



Linda S. Adams
Secretary for
Environmental Protection

Air Resources Board

Mary D. Nichols, Chairman
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Arnold Schwarzenegger
Governor

June 9, 2009

Re: **Third Notice of Upcoming Portable Equipment Registration Program (PERP) Registration Cancellation**

To Whom It May Concern:

This letter is a follow-up to the October 1, 2008 and February 11, 2009 notification letters we sent you regarding portable engine registrations that will not be valid after December 31, 2009. We want to make sure you are aware of the regulation requirements and the options available to you regarding the replacement or re-designation of your registered engine.

California's Airborne Toxic Control Measure for Portable Diesel Engines (ATCM) and the PERP Regulation require that starting January 1, 2010, all portable engines must be certified nonroad engines pursuant to federal regulation 40 CFR Part 89, 40 CFR Part 1048, or Title 13 of the California Code of Regulations, except those diesel engines designated only for emergency use or low use.

The engines you have registered are non-certified engines (either diesel-fueled or spark ignition), non-certified engines equipped with the Clean Cam Technology System retrofit kit, or are diesel engines certified for on-highway use only. We have identified several options below for these engines subject to the January 1, 2010 registration expiration deadline:

- 1) Replacement of the engine with a certified nonroad engine.
 - a) The application for a replacement diesel engine must be submitted as a new application and must meet the registration eligibility requirements in effect at the time of application. Currently, that emission standard for diesel engines is Tier 3 for engines 750 bhp and below and Tier 2 for engines above 750 bhp. A diesel engine not meeting the current tier may be registered if it can be proven that it operated in California any time between March 1, 2004 and October 1, 2006. Applications for non-current tier certified diesel engines must be submitted by December 31, 2009 and additional fees apply.
 - b) The application for a replacement spark-ignition (gasoline, propane, etc.) engine must be submitted as a new application and must meet the registration eligibility requirements in effect at the time of application. Currently any certified spark-ignition engine is eligible for PERP. In addition, any older spark-ignition engine retrofitted such that it meets the emission standards in Table 1 of the PERP Regulation is also eligible for PERP.

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

- c) A replacement option could also include the purchase of a certified gasoline or certified nonroad diesel engine that is already registered in PERP or has a current district permit to operate.

- 2) For diesel-fueled engines, designation of the engine as emergency-use or low-use.

In order to designate an engine as emergency or low-use, you must submit Form 7 with the applicable fees to modify the registration. If this option is chosen, you must commit to replacing the engine with a Tier 4 engine (final standard) within two years of the first availability of Tier 4 engines. Engines designated for emergency-use may only be used in situations as defined in Section 93116.2(a)(11) and (12) of the ATCM. Low-use engines may operate no more than 80 hours per year.

- 3) Non-certified spark-ignition engines may be able to operate under the authority of the local air districts after January 1, 2010, so you may wish to contact your local air district to inform yourself of permitting options available. A listing of air district contact information can be found at www.arb.ca.gov/capcoa/roster.htm.

If you have questions about these engines and the options discussed, please feel free to contact our staff:

Ms. Kelly Weatherford (916) 322-4337
Ms. Zuzana Vona (916) 323-9688
Mr. Joseph Gormley (916) 322-5616
Ms. Carol Carlson (916) 445-1365
Mr. Dave Brown (916) 324-1129

You may also wish to obtain further information by consulting our website located at www.arb.ca.gov/portable/portable.htm.

Sincerely,

Michael J. Guzzetta, Manager
Rule Evaluation Section
Stationary Source Division