIES

For full details on changes below, go to: <http://www.baaqmd.gov/rules-and-compliance/rule-development/rules-under-development>

■ Regulation 2: Permits

BAAQMD staff are currently evaluating amendments to specific rules within Regulation 2: Permits that pertain to new and modified sources of air pollution, specifically in communities that are overburdened by poor air quality as shown through increased incidence rates of cancer. Such elevated cancer risk is often concentrated near stationary sources, high-traffic roadways, and areas such as marine ports or airports. This elevated cancer risk is primarily due to diesel particulate matter.

Air toxics permitting rules, such as the Table 2-5-1 limits shown in Regulation 2, Rule 5, could be made stricter depending on background toxics concentrations. This could involve requiring more stringent cancer risk limits (i.e., less than 10 in one million) for projects in areas that have higher background air pollution or community health vulnerability.

The District is considering modifying this risk limit to a more stringent threshold. Thresholds under consideration include 3 in one million and 5 in one million. The top sources expected to be affected by this change include stationary diesel-powered engines, gas stations, and soil vapor extraction systems.

Currently, public notice is required for projects that result in an increase to a toxic air contaminant (TAC) or hazardous air pollutant (HAP) located within 1,000 feet of a K-12 school. The BAAQMD is considering adopting enhanced public notice to include projects within a specified distance from an overburdened community.

To reduce emissions of fine particulate matter, the District is considering updates to treat emissions of these pollutants like air toxics. This could result in requiring, above a specified threshold quantity, additional pollution abatement for any source of particulate matter. Additionally, the BAAQMD is evaluating lowering the offset thresholds for fine particulate matter in overburdened communities.

The BAAQMD is currently soliciting feedback from community members and regulated entities. Following feedback, draft rules will be written, which will then be considered for adoption.

Additional, non-regulatory measures being considered to improve local air quality include California Environmental Quality Act (CEQA) guidelines and thresholds, a public database of emissions by facility, and linking of incentive programs specifically to overburdened areas.

The latest version of Regulation 2, Rule 1 is found at the following URL: <https://www.baaqmd.gov/rules-and-compliance/current-rules>

ELECTRIC VEHICLE AND CHARGING STATION GRANTS

The BAAQMD offers multiple grant opportunities to help businesses to expand their electric vehicle fleets and to expand charging stations across the region. Some available programs and links to additional information are provided below.

The **Charge! Program** offers funding for charging stations at workplaces, destinations, transit parking, along transit corridors, or at multi-dwelling

apartment buildings. Potential projects will be competitively scored and ranked for funding. Minimum grants are \$1 million, except for government-sponsored projects or multi-family dwellings, which qualify for \$10,000. <https://www.baaqmd.gov/funding-and-incentives/businesses-and-fleets/charge>



The **Carl Moyer Program** allocates grant money to replace older combustion engines in overburdened communities. <https://www.baaqmd.gov/funding-and-incentives/funding-sources/carl-moyer-program>

The **Goods Movement Program** focuses on funding to replace combustion engines used for commercial freight or bulk transportation with low- or zero-pollution alternatives. <https://www.baaqmd.gov/funding-and-incentives/businesses-and-fleets/goods-movement-program-and-vendor-list>

Yorke Engineering, LLC specializes in air quality and environmental consulting for stationary and mobile sources, including dispersion modeling, health risk assessments, permitting, emission inventories, air quality compliance systems, etc. Yorke Engineering has assisted over 1,300 customers, including a wide variety of industrial facilities and government organizations throughout California.