

# Air Quality Update

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**September 1, 2021 – SCAQMD**

## 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 South Coast Air Quality Management District (SCAQMD) 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 1<sup>st</sup> annually.

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

**Table 1: January 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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.

<sup>1</sup>See 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

- Southern California Air Quality Regulations, Permitting, and Compliance Seminar: November 2, 4, 9, 11, 2021 (Half-Days)  
Class Info at: <http://yorkeengr.com/classes>

### Upcoming Due Dates for 2021/2022\*

- CARB LCFS Q2 Fuel Report..... 9/30/21
- SCAQMD 1110.2 Quarterly..... 10/15/21
- RECLAIM Quarterly (Cyc. 1 & 2) .10/30/21
- 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
- SCAQMD 1110.2 Quarterly..... 1/15/22
- RECLAIM Quarterly (Cycle 2)..... 1/30/22
- CARB On-Road TRUCRS Reporting for Flexibility Options ... 1/31/22
- Title V – 500-SAM ..... 2/28/22
- RECLAIM APEP (Cycle 1) ..... 3/1/22
- Title V – 500-ACC ..... 3/1/22 (Except RECLAIM Cycle 2 ..... 8/29/21)
- 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 Medium/Large Systems (≥ 200 lbs) .3/1/22
- CARB GHG Semiconductor Report..3/1/22
- 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.

## SCAQMD ADOPTS RULE 2305: WAREHOUSE INDIRECT SOURCE RULE – WAREHOUSE ACTIONS AND INVESTMENTS TO REDUCE EMISSIONS (WAIRE) PROGRAM

Rule 2305 was adopted by the Governing Board on May 7, 2021, and applies to owners and operators of warehouses located in the SCAQMD. This new rule has fast-approaching reporting requirements for both owners and operators, including already requiring some warehouse operators to be counting truck trips. Rule 2305 defines a warehouse as a building that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers. There are separate requirements that apply to owners and to operators of warehouses.

### Owners

Owners of warehouses greater than or equal to 100,000 square feet (ft<sup>2</sup>) of indoor floor space in a single building were required to submit a one-time Warehouse Owner Notification (WON) report by September 1, 2021 (or within 30 days of applicability or changes in tenants/sizes). The report required information about the size of the warehouse, tenants' names, tenants' contact information, and information on space used for warehousing activities.

### Operators

Operators in a building with a cumulative (across all tenants) of less than 100,000 ft<sup>2</sup> of warehousing activities (i.e., the warehouse space not including offices, retail areas, manufacturing areas, etc. that are separated from the warehousing activities by walls) are exempt from the rule.

Operators in buildings with cumulative warehousing activities of at least 100,000 ft<sup>2</sup> are required to submit an Initial Site Information Report (ISIR) due by July 1<sup>st</sup> of either 2022, 2023, or

**Table 3: Summary of Operator Warehouse Size and Initial Dates**

Total Warehouse Size (ft <sup>2</sup> )	First Year of Truck Trip Counting	ISIR Due	Initial WAIRE Compliance Period	First Annual WAIRE Report Due
250,000 or Larger	7/1/2021 – 6/30/2022	7/1/2022	1/1/2022 – 12/31/2022	1/31/2023
150,000 – 249,999	6/1/2022 – 5/31/2023	7/1/2023	1/1/2023 – 12/31/2023	1/31/2024
100,000 – 149,999	6/1/2023 – 5/31/2024	7/1/2024	1/1/2024 – 12/31/2024	1/31/2025

2024, depending on the total warehouse size category shown in Table 3.

Operators with their own warehousing activities less than 50,000 ft<sup>2</sup> only need to provide contact information and size information in the ISIR and have no future annual reports or obligations.

Operators with warehousing activities of at least 50,000 ft<sup>2</sup> are required to:

- Also include in the ISIR:
  - Truck trip data for the previous 12 months and anticipated truck trips for the next compliance period, each tallied in two weight categories: Class 2B through 7 (straight trucks) and Class 8 (tractors);
  - Vehicle miles traveled for the previous 12 months of their operated vehicles by weight class and fuel type, as well as typical time spent parked at the warehouse and indication of which are owned versus leased;
  - Hours for the previous 12 months of their yard tractors, as well as fuel type, size, quantity, and whether registered with the Department of Motor Vehicles; and
  - Information about any existing alternate fueling or zero-emission infrastructure and chargers; and
- Calculate their annual WAIRE Points Compliance Obligation (WPCO), earn WAIRE Points, and submit Annual WAIRE Reports.

The WPCO, which is the quantity of WAIRE Points required to comply each year, is calculated from truck trips for each weight category (Classes 2b through 7 and Class 8). Warehouse operators are required to meet their WPCO by earning WAIRE Points through actions and investments completed during the compliance period (calendar year), earned through either the WAIRE menu, a custom WAIRE plan, and/or mitigation fees of \$1,000 per point.

Annual WAIRE Reports are due January 31<sup>st</sup> following each compliance period and must include final truck trip counts, updated WPCO calculations, information on the actions that generated WAIRE Points, and mitigation fees for any remaining WAIRE Points.

Warehouse operators who have a WPCO of less than 10 in any compliance period are exempt from the requirement to earn WAIRE Points, but must document the WPCO in an Annual WAIRE Report.

Note that truck trip tracking must be representative and verifiable, which can include guard shack logbooks, surveillance cameras, electronic telematics (GPS), and/or driveway sensors. Rule 2305 records are required to be maintained for at least 7 years. For more info, visit the WAIRE Program homepage at: <http://www.aqmd.gov/home/rules-compliance/compliance/waire-program>

*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.*