

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Yearly Vehicle and Equipment Replacement
DATE: May 4, 2010

NEEDS: For the City Council to consider a lease/purchase of vehicles and equipment budgeted for replacement in Fiscal Year 2010 as established by the City's Equipment Replacement Program/policy.

FACTS:

1. The FY10 replacement list is comprised of only the most critical Vehicles & Equipment necessary for field tasks.
2. Several vehicles and some equipment types have been modified to allow purchase of items best suited to their intended use and, when possible, reduce cost. Specifically:
 - a. Two (2) Single axle dump trucks allocated to Water and Waste Water Divisions have been reduced to a single unit to be shared reducing associated costs by \$80,000.
 - b. A Mechanical Rodder Truck will be replaced by a less expensive towable trailer mounted unit eliminating the need for a cab and chassis reducing replacement cost \$60,000.
 - c. An existing Jetter Truck will be replaced with a Jet/Vacuum unit to provide capability to clean/large (20" and above) sewer mains. The unit can also be used to clear impacted storm drains to address Storm Water Permit issues/potential fines/civil liabilities.
 - d. A Waste Water Service truck will be equipped with a crane unit to facilitate removal and service of lift station pumps, reducing the need to rent equipment and cost of service for after-hours and weekend emergencies.
3. With the exception of a single lawn mower, infield tractor and Sweeper all equipment is allocated to Enterprise Funds.
4. The following vehicles and equipment are budgeted for replacement purchases in the FY2009-10 budget and funded in the respective Enterprise Funds or Vehicle Replacement Fund:

Existing Vehicle/Equipment	Replacement	Fund	BID AMT
(1) 2001 Dodge ½ ton PU	(1) ½ Ton Full size pickup	Water	\$25,000
(1) One 1999 1 ton dump (1) One 1985 2 ½ ton dump	(1) 2 ½ ton dump truck w/5-7 yd. bed	Shared W/WW	\$75,000
(1) 1985 Rodder Truck	(1) Mechanical Rodder Trailer	Wastewater	\$40,000
(1) 1990 Easement Cleaner	(1) Sewer Easement Cleaner	Wastewater	\$40,000
(1) 2000 Jet Sewer Cleaner	(1) “Vac-Con” Truck	Wastewater	\$350,000
(1) 1999 Service Truck	(1) Heavy Duty Service Truck	Wastewater	\$120,000
(1) 1990 Generator	(1) 8 inch Wastewater trash Pump	Wastewater	\$50,000
(2) 1999 Generators	(2) Generator 220-440 3 phase	Wastewater	\$86,000
(1) 1998 ½ ton PU	(1) ½ Ton Full size pickup	Airport	\$25,000
(1) 2000 Range wing mower	(1) Triple deck mower	General	\$50,000
(1) 1998 Infield Bunker rake	(1) Infield rake	General	\$14,000
(1) Regenerative Air Sweeper	(1) Regenerative Air Sweeper	General	\$200,000

5. Prices were compiled using the State bid list and Governmental Agency Cooperative bidding to achieve the lowest cost possible.
6. The total cost of the recommended equipment will be financed through a five (5) year Lease/Purchase Agreement.
7. Rabobank Equipment Lease has been selected as the most cost efficient lease/purchase service.

ANALYSIS &

CONCLUSION: The City has an adopted equipment replacement policy based on the useful life of the equipment. The policy does not speak to replacement of equipment as the result of obsolescence, increasing or changing workloads that grow to exceed their capabilities.

Prior to being considered for replacement, equipment is examined to determine if the useful life can be extended and/or the equipment can still satisfy the needs it was intended. The FY10 requested purchases are limited to equipment or vehicles essential to maintenance operations for which the useful equipment life has been exhausted, ineffectual or obsolete (for example the Rodder Truck being replaced by the trailer mounted unit is 25 years old). The sweeper is being replaced as a result of increased maintenance (motor) and reduced dependability. Replacement of the generators is necessary to meet State Air Toxic Control measures for portable generators. The City’s equipment replacement policies and dedication to modernization of the equipment increases productivity (example attached). With reduced workforce (in excess of 20%) efficient and dependable equipment is an essential investment. Attached for review is a detailed list of Existing Vehicles and Equipment slated for replacement and the suggested replacements.

Existing Vehicle or Equipment

Replacement unit & criteria

2001 Dodge ½ ton pickup (#301)

Full-size Extra Cab ½ ton P/U State Bid

- Meets the replacement criteria for mileage and years under adopted replacement policy
 - Has an extensive history of maintenance.
 - Last three 3-year repair history cost: \$5,593 (27%of replacement cost).
-

1985 2 ½ ton dump truck (#305)
1999 1 ton dump truck (#512)

2 ½ ton Dump Truck w/5-7 yard bed

- Both units exceed the replacement criteria established in the adopted replacement policy.
 - Replacement parts are hard to find therefore field use has been minimized to reduce maintenance costs.
 - Replacement of two (2) units by shared unit reduces impact to fund by \$80,000.
-

1985 Rodder Truck (#521)

Trailer mounted Rodder

- Existing Rodder unit is 35 years old and not dependable. Parts are impossible to find.
 - Rodder truck (cab and chassis upon which rodder unit is placed) is 25 years old and replacement parts (new parts) are difficult to obtain, therefore unit sees very limited use.
 - If approved new rodder unit would be trailer mounted allowing it to be pulled with existing equipment and eliminating need for new cab/chassis thereby reducing cost \$60,000.
-

1990 Easement cleaner (#503c & 503d)

Easement Cleaner

- The current apparatus is 20 years old.
- Replacement parts are not available; therefore unit is under-utilized.
- Existing apparatus is unsafe for staff to operate.

