

Portable Engine Airborne Toxic Control Measure (ATCM)

Since 1998, particulate matter (PM) emissions from diesel-fueled engines have been considered a toxic air contaminant (TAC) in California. In 2000, the California Air Resources Board (ARB) approved the Diesel Risk Reduction Plan to reduce diesel emissions from new and existing diesel-fueled engines and vehicles, including portable engines by 85% by 2020. The ARB adopted the Portable Engine Airborne Toxic Control Measure (ATCM) to minimize public exposure to particulate emissions from these sources. At a public hearing on June 29, 2007, the ARB finalized amendments to the Portable ATCM. It was approved by the Office of Administrative Law (OAL) on September 12, 2007 and became effective on the same day.

Applicability

With few exceptions, the Portable ATCM affects all diesel-fueled portable engines that are **greater than or equal to 50 horsepower (hp)**.

Requirements

Key requirements include:

- All affected portable engines must be certified to meet a three-tiered progression of increasingly stringent standards (Tier 1, 2, or 3 United States Environmental Protection Agency (USEPA) standards) by January 1, 2010. These tiers are derived from USEPA's "Non-Road Diesel Emission Standards."
- Emergency standby engines and those engines that meet the requirements for "low-use engines" must be certified to the Non-Road Diesel Emission Standards by 2010 but are not subject to these fleet emission standards. Rather, by January 1, 2020, these engines must be certified to Tier 4 engines standards or be equipped with a Level-3 diesel PM control technology, or a combination of verified control technologies to achieve an 85% diesel PM reduction.
- The Portable ATCM rule offers credits and incentives for units using alternate fuels for engines that operate more than 100 hours per year and meet certain other criteria.
- The Portable ATCM rule addresses the relationship with the State's Portable Equipment Registration Program (PERP), which offers some relief from permitting for equipment such as air compressors, generators, water pumps and other specified equipment.

Analysis and Suggestions

Beyond Compliance LLC notes that:

- The Portable ATCM rule imposes new regulatory requirements on owners or operators of portable diesel-fueled equipment.
- The Portable ATCM rule draws upon categories and emissions control strategies previously used for stationary equipment, such that compliance and emissions control strategies can be readily adapted to meet the new requirements.
- New emissions controls are likely to be required. Design, specification, purchase, installation, and testing for adequacy of the emissions controls will take time. Companies that wait until mid-2009 to consider applicability of this rule may face challenges.
- With overlap on other rules and/or incentives (alternative fuels, permitting relief), this rule should be considered in the overall context of a company's or facility's environmental compliance program.

To meet compliance with this new requirement with minimal disruption, Beyond Compliance LLC suggests that companies:

- Compile an inventory of portable diesel equipment
- Assess applicability of the new rule to the equipment
- Evaluate classification of equipment to Tiers, and the potential need for additional emissions controls
- Research costs, lead times, and other key aspects of emissions controls
- Consider new emissions controls requirements in context with Company commitments (example: using alternative-fueled engines)
- Develop a compliance action plan including roles, responsibilities, dates, and budgets
- Periodically monitor progress with the compliance action plan.

For more information contact Mike Montag at mike@beyondcompliance.net to discuss your regulatory needs and request a price quote for services.