

# SMAQMD BACT CLEARINGHOUSE

CATEGORY Type:

**IC ENGINE COMPRESSION - PRIME**

BACT Category: MINOR SOURCE

<b>BACT Determination Number:</b> 315	<b>BACT Determination Date:</b> 6/7/2022
<b>Equipment Information</b>	
<b>Permit Number:</b> N/A -- Generic BACT Determination <b>Equipment Description:</b> NON-ROAD/SELF-PROPELLED IC ENGINE <b>Unit Size/Rating/Capacity:</b> All Horsepower <b>Equipment Location:</b>	
<b>EXPIRED</b>	
<b>BACT Determination Information</b>	
<b>District Contact:</b> Felix Trujillo, Jr. Phone No.: (279) 207-1154 email: ftrujillo@airquality.org	
<b>ROCs</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>NOx</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>SOx</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>PM10</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>PM2.5</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>CO</b>	<b>Standard:</b> See Comments Below
	<b>Technology Description:</b> <25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel
	<b>Basis:</b> Achieved in Practice
<b>LEAD</b>	<b>Standard:</b>
	<b>Technology Description:</b>
	<b>Basis:</b>
<b>Comments:</b> For all criteria pollutants: < 25 hp: Comply w/EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets & use CARB diesel fuel. This BACT applies to self-propelled diesel fueled IC engines not subject to the portable ATCM. TBACT is equivalent to BACT.	

**BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION****EXPIRED****DETERMINATION NO.:** 315**DATE:** 06/07/2022**ENGINEER:** Felix Trujillo, Jr.**Category/General Equip Description:** Internal Combustion (I.C.) Engine**Equipment Specific Description:** I.C. Engine, Non-Road, Compression-Ignited, Self-Propelled**Equipment Size/Rating:** All Horsepower**Previous BACT Det. No.:** 257

This Best Available Control Technology (BACT) determination will replace BACT Determination 257 for compression-ignited, non-road/self-propelled, internal combustion engines.

Internal Combustion (IC) compression-ignited engines generate power by compressing diesel fuel until it ignites. IC engines generate emissions by the combustion of fuel. Non-road/self-propelled engines serve a dual purpose by propelling itself or performing another function (such as powering a track-mounted crusher or screen). The District has determined that a self-propelled engine that powers a permissible operation (such as aggregate/concrete/asphalt crushing or screening) while in a stationary position is subject to permitting requirements.

**A. BACT ANALYSIS:**

The Clean Air Act (CAA) Section 209(e) states that no State or any political subdivision thereof shall adopt or attempt to enforce any standard or other requirement relating to the control of emissions from new or in-use nonroad engines. This section does allow the EPA to grant the state of California a waiver to this preemption allowing California to set standards and requirements for certain new and in-use nonroad engines. Because of this preemption: 1) this BACT determination will not include a review of BACT determinations or rules from local air districts, and 2) the District will forgo public noticing this BACT determination as standards are equivalent to what has already been set by state and federal agencies.

Pursuant to the District's BACT guidelines (2016), a review of the EPA and CARB rules that apply to this type of equipment was performed. The review of this source showed no change in the standards of the regulations that were previously evaluated under BACT Determination No. 257. Therefore, the standards will remain unchanged from the previous BACT determination. BACT Determination No. 257 will be attached as a reference for this BACT determination (see Appendix A).

## B. SELECTION OF BACT:

Based on the above analysis, BACT for VOC, NOx, SOx, PM10, PM2.5, and CO will remain at what is currently achieved in practice.

See the tables below for a summary of the BACT Determinations:

<b>BACT FOR NON-ROAD/SELF-PROPELLED, COMPRESSION-IGNITED, IC ENGINES, RATED LESS THAN 25 BHP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>NOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>SOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM10</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM2.5</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>CO</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB

<b>BACT FOR NON-ROAD/SELF-PROPELLED, COMPRESSION-IGNITED, IC ENGINES, RATED AT 25 BHP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>NOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>SOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM10</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM2.5</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>CO</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB

**C. SELECTION OF T-BACT:**

As stated in the previous BACT Determination No. 257, the Toxic Air Contaminants (TAC), diesel particulate matter, is associated with compression-ignited engines. Therefore, BACT for PM10 and PM2.5 will be considered T-BACT.