2000 Jet sewer cleaner (#509)

Vac-Con truck

- Exceeds replacement criteria of adopted replacement policy.
 - Existing unit requires two separate crews to properly clean sewers (doubling staff requirements), whereas suggested replacement unit only requires single crew to clean same distance.
 - Existing apparatus is not designed to clean large storm drains and newly-installed sewer mains (e.g., Templeton Interceptor).
-

1999 Service Truck (#510)

Heavy Duty Service Truck

- Exceeds replacement criteria of adopted replacement policy.
 - Larger unit with integrated crane/lift is needed for after hour emergencies.
 - Last year repair history of vehicle being replaced: \$7,155
 - Vehicle was approved and ordered in 2009, but dealer went out of business before unit could be delivered.
-

1990 Generator (#514)

8 inch Wastewater Trash Pump

- No longer meets State Air Toxic Control measures for portable generators.
 - This unit has multiple uses, while the generator only has one.
 - Reduces duplication of generator and pump, savings of \$40,000.
-

1999 Generators (2) (#506 & #507)

Generators 220-440 3 phase

- No longer meets State Air Toxic Control measures for portable generators.
- Potential fines associated with continued use exceed value of unit.

1998 ½ ton pickup (#803)

Full-size Extra Cab ½ ton P/U State Bid

- Exceeds the replacement criteria for mileage and years
 - 3-year repair history cost: \$3,507
 - Repair costs for the past three years equals 20% of the replacement cost.
-

2000 range wing mower (#576)

Triple-deck Mower

- Exceeds the replacement criteria for mileage and years
 - The existing unit is maintenance intensive, new unit has substantial improvements.
 - Unit has experienced a lot of downtime, causing staff to have to use a single deck mower.
 - Replacement unit will result in a 70% reduction in mow time over the single deck mower.
 - 3-year repair history cost: \$5,140 (20% of replacement cost)
-

1998 Infield Bunker and Field Rake (#563)

Infield Bunker & Field Rake

- Exceeds the replacement criteria for hours and years
 - Delaying replacement will result in increased downtime and inability to complete scheduled field preps
-

Regenerative Air Sweeper (#545)

Regenerative Air Sweeper

- High dump unit would improve efficiency by eliminating the need to use a loader to pick up debris and place in a dumpster. This unit would dump directly into dumpster.
- Unit is maintenance intensive
- Air quality regulations dictate the new clean diesel technology is instituted.
- Replacing Engine and associated parts to bring current sweeper into compliance would be approximately 20% of the new sweeper cost.

- Last six month maintenance cost: \$24,117 (13% of replacement cost)

POLICY

REFERENCE: City of Paso Robles Vehicle/Equipment Replacement Policy

FISCAL

IMPACT: The Fiscal Year 2010/2011 budget contains 13 requested vehicles and equipment totaling \$1,075,000:

- Cost of seven (7) pieces of the needed equipment totaling \$686,000 is funded in the current FY10 Waste Water Division budget.
- One (1) of the needed pieces of equipment totaling \$25,000 is funded in the current FY10 Water budget.
- One (1) of the needed pieces of equipment totaling \$75,000 is funded in the current FY10 Water and Waste Water budgets.
- One (1) of the needed pieces of equipment totaling \$25,000 is funded in the current FY10 Aviation Services budget.
- Three (3) of the needed pieces of equipment totaling \$264,000 will be funded by General Fund contributions already made to the Vehicle Replacement Fund.

The purchase of the proposed equipment would be through a lease/purchase for five-years. Quotes for the lease/purchase were requested and Rabobank Equipment Lease had the lowest interest rate at 3.63%. By using the lease/purchase, the City is leveraging its funding and thus preserving cash.

Should the City decide to payoff the lease/purchase before the five-year period, there would be an early buy-out penalty of 2% of the outstanding balance of the lease.

- OPTIONS:**
- a. Adopt Resolution No. 10-xx allowing the purchase of the new vehicles and equipment.
 - b. Amend, modify, or reject the above option.

Attachments: (4)

- 1) Resolution
- 2) Waste Water Audit
- 3) Email from Karen Brook, Manager of Compliance and Monitoring San Luis Obispo APCD
- 4) California Code of Regulations Title 17 Section 93116

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING A LEASE/PURCHASE AGREEMENT WITH RABOBANK EQUIPMENT LEASE
FOR VEHICLES AND EQUIPMENT BUDGETED FOR REPLACEMENT IN FISCAL YEAR 2010

WHEREAS, the City has adopted vehicle replacement policies based on the useful life of the vehicles/equipment; and

WHEREAS, prior to being considered for replacement, equipment is examined to determine if the useful life can be extended or has been exhausted; and

WHEREAS, the City's equipment replacement policies and dedication to modernization of the equipment has allowed increase productivity; and

WHEREAS, the FY10 replacement list, ATTACHMENT A, is comprised of only the most critical vehicles/equipment that are essential to maintenance for field tasks; and

WHEREAS, the FY2010-11 budget contains 14 requested vehicles and equipment totaling \$1,153,000; and

WHEREAS, vehicles and equipment are budgeted for replacement purchases in the FY2009-10 budget and funded in the Vehicle Replacement Fund or the respective Enterprise Funds; and

WHEREAS, prices were compiled using the State bid list and Governmental Agency Cooperative bidding to achieve the lowest cost possible; and

WHEREAS, the purchase of the proposed equipment would be through a lease/purchase for a five-year period with quarterly payments; and

WHEREAS, quotes for the lease/purchase were requested and Rabobank Equipment Lease was selected as the most cost efficient lender to provide the lease/purchase service at an interest rate of 3.63%; and

