



**PORTABLE DIESEL ENGINES:
UNCERTIFIED PORTABLE DIESEL ENGINES MAY NOT
OPERATE IN CALIFORNIA AFTER DECEMBER 31, 2009**

The purpose of this advisory is to help owners and operators of uncertified portable diesel engines understand and comply with the state's Airborne Toxic Control Measure (ATCM) for Diesel Particulate Matter from Portable Engines and to advise them of the upcoming deadline related to the operation of uncertified portable diesel engines.

The ATCM became effective on September 12, 2007. It contains many requirements and limitations related to the operation of portable diesel engines. Most importantly, Section 93116.3(b)(1)(A) of the ATCM states the following:

“... starting January 1, 2010, all portable diesel-fueled engines shall be certified to meet a federal or California standard for newly manufactured nonroad engines pursuant to 40 CFR Part 89 or Title 13 or the California Code of Regulations (that is, certified to Tier 1, 2, or 3 nonroad engine standards).”

This means that, with a very few limited exceptions¹, uncertified or “Tier Zero” portable diesel engines will not be allowed to operate after December 31, 2009; they will have to be replaced with certified engines. All engines manufactured prior to 1996, as well as some newer engines, are “Tier Zero” engines. Certified engines can be identified by a U.S. EPA 12-character Family Name.

Statewide Portable Equipment Registrations for uncertified portable diesel engines will not be valid after December 31, 2009. Also, the Ventura County Air Pollution Control District (APCD) will remove uncertified portable diesel engines from Permits to Operate at renewal starting January 1, 2010.

Anyone operating an uncertified portable diesel engine after December 31, 2009, will be subject to enforcement action and monetary penalties. Anyone operating a portable diesel engine rated at 50 BHP or greater, at any time, without a Ventura County APCD Permit to Operate, or a Statewide Portable Equipment Registration, will be subject to enforcement action and monetary penalties.

¹ Portable diesel-fueled engines used exclusively in emergency applications, or that qualify as low-use engines, and lattice boom cranes may be exempt.

You can download a copy of the ATCM from the California Air Resources Board (ARB) website at: <http://www.arb.ca.gov/diesel/peatcm/peatcm.htm>. For information on the Statewide Portable Equipment Registration Program (PERP), go to the California ARB's PERP home page at: <http://www.arb.ca.gov/portable/portable.htm>

Please note that a portable engine holding a PERP registration is not required to obtain a Ventura County APCD Permit to Operate. A PERP registration is valid throughout California.

If you have any questions regarding the APCD's enforcement of the portable diesel-fueled engine ATCM, please contact Dan Searcy at 805/645-1494 or email at: dans@vcapcd.org.