APPROVED BY: Brian F Krebs

DATE: 06-07-2022

# **Attachment A**

**BACT Determination No. 257**

**EXPIRED****SMAQMD BACT CLEARINGHOUSE**

CATEGORY Type:

**NON-ROAD IC ENGINE**

BACT Category: MINOR SOURCE

<b>BACT Determination Number:</b>	257	<b>BACT Determination Date:</b>	3/31/2020
<b>Equipment Information</b>			
<b>Permit Number:</b> N/A -- Generic BACT Determination <b>Equipment Description:</b> COMPRESSION IGNITED PRIME POWER <b>Unit Size/Rating/Capacity:</b> All Horsepower: Nonroad Self-Propelled IC Engine <b>Equipment Location:</b>			
<b>BACT Determination Information</b>			
<b>District Contact:</b> Felix Trujillo, Jr.      Phone No.: (916) 874-7357      email: ftrujillo@airquality.org			
<b>ROCs</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>NOx</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>SOx</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>PM10</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>PM2.5</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>CO</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>LEAD</b>	<b>Standard:</b>		
	<b>Technology Description:</b>		
	<b>Basis:</b>		
<b>Comments:</b> For all criteria pollutants: < 25 hp: Comply w/EPA nonroad regulations & use CARB diesel fuel; >= 50 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets. This BACT applies to self-propelled diesel fueled IC engines not subject to the portable ATCM. TBACT is equivalent to BACT.			



**BEST AVAILABLE CONTROL TECHNOLOGY & TOXIC BEST AVAILABLE  
CONTROL TECHNOLOGY DETERMINATION**

**DETERMINATION NO.:** 257  
**DATE:** 3/31/20  
**ENGINEER:** Felix Trujillo, Jr.

**Category/General Equip Description:** Non-road IC Engine  
**Equipment Specific Description:** Non-road, Compression-Ignited, IC Engine, Self-propelling  
**Equipment Size/Rating:** Minor Source BACT  
**Previous BACT Det. No.:** 165

This BACT determination will update Determination #165 (9/12/17) for non-road compression ignited self-propelling engines.

**BACT ANALYSIS**

Pursuant to the District's BACT Guidelines (2016), a review of the EPA, CARB, SCAQMD, SJVAPCD, BAAQMD and SDAPCD BACT Clearinghouses was performed. The District also reviewed any applicable rules from the aforementioned air districts that apply to this type of operation. The review of these sources showed no change in the rules or BACTs that were previously evaluated for minor sources under BACT No. 165. Therefore, there is no change in requirements as was previously determined under BACT No. 165. BACT No. 165 (Appendix A) will be attached as a reference for this BACT determination (see Attachment A).

**C. SELECTION OF BACT & T-BACT:**

<b>BACT – NON-ROAD COMPRESSION-IGNITED IC ENGINE RATED LESS THAN 25 HP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>NOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>SOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM10</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM2.5</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>CO</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB

<b>BACT – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED AT 25 HP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>NOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB



<b>BACT – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED AT 25 HP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>SOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM10</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM2.5</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>CO</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB

**T-BACT:**

The toxic pollutant at issue with this technology is diesel particulate matter. The BACT standard will also control diesel particulate matter. Therefore, BACT controls are also the T-BACT controls.

APPROVED BY: Brian F Krebs

DATE: 3/31/20

# **Attachment A**

**BACT No. 165**

CATEGORY:

**IC ENGINE COMPRESSION-PRIME**

BACT Size: Minor Source BACT

**IC ENGINE PRIME POWER**

<b>BACT Determination Number:</b> 165		<b>BACT Determination Date:</b> 9/12/2017	
<b>Equipment Information</b>			
<b>Permit Number:</b> 25331 <b>Equipment Description:</b> IC ENGINE PRIME POWER <b>Unit Size/Rating/Capacity:</b> All Horsepower: Nonroad Self-Propelled IC Engine <b>Equipment Location:</b> ZANKER ROAD RESOURCE MGMT, LTD DBA FLORIN PERKINS 4201 FLORIN PERKINS RD SACRAMENTO, CA			
<b>BACT Determination Information</b>			
<b>ROCs</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>NOx</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>SOx</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>PM10</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>PM2.5</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>CO</b>	<b>Standard:</b>	See Comments Below	
	<b>Technology Description:</b>	<25 hp: Comply with EPA nonroad regulations & use CARB diesel fuel; >= 25 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets	
	<b>Basis:</b>	Achieved in Practice	
<b>LEAD</b>	<b>Standard:</b>		
	<b>Technology Description:</b>		
	<b>Basis:</b>		
<b>Comments:</b> For all criteria pollutants: < 25 hp: Comply w/EPA nonroad regulations & use CARB diesel fuel; >= 50 hp: Comply with the Regulation for In-Use Off-Road Diesel-Fueled Fleets. This BACT applies to self-propelled diesel fueled IC engines not subject to the portable ATCM. TBACT is equivalent to BACT.			
<b>District Contact:</b> Felix Trujillo, Jr.      Phone No.: (916) 874 - 7357      email: smosunic@airquality.org			