WHEREAS, the Lease/Purchase Agreement will allow the City to finance the purchase over five (5) years, preserve cash and reduce the impact to the Vehicle Replacement Fund and the respective Enterprise Funds.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby authorize the Lease/Purchase Agreement to Rabobank Equipment Lease in the amount of \$1,153,000 and authorizes the City Manager to execute the contract.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 4th day of May 2010 by the following votes:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Lonnie Dolan, Deputy City Clerk

ATTACHMENT "A"

Replacement	Fund	BID AMT
(1) ½ Ton Full size pickup	Water	\$25,000
(1) Small single axle dump truck	Shared W/WW	\$75,000
(1) 150 Kw Portable Standby Generator	Water	\$78,000
(1) Mechanical Rodder Trailer	Wastewater	\$40,000
(1) Sewer Easement Cleaner	Wastewater	\$40,000
(1) "Vac-Con" Truck	Wastewater	\$350,000
(1) Heavy Duty Service Truck	Wastewater	\$120,000
(1) 8 inch Wastewater trash Pump	Wastewater	\$50,000
(2) Generator 220-440 3 phase	Wastewater	\$86,000
(1) ½ Ton Full size pickup	Airport	\$25,000
(1) Triple deck mower	General	\$50,000
(1) Infield tractor	General	\$14,000
(1) Regenerative Air Sweeper	General	\$200,000

MEMORANDUM

To: Doug Monn, Public Works Director
Jim App, City Manager

From: Chris Slater, Wastewater Supervisor
Matt Thompson, Wastewater Resources Manager

Date: February 16, 2010

Subject: **Audit of 2009 Wastewater Collection System Performance**

The City collects three million gallons of sewage per day through 140 miles of sewer lines and 14 pump stations. The sewer system requires regular maintenance with specialized tools to function properly. Silt, grease, and debris must be cleaned out of sewer lines and pump stations, tree roots must be controlled in old sewer lines, submerged pumps must be pulled out for maintenance, and sewer lines must be inspected to inform sewer rehabilitation and replacement decisions. These actions prevent sewage spills and backups, protect public health and the environment, and reduce the City's exposure to fines when sewage spills occur.

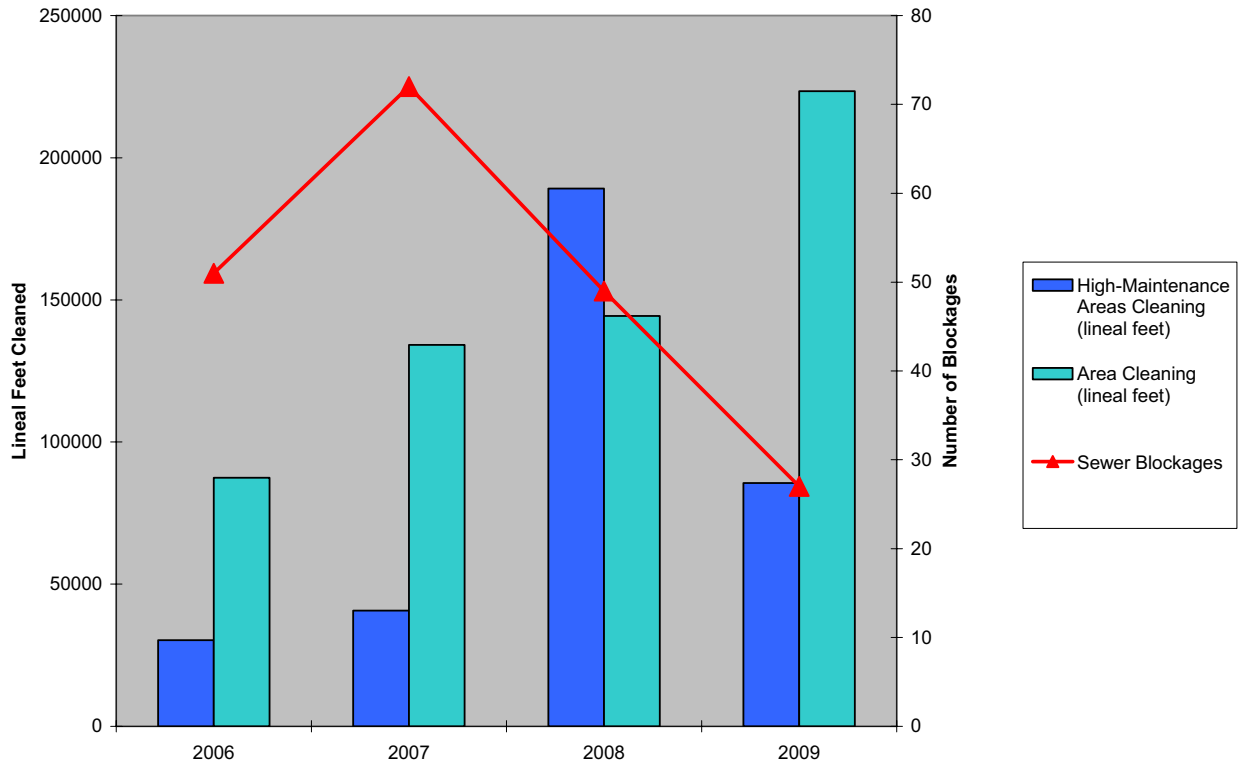
City sewer maintenance activities are documented in our Sewer System Management Plan (SSMP). The Water Board requires us to implement the SSMP and periodically audit our performance. The following analysis satisfies this requirement.