**BEST AVAILABLE CONTROL TECHNOLOGY DETERMINATION**

<b>DETERMINATION NO.:</b>	165
<b>DATE:</b>	9/12/17
<b>ENGINEER:</b>	Felix Trujillo, Jr.

**Category/General Equipment  
Description:**

IC Engine Compression - Prime

**Equipment Specific Description:**

Non-road, Compression-Ignited, IC Engine, Self-propelling

**Equipment Size/Rating:**

Minor Source, All Horsepower

**Previous BACT Det. No.:**

None

BACT is only required if emission units or stationary sources are subject to the District permit requirements. Health and Safety Code section 42310(a)(1) states that a permit is not required for "any vehicle," and defines vehicle as a device by which people or property may be propelled, moved or drawn on the highway, except devices that use exclusively human power or are operated on stationary rails or tracks. (Health and Saf. Code, § 39060, Vehicle Code § 670.) In addition, the Clean Air Act, Section 216 defines a motor vehicle as any self-propelled vehicle designed for transporting persons or property on a street or highway, and the District permitting requirements only exempt vehicles used to transport passengers or freight (per Rule 201 Section 111.1). Self-propelled engines are remotely controlled, are not equipped with steering wheels or a driver's seat, were not designed to be operated on the streets or highways, and are commonly operated on tracks to transport them from one place to another. Consequently, they do not fit the definition of vehicles that are exempt from the District permitting requirements.

This Best Available Control Technology (BACT) determination for non-road, compression-ignited, self-propelled IC engines is new, because there was previously no BACT determination for this category. The District previously developed a BACT determination for portable engines (BACT #150) that applied to engines that were subject to the Portable Engine Air Toxic Control Measure (ATCM), but the Portable Engine ATCM exempts engines that are used to propel mobile equipment or a motor vehicle of any kind. The Portable Engine ATCM BACT determination does not apply to this equipment because the self-propelled IC engines generally serve a dual purpose: (i) provide power to mobilize the unit, and (ii) when the unit is stationary, provide power to another process that is mounted on the unit. Examples of such units are track mounted grinders, cranes, and crushers.

This determination includes T-BACT for the Toxic Air Contaminants (TAC) – diesel particulate matter is associated with compression-ignited engines.

The Clean Air Act (CAA) Section 209(e) states that no State or any political subdivision thereof shall adopt or attempt to enforce any standard or other requirement relating to the control of emissions from new or in-use non-road engines. This section does allow the EPA to grant the state of California a waiver to this preemption allowing California to set standards and requirements for certain new and in-use non-road engines. Because of this preemption, this BACT determination will not include a review of BACT determinations or rules from local air districts.

## BACT/T-BACT ANALYSIS

### **A. ACHIEVED IN PRACTICE (Rule 202, §205.1a):**

The following control technologies are currently employed for compression-ignited engines as discussed below:

## **US EPA**

### **RULE REQUIREMENTS:**

#### **40 CFR 89 – Control of Emissions from New and In-Use Nonroad Compression-Ignition Engines**

The Federal Clean Air Act allows California to seek an authorization of the federal preemption that prohibits states and local jurisdictions from enacting emission standards and other emission-related requirements for new and in-use non-road engines that are not conclusively preempted by section 209(e)(1) new engines less than 175 hp used in farm and construction equipment and vehicles and new engines used in new locomotives and locomotive engines (CAA section 209(e)(2)). The ARB serves as the representative of California in filing authorization requests with U.S. EPA. California filed a written request for an authorization to enforce its own rule, the *Regulation for In-Use Off-Road Diesel Vehicles (Title 13, CCR Sections 2449-2449.3)*, in lieu of EPA's non-road standards, arguing that California's rule is, in aggregate, at least as protective of public health and welfare as the applicable federal standards and it is necessary to meet compelling and extraordinary conditions. EPA approved California's rule.