In 2008, the City acquired a combination sewer cleaner/vacuum truck (Vac-Con), a root foaming machine to chemically treat roots intruding into sewer lines (Vapo-Rooter), and a video inspection system (Video Van). This equipment has greatly improved maintenance efficiency and reduced the number and volume of sewage spills. Here are the results:

Vac-Con – Prior to obtaining the Vac-Con in 2008 (see photo), we primarily used a jetter, which cleans the sewer line or clears a blockage, but does not remove the sewage debris that causes blockages. The Vac-Con has a powerful vacuum and waste tank to remove sewage debris. Through regular use of the Vac-Con, we have greatly improved the quality of cleaning and the length of sewer lines cleaned. This is evidenced by a steady increase in lineal footage of sewer line cleaned and corresponding decrease in blockages, as shown below.



Paso Robles Sewer Line Cleaning and Blockages

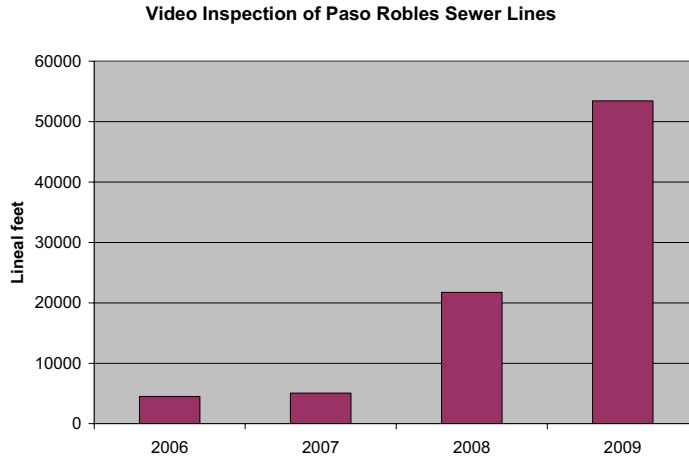


Continued rehabilitation and replacement of high-maintenance areas (e.g., old sewers with structural problems, excessive grease and/or tree roots) has allowed us to steadily increase “area cleaning,” which is proactive cleaning to maintain sewer capacity and prevent sewage spills. We completed over 42 miles of area cleaning in 2009, which amounts to 30% of the entire collection system. This keeps us on pace to meet our SSMP goal of cleaning the entire collection system every three to five years.

Vapo-Rooter – Prior to 2008, we contracted out sewer root control services at a cost of \$1.60 per lineal foot of sewer line. In 2007, contractors treated 20,000 feet of sewer line at a total cost of \$32,000. Since purchasing our own Vapo-Rooter, we have treated 32,000 feet of sewer line at a total cost of \$14,500 for chemical and staff time. Had we contracted out this work at \$1.60 per lineal foot, it would have cost \$51,000. This savings paid for the equipment in the first year of use. Owning a Vapo-Rooter allows us to periodically target problematic areas we discover through cleaning or inspection, which further improves efficiency. Regular vapo-rooting has contributed to the reduction in blockages since 2007 shown above.

Video Van – Prior to 2008, the City had a “push-camera,” which was too large and heavy to inspect an entire sewer line segment. We would periodically hire a contractor to televise portions of the sewer system, but the inspections were not necessarily targeted on problematic areas discovered while cleaning. The Video Van acquired in 2008 includes a remotely operated camera vehicle capable of inspecting long sewer line segments and a computerized video management system. This has enabled us to examine, at any time,

portions of sewer line we suspect may require repair or replacement. In many cases, we learn the line simply requires more frequent cleaning or root treatment, or may only require a point repair (versus full replacement). The Video Van stores all inspection data, which will inform future rehabilitation and replacement decisions. In this way, the Video Van should save the City hundreds of thousands of dollars in rehabilitation and replacement costs over its useful life. Length of sewer line inspected has improved greatly since acquiring the video van, as shown here.



Sewage Spills – Sewage spills decreased from 11 in 2008 to 7 in 2009. This amounts to 5 spills per 100 miles of sewer for 2009, which is slightly below the current statewide average of 5.3 spills per 100 miles of sewer.¹ Staff quickly responded to all spills and used the Vac-Con and other equipment to clear the blockage and recover any sewage accumulated on the surface. If there was any potential for public contact, staff sprayed bleach water on the affected area.

Only two of the seven spills were 1,000 gallons or greater. None of the spills reached surface waters, which is much better than the statewide average of 13,166 gallons of sewage reaching surface water per 100 miles of sewer. The total volume of sewage spilled in 2009 was approximately 7,000 gallons. This amount is negligible compared to the approximately 1,095,000,000 gallons of sewage the City safely collected, treated, and disposed in 2009.

The primary cause of spills in 2009 was roots intruding into sewer lines. Roots enter sewer lines through cracks or joints in old sewer lines and cause debris and grease to accumulate and block the line. Based on these results, staff continues to focus on root control.

The Wastewater Division has set a goal for 2010 to reduce blockages to less than 20 and reduce sewage spills to zero.

Summary – Acquiring proper equipment has enabled the Wastewater Division to be more productive and proactive in maintaining the City’s sewer system, without an increase in budgeted staff. These improvements further protect public health and the environment and reduce the City’s exposure to fines. The Wastewater Division appreciates the City’s continued support.

¹ Per State Water Resources Control Board’s May 2009 Statewide Sanitary Sewer Overflow Reduction Program, Annual Compliance Report

E-mail from Karen Brook,
Manager of Compliance and Monitoring San Luis Obispo APCD

From: kbrooks_apcd@co.slo.ca.us [mailto:kbrooks_apcd@co.slo.ca.us]
Sent: Monday, March 08, 2010 2:26 PM
To: Dennis Fansler
Cc: gwilley_apcd@co.slo.ca.us
Subject: Information on Portable and Stationary Diesel Engine regulations

Dennis -

Thank you for calling about your Portable Engines Registration Program engines - PERP #s 135659, 135658, 136762 - used as emergency standby engines. We understand Paso Robles is proposing replacement of these engine to the current Tier required under State regulations.

These engines are currently regulated under the State Air Toxic Control Measure for Portable Engines. The State regulation citation you need: California Code of Regulations Title 17 Section 93116
<http://www.arb.ca.gov/portable/perp/peatcm091207.pdf>

Regards,

Karen L. Brooks
Manager, Compliance and Monitoring
San Luis Obispo County Air Pollution Control District
3433 Roberto Court
San Luis Obispo, CA 93401
phone: 805.781.5912
fax: 805.781.1002
www.slocleanair.org

Off-Road Compression-Ignition (Diesel) Engine Tiers

Maximum Power	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015+	
50≤bhp<75																						
75≤bhp<100																						
100≤bhp<175																						
175≤bhp<300																						
300≤bhp<600																						
600≤bhp≤750																						
> 750bhp																						

* Certain manufacturers complied with the Tier 3 standards in 2005.



AIRBORNE TOXIC CONTROL MEASURE FOR DIESEL PARTICULATE MATTER FROM PORTABLE ENGINES RATED AT 50 HORSEPOWER AND GREATER

Effective September 12, 2007

§ 93116 Purpose.

The purpose of this airborne toxic control measure (ATCM) is to reduce diesel particulate matter (PM) emissions from portable diesel-fueled engines having a rated brake horsepower of 50 and greater (≥ 50 bhp).

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752 Health and Safety Code.

§ 93116.1 Applicability.

- (a) Except as provided below, all portable engines having a maximum rated horsepower of 50 bhp and greater and fueled with diesel are subject to this regulation.
- (b) The following portable engines are not subject to this regulation:
 - (1) Any engine used to propel mobile equipment or a motor vehicle of any kind;
 - (2) Any portable engine using an alternative fuel;
 - (3) Dual-fuel diesel pilot engines that use an alternative fuel or an alternative diesel fuel;
 - (4) Tactical support equipment;
 - (5) Portable diesel-fueled engines operated on either San Clemente or San Nicolas Island;
 - (6) Engines preempted from State regulation under 42 USC §7543(e)(1); and
 - (7) Portable diesel-fueled engines operated at airports that satisfy the following requirements:
 - (A) the equipment is subject to the South Coast Ground Service Equipment Memorandum of Understanding (MOU); and

- (B) the participating airlines have demonstrated to the satisfaction of the Executive Officer that the diesel PM reductions achieved by satisfying the requirements of the MOU are equivalent to the reductions achieved by this control measure.

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752 Health and Safety Code.

§ 93116.2 Definitions.

(a) For the purposes of these regulations, the following definitions apply:

- (1) “*Air Pollution Control Officer or APCO*” means the air pollution control officer of a district, or his/her designee.
- (2) “*Alternative Fuel*” means gasoline, natural gas, propane, liquid petroleum gas (LPG), hydrogen, ethanol, or methanol.
- (3) “*Alternative Diesel Fuel*” means any fuel used in a compression ignition (CI) engine that is not, commonly or commercially known, sold or represented by the supplier as diesel fuel No. 1-D or No. 2-D, pursuant to the specifications in ASTM Standard Specification for Diesel Fuel Oils D975-81, or an alternative fuel, and does not require engine or fuel system modifications for the engine to operate, although minor modifications (e.g., recalibration of the engine fuel control) may enhance performance. An emission control strategy using a fuel additive will be treated as an alternative diesel fuel based strategy unless:
 - (A) the additive is supplied to the engine fuel by an on-board dosing mechanism, or
 - (B) the additive is directly mixed into the base fuel inside the fuel tank of the engine, or
 - (C) the additive and base fuel are not mixed until engine fueling commences, and no more additive plus base fuel combination is mixed than required for a single fueling of a single engine.
- (4) “*CARB Diesel Fuel*” means any diesel fuel that is commonly or commercially known, sold, or represented by the supplier as diesel fuel No. 1-D or No. 2-D, pursuant to the specification for Diesel Fuel Oils D975-81, and that meets the specifications defined in Title 13 CCR, sections 2281, 2282, and 2284.
- (5) “*Certified Nonroad Engine*” refers to an engine meeting an applicable nonroad engine emission standard as set forth in Title 13 of the California Code of Regulations or CFR 40 Part 89.

- (6) “*Diesel Fuel*” means any fuel that is commonly or commercially known, sold, or represented by the supplier as diesel fuel, including any mixture of primarily liquid hydrocarbons—organic compounds consisting exclusively of the elements carbon and hydrogen—that is sold or represented as suitable for use in an engine.
- (7) “*Diesel-Fueled*” means fueled by diesel fuel, or CARB diesel fuel, in whole or part.
- (8) “*Diesel Particulate Matter (PM)*” means the particles found in the exhaust of diesel-fueled engines which may agglomerate and adsorb other species to form structures of complex physical and chemical properties.
- (9) “*District*” means a District as defined in Health and Safety Code section 39025.
- (10) “*Dual-fuel Diesel Pilot Engine*” means a dual-fueled engine that uses diesel fuel as a pilot ignition source at an annual average ratio of less than 5 parts diesel fuel to 100 parts total fuel on an energy equivalent basis.
- (11) “*Emergency*” means providing electrical power or mechanical work during any of the following events and subject to the following conditions:
 - (A) the failure or loss of all or part of normal electrical power service or normal natural gas supply to the facility:
 - 1. which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
 - 2. which is demonstrated by the owner or operator to the district APCO’s satisfaction to have been beyond the reasonable control of the owner or operator;
 - (B) the failure of a facility’s internal power distribution system:
 - 1. which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
 - 2. which is demonstrated by the owner or operator to the district APCO’s satisfaction to have been beyond the reasonable control of the owner or operator;
 - (C) the pumping of water or sewage to prevent or mitigate a flood or sewage overflow;