Since California obtained a waiver from EPA, the requirements of 40 CFR 89 are not applicable for engines greater than or equal to 50 hp (37 KW).

The following table shows the emission standards for non-road compression-ignited engines under 50 hp (37 Kw) based on their specified model year and maximum engine power (40 CFR 89.112)

EPA Tier 1-3 Non-road Diesel Engine Emission Standards (40 CFR §89.112), g/kWh (g/bhp-hr)							
Engine Power	Tier	Year	CO	HC	NMHC+NOx	NOx	PM
kW < 8 (hp < 11)	Tier 1	2000	8.0 (6.0)	-	10.5 (7.8)	-	1.0 (0.75)
	Tier 2	2005	8.0 (6.0)	-	7.5 (5.6)	-	0.8 (0.6)



Engine Power	Tier	Year	CO	HC	NMHC+NOx	NOx	PM
8 ≤ kW < 19 (11 ≤ hp < 25)	Tier 1	2000	6.6 (4.9)	-	9.5 (7.1)	-	0.8 (0.6)
	Tier 2	2005	6.6 (4.9)	-	7.5 (5.6)	-	0.8 (0.6)
19 ≤ kW < 37 (25 ≤ hp < 50)	Tier 1	1999	5.5 (4.1)	-	9.5 (7.1)	-	0.8 (0.6)
	Tier 2	2004	5.5 (4.1)	-	7.5 (5.6)	-	0.6 (0.45)

40 CFR 1039 – Control of Emissions from New and In-Use Nonroad Compression-Ignition Engines:

The following table shows the emission standards for nonroad compression-ignited engines under 50 hp (37 KW) based on their specified model year and maximum engine power (40 CFR 1039.101 and 1039.102).

Engine Power	Year	CO	NMHC	NMHC+NO <sub>x</sub>	NO <sub>x</sub>	PM
kW < 8 (hp < 11)	2008	8.0 (6.0)	-	7.5 (5.6)	-	0.4 <sup>a</sup> (0.3)
8 ≤ kW < 19 (11 ≤ hp < 25)	2008	6.6 (4.9)	-	7.5 (5.6)	-	0.4 (0.3)
19 ≤ kW < 37 (25 ≤ hp < 50)	2008	5.5 (4.1)	-	7.5 (5.6)	-	0.3 (0.22)
	2013	5.5 (4.1)	-	4.7 (3.5)	-	0.03 (0.022)

**CALIFORNIA AIR RESOURCES BOARD**

### RULE REQUIREMENTS:

## 13 CCR Section 2423 Exhaust Emission Standards and Test Procedures – Off-Road Compression Ignition Engines

New off-road compression ignition engines must meet the following exhaust emission standards according to its model year and maximum rated power.

Maximum Engine Power	Model Year	Type	PM	NMHC + NOx	NMHC	NOx	CO
			grams per kilowatt-hour				
kW<8	2008 and later	Final	0.40	7.5	-	-	8.0
8≤kW<19							6.6

Maximum Engine Power	Model Year	Type	PM	NMHC + NOx	NMHC	NOx	CO
			grams per kilowatt-hour				
19≤kW<37	2008-2012	Interim	0.30	7.5	-	-	5.5
	2013 and later	Final	0.03	4.7			
37≤kW<56	2008-2012	Interim	0.30	4.7	-	-	5.0
	2013 and later	Final	0.03				
56≤kW<75	2012-2014	Phase-In	0.02	-	0.19	0.40	5.0
		Phase-Out		4.7	-	-	
		or/ Alt NOx		-	0.19	3.4	
	2015 and later	Final				0.40	
75≤kW<130	2012-2014	Phase-In	0.02	-	0.19	0.40	5.0
		Phase-Out		4.0	-	-	
		or/ Alt NOx		-	0.19	3.4	
	2015 and later	Final				0.40	
130≤kW≤560	2011-2013	Phase-In	0.02	-	0.19	0.40	5.0
		Phase-Out		4.0	-	-	
		or/ Alt NOx		-	0.19	2.0	
	2014 and later	Final				0.40	
Generators: 560<kW≤900	2011-2014	Interim	0.10	-	0.40	3.5	3.5
	2015 and later	Final	0.03		0.19	0.67	
Generators: kW>900	2011-2014	Interim	0.01	-	0.40	0.67	3.5
	2015 and later	Final	0.03		0.19		
Other engines: kW>560	2011-2014	Interim	0.10	-	0.40	3.5	3.5
	2015 and later	Final	0.04		0.19		