- (D) the pumping of water for fire suppression or protection;
 - (E) the pumping of water to maintain pressure in the water distribution system for the following reasons:
 - 1. pipe break; or
 - 2. high demand on water supply system due to high use of water for fire suppression;
 - (F) the breakdown of electric-powered pumping equipment at sewage treatment facilities or water delivery facilities;
 - (G) the training of personnel in the use of portable equipment for emergency purposes.
- (12) “*Emergency Event*” refers to a situation arising from a sudden and reasonably unforeseen natural disaster such as an earthquake, flood, fire, or other acts of God, or other unforeseen event that requires the use of portable engines to help alleviate the threat to public health and safety.
- (13) “*Engine*” means any piston-driven internal combustion engine.
- (14) “*Engines Used Exclusively in Emergency Applications*” refer to engines that are used only during an emergency or emergency event, and includes appropriate maintenance and testing.
- (15) “*Executive Officer*” means the Executive Officer of the California Air Resources Board (CARB) or his/her designee.
- (16) “*Fleet*” refers to a portable engine or group of portable engines that are owned and managed by an individual operational entity, such as a business, business unit within a corporation, or individual city or state department under the control of a Responsible Official. Engines that are owned by different business entities that are under the common control of only one Responsible Official shall be treated as a single fleet.
- (17) “*Fuel Additive*” means any substance designed to be added to fuel or fuel systems or other engine-related systems such that it is present in-cylinder during combustion and has any of the following effects: decreased emissions, improved fuel economy, increased performance of the engine; or assists diesel emission control strategies in decreasing emissions, or improving fuel economy or increasing performance of the engine. Fuel additives used in conjunction with diesel fuel may be treated as an alternative diesel fuel.
- (18) “*In-Use Engines*” refers to portable diesel-fueled engines operating under valid permits or registrations as of December 31, 2005.

- (19) “*Level-3 Verified Technology*” means a technology that has satisfied the requirements of the “Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines” in Title 13, California Code of Regulations, commencing with section 2700, and has demonstrated an reduction in diesel particulate matter of 85% or greater.
- (20) “*Location*” means any single site at a building, structure, facility, or installation.
- (21) “*Low-Use Engines*” refers to portable diesel-fueled engines that operate 80 hours or less in a calendar year.
- (22) “*Maximum Rated Horsepower (brake horsepower (bhp))*” is the maximum brake horsepower rating specified by the portable engine manufacturer and listed on the nameplate of the portable engine.
- (23) “*Nonroad Engine*” means:
- (A) Except as discussed in paragraph (2) of this definition, a nonroad engine is any engine:
1. in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers); or
 2. in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers); or
 3. that, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.
- (B) An engine is not a nonroad engine if:
1. the engine is used to propel a motor vehicle or a vehicle used solely for competition, or is subject to standards promulgated under section 202 of the federal Clean Air Act; or
 2. the engine is regulated by a federal New Source Performance Standard promulgated under section 111 of the federal Clean Air Act; or

3. the engine otherwise included in paragraph (1)(C) of this definition remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. Any engine(s) that replace(s) an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (at least two years) and that operates at that single location approximately three (or more) months each year.

- (24) “*Off-Road Engine*” means the same as nonroad engine.
- (25) “*Outer Continental Shelf (OCS)*” shall have the meaning provided by section 2 of the Outer Continental Shelf Lands Act (43 USC Section 1331 et seq.).
- (26) “*Participating Airlines*” means the collective group of Individual Participating Airlines under the MOU, which currently is as follows: ABX Air, Inc. (formerly Airborne Express), Alaska Airlines, America West Airlines, American Airlines, ATA Airlines (formerly American Trans Air), Continental Airlines, Delta Air Lines, Astar Air Cargo (formerly DHL Airways), Federal Express, Hawaiian Airlines, Jet Blue Airways Corp., Midwest Airlines (formerly Midwest Express Airlines), Northwest Airlines, Southwest Airlines, United Airlines, United Parcel Service, and US Airways. Participating Airlines does not mean the Air Transportation Association of America, Inc.
- (27) “*Permit*” refers to a certificate issued by the Air Pollution Control Officer acknowledging expected compliance with the applicable requirements of the district’s rules and regulations.
- (28) “*Portable*” means designed and capable of being carried or moved from one location to another. Indicia of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. For the purposes of this regulation, dredge engines on a boat or barge are considered portable. The engine is not portable if:
- (A) the engine or its replacement is attached to a foundation, or if not so attached, will reside at the same location for more than 12 consecutive months. The period during which the engine is maintained at a storage facility shall be excluded from the residency time determination. Any engine, such as a back-up or stand-by engine, that replace engine(s) at a location, and is intended to perform the same or similar function as the engine(s) being replaced, will be included in calculating the consecutive time period. In that case, the cumulative time of all engine(s), including the time between the removal of the original engine(s) and installation of the replacement engine(s), will be counted toward the consecutive time period; or

- (B) the engine remains or will reside at a location for less than 12 consecutive months if the engine is located at a seasonal source and operates during the full annual operating period of the seasonal source, where a seasonal source is a stationary source that remains in a single location on a permanent basis (at least two years) and that operates at that single location at least three months each year; or
 - (C) the engine is moved from one location to another in an attempt to circumvent the portable residence time requirements.
- (29) “*Project*” means the use of one or more registered or permitted portable engines or equipment units operated under the same or common ownership or control to perform a single activity.
- (30) “*Registration*” refers to either:
- (A) a certificate issued by the Executive Officer acknowledging expected compliance with the applicable requirements of the Statewide Portable Equipment Registration Program; or
 - (B) a certificate issued by the Air Pollution Control Officer acknowledging expected compliance with the applicable requirements of the district's Portable Equipment Registration Program.
- (31) “*Responsible Official*” refers to an individual employed by the company or public agency with the authority to certify that the portable engines under his/her jurisdiction comply with applicable requirements of this regulation. A company or public agency may have more than one Responsible Official.
- (32) “*Selective Catalytic Reduction (SCR) System*” refers to an air pollution emissions control system that reduces oxides of nitrogen (NOx) emissions through the catalytic reduction of NOx by injecting nitrogen-containing compounds into the exhaust stream, such as ammonia or urea.
- (33) “*Stationary Source*” means any building, structure, facility or installation that emits any air contaminant directly or as a fugitive emission. Building, structure, facility, or installation includes all pollutant emitting activities which:
- (A) are under the same ownership or operation, or which are owned or operated by entities which are under common control; and
 - (B) belong to the same industrial grouping either by virtue of falling within the same two-digit standard industrial classification code or by virtue of being part of a common industrial process, manufacturing process, or connected process involving a common raw material; and
 - (C) are located on one or more contiguous or adjacent properties.

[Note: For the purposes of this regulation a stationary source and nonroad engine are mutually exclusive.]

- (34) “*Stock Engine*” means a certified diesel-fueled engine that has never been placed in service and is part of a supply of engines offered for sale, rent, or lease by a person or company who offers for sale, rent, or lease engines and related equipment for profit.
- (35) “*Storage*” means a warehouse, enclosed yard, or other area established for the primary purpose of maintaining portable engines when not in operation.
- (36) “*Tactical Support Equipment (TSE)*” means equipment using a portable engine, including turbines, that meets military specifications, owned by the U.S. Department of Defense and/or the U.S. military services or its allies, and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations. Examples include, but are not limited to, engines associated with portable generators, aircraft start carts, heaters and lighting carts.
- (37) “*Tier 4 Emission Standards*” refers to the final emission standards adopted by the U.S. EPA for newly manufactured nonroad engines.
- (38) “*Transportable*” means the same as portable.
- (39) “*Verified Emission Control Strategy*” refers to an emission control strategy, designed primarily for the reduction of diesel PM emissions which has been verified pursuant to the “Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines” in Title 13, California Code of Regulations, commencing with section 2700, and incorporated by reference.
- (40) “*U.S. EPA*” refers to the United States Environmental Protection Agency.

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752 Health and Safety Code.

§ 93116.3 Requirements.

- (a) Diesel-fueled portable engines shall only use one of the following fuels:
 - (1) CARB diesel fuel; or
 - (2) alternative diesel fuel that has been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines; or
 - (3) CARB diesel fuel utilizing fuel additives that have been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines.

[Note that credit for diesel PM reductions for diesel fuel or CARB diesel fuel blends that use an alternative diesel fuel such as biodiesel, Fischer-Tropsch fuels, or emulsions of water in diesel fuel is available only for fuel blends that been verified through the Verification Procedure for In-Use Strategies to Control Emissions from Diesel Engines. The credit granted is based upon the verified level approved by the Executive Officer within the Executive Order for the fuel blend.]

- (b) Diesel PM Standards

- (1) Requirements for in-use portable diesel-fueled engines
 - (A) Except as provided in sections 93116.3(b)(1)(B) and 93116.3 (b)(4), 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 of the California Code of Regulations (that is, certified to Tier 1, 2 or 3 nonroad engine standards).¹
 - (B) In lieu of complying with (b)(1)(A), owners of portable diesel-fueled engines used exclusively in emergency applications or portable diesel-fueled engines that qualify as low-use engines may commit to replacing these engines with Tier 4 engines, subject to the requirements below:

¹ Tier 1, 2, 3, and 4 refer to nonroad engine emission standards promulgated by ARB and U.S. EPA for newly manufactured engines pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulation. Each successive Tier represents more stringent emission standards and the requirements are phased-in over time with the Tier 1 engine standards becoming effective for some engines manufactured in 1996 and becoming effective for all engines by 2000. Tier 2 engine standards are phased in for engines manufactured beginning in 2001 and becomes effective for all engines by 2006. Similarly, Tier 3 engines are phased in for engines manufactured beginning in 2006, and Tier 4 engines are phased in for engines manufactured beginning in 2011.

1. the Responsible Official shall submit written notification identifying the specific portable diesel-fueled engines to be replaced with portable diesel-fueled engines certified to the Tier 4 emission standards; and
 2. for each class and category of nonroad engine, replace each portable diesel-fueled engine so identified within two years of the first engine being offered for sale that satisfies the Tier 4 emission standards.
- (2) Portable diesel-fueled engines that have not been permitted or registered prior to January 1, 2006, are subject to the following requirements:
- (A) except as specified in 93116.3(b)(5), 93116.3(b)(6), and 93116.3(b)(7), and except as allowed under flexibility provisions for equipment and vehicle manufacturers and post-manufacture marinizers pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations, the portable diesel-fueled engine shall meet the most stringent of the federal or California emission standard for nonroad engines; or
 - (B) upon approval by the air pollution control officer, a diesel-fueled portable engine not certified to an emission standard pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations used exclusively in emergency applications or qualifying as a low-use engine designation may only be permitted or registered by a district. Any engine used exclusively in emergency applications or qualifying as a low-use engine designation is subject to the requirements of section 93116.3(b)(3).
- (3) Except as provided in section 93116.3(b)(1)(B), portable diesel-fueled engines used exclusively in emergency applications or qualifying as low-use engines shall satisfy one of the following requirements by January 1, 2020:
- (A) the portable diesel-fueled engine is certified to Tier 4 emission standards for newly manufactured nonroad engines; or
 - (B) the portable diesel-fueled engine is equipped with a properly functioning level-3 verified technology; or
 - (C) the portable diesel-fueled engine is equipped with a combination of verified emission control strategies that have been verified together to achieve at least 85% reduction in diesel PM emissions.