Title 13, CCR Sections 2449 -2449.3 – Regulation for In-Use Off-Road Diesel Vehicles:

This regulation is to reduce oxides of nitrogen (NOx), diesel particulate matter (PM) and other criteria pollutant emissions from in-use off-road diesel-fueled vehicles. This regulation applies to a person, business or government agency who owns or operates within California any off-road vehicles with a diesel-fueled or alternative diesel fueled compression-ignition

engine with maximum power of 25 horsepower or greater that the vehicle cannot be registered and driven safely on-road or was not designed to be driven on-road, even if it has been modified so that it can be driven safely on-road. Since California obtained a waiver to implement the Regulation for In-Use Off-Road Diesel-Fueled Fleets in lieu of the federal requirements, the ATCM applies to engines 25 hp and greater and the federal non-road requirements apply to engines under 25 hp.

This regulation is very complex and will not be discussed in detail in this analysis. The main requirements of the regulation are:

- Imposes limits on idling, requires a written idling policy and requires a disclosure when selling vehicles;
- Requires all vehicles to be reported to ARB (using the Diesel Off-Road Online Reporting System, DOORS) and labeled;
- Restricts the adding of older vehicles into fleets starting on January 1, 2014; and
- Requires fleets to reduce their emissions by retiring, replacing or repower older engines, or installing Verified Diesel Emission Control Systems, VDECS (i.e., exhaust retrofits).

**Discussion on Achieved in Practice Control Technologies:**

It is shown above that the EPA and California have certification standards for engines based on their model year and horsepower rating. The Regulation for In-Use Off-Road Diesel-Fueled Fleets goes further by requiring fleets to reduce their emissions by retiring, replacing or repower older engines, or installing exhaust retrofits. Engines less than 25 hp are not subject to this regulation. As mentioned before, the district is preempted from setting emission standards although can still require the use of a specific fuel type (Appendix A to Subpart A of Part 89—State Regulation of Non-road Internal Combustion Engines). Therefore, the following control technologies have been identified as the most stringent, achieved in practice control technologies:

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED LESS THAN 25 HP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>NOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>SOx</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB



<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED LESS THAN 25 HP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>PM10</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM2.5</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>CO</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED AT 25 HP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB
<b>NOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB
<b>SOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB
<b>PM10</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB
<b>PM2.5</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED AT 25 HP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>CO</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	CARB

**B. TECHNOLOGICALLY FEASIBLE AND COST EFFECTIVE (Rule 202, §205.1.b.):**

**Technologically Feasible Alternatives:**

Any alternative basic equipment, fuel, process, emission control device or technique, singly or in combination, determined to be technologically feasible by the Air Pollution Control Officer.

Staff was unable to identify any technologically feasible alternatives, beyond what is achieved in practice that did not conflict with CAA Section 209(e), which restricts air districts from adopting emission standards or other requirements relating to the control of emissions for non-road engines.

**C. SELECTION OF BACT:**

Based on the above analysis, BACT for VOC, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and CO will be considered equivalent to what is currently achieved in practice.

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD COMPRESSION-IGNITED IC ENGINE RATED LESS THAN 25 HP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>NO<sub>x</sub></b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>SO<sub>x</sub></b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>PM<sub>10</sub></b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD COMPRESSION-IGNITED IC ENGINE RATED LESS THAN 25 HP</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>PM2.5</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB
<b>CO</b>	Compliance with applicable EPA non-road regulations (40 CFR part 89 and/or 1039) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5.	US EPA/ CARB

<b>BEST CONTROL TECHNOLOGIES ACHIEVED – NON-ROAD SELF-PROPELLED COMPRESSION-IGNITED IC ENGINE RATED AT 25 HP OR GREATER</b>		
<b>Pollutant</b>	<b>Standard</b>	<b>Source</b>
<b>VOC</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>NOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>SOx</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM10</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>PM2.5</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB
<b>CO</b>	Compliance with the Regulation for In-Use Off-Road Diesel-Fueled Fleets (Title 13 CCR Section 2449) and use of CARB-approved diesel fuel or a fuel that meets the CARB requirements in 17 CCR Section 93115.5	CARB

**D. SELECTION OF T-BACT:**

The toxic pollutant at issue with this technology is diesel particulate matter. The BACT standard will also control diesel particulate matter. Therefore, BACT controls are also the T-BACT controls.

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY:  \_\_\_\_\_ DATE: 9/12/17