- (4) Lattice boom cranes
 - (A) A portable diesel-fueled engine used in a lattice boom crane shall be exempt from the requirements of section 93116.3(b)(1)(A) if the Responsible Official has demonstrated to the satisfaction of the Executive Officer or the APCO that the portable diesel-fueled engine in the lattice boom crane cannot be replaced with a portable diesel-fueled engine that is certified to meet a federal or California standard for newly manufactured nonroad engines pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations (that is, certified to Tier 1, 2 or 3 nonroad engine standards).
 - (B) Portable diesel-fueled engines exempt from the requirements of section 93116.3(b)(1)(A) pursuant to section 93116.3(b)(4)(A) shall satisfy one of the following requirements by January 1, 2020:
 - 1. the portable diesel-fueled engine is certified to Tier 4 emission standards for newly manufactured nonroad engines; or
 - 2. the portable diesel-fueled engine is equipped with a properly functioning level-3 verified technology; or
 - 3. the portable diesel-fueled engine is equipped with a combination of verified emission control strategies that have been verified together to achieve at least 85% reduction in diesel PM emissions.
- (5) Engines operated in California between March 1, 2004 and October 1, 2006 may be permitted or registered by a district or registered in the Statewide Portable Equipment Registration Program until 12/31/09 if they meet an emission standard pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations.
- (6) Upon approval by the air pollution control officer, a district may permit or register engines operated in California between March 1, 2004 and October 1, 2006 that are not certified to an emission standard pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations.
- (7) An engine owner, operator, dealer, or distributor may permit or register an engine not meeting the most stringent emission standard providing the following are met:
 - (A) The engine met the most stringent emission standard in effect prior to the change for that horsepower range; and
 - (B) The application for permit or registration of the engine is submitted within six months of the effective date of the change in emission standards.

(c) Fleet Requirements

- (1) Each fleet is subject to and shall comply with the following weighted PM emission fleet averages expressed as grams per brake horsepower-hour (g/bhp-hr) by the listed compliance dates:

<i>Fleet Standard Compliance Date</i>	<i>Engines <175 hp (g/bhp-hr)</i>	<i>Engines >175 to 749 hp (g/bhp-hr)</i>	<i>Engines >750 hp (g/bhp-hr)</i>
1/1/13	0.3	0.15	0.25
1/1/17	0.18	0.08	0.08
1/1/20	0.04	0.02	0.02

- (2) For the purposes of this regulation, the portable diesel-fueled engines affected by the fleet provisions of this regulation include all portable diesel-fueled engines operated in California, including portable diesel-fueled engines registered with the Statewide Portable Equipment Registration Program or permitted by or registered with a district.
- (3) The following portable diesel-fueled engines shall be excluded from the fleet requirements:
- (A) portable diesel-fueled engines operated exclusively outside of California or operated only within the OCS.
 - (B) portable diesel-fueled engines used exclusively in emergency applications.
 - (C) portable diesel-fueled engines that qualify as low-use engines.
 - (D) portable diesel-fueled engines used in a lattice boom crane.
- (4) Portable diesel-fueled engines that qualify as low-use engines and subsequently exceed the allowed hours of operation in a calendar year, or portable diesel-fueled engines that are identified to be used exclusively in emergency applications but subsequently are used in non-emergency applications, become immediately subject to the requirements of section 93116.3(c) in the year such exceedence or use occurs. For low-use engines, the hours of operation used for an emergency event shall not be counted toward the allowed hours of operation.
- (5) Portable alternative-fueled engines may be included in a fleet if the engine satisfies the requirements in section 93116.3(d)(2)(B).

- (6) Portable diesel-fueled portable engines equipped with SCR systems.
- (A) The diesel PM fleet emission standards in section 93116.3(c)(1) do not apply to:
1. portable diesel-fueled engines equipped with properly operating SCR systems as of January 1, 2004; and
 2. with the approval of the Executive Officer, portable diesel-fueled engines equipped with properly operating SCR systems after January 1, 2004.
- (B) At the request of the Responsible Official, portable diesel-fueled engine(s) equipped with a SCR system(s) may be included in the company's fleet for the purpose of complying with an applicable fleet emission standard. Once the engine(s) is included in a fleet, compliance with applicable fleet emission standards shall always include these diesel-fueled portable engine(s).
- (C) For all diesel-fueled portable engines equipped with SCR systems, the following information shall be submitted to the Executive Officer to demonstrate that the SCR system is operating properly:
1. Tests results for NOx, PM, and ammonia slip
 - a. the following tests methods shall be used to demonstrate compliance:
 - i. NOx shall be measured with CARB test method 100 dated July 1997, or equivalent district-approved test method; and
 - ii. diesel PM shall be measured with CARB test method 5 dated July 1997 or equivalent district-approved test method. For the purposes of this requirement, only the probe catch and filter catch ("front half") is used to determine the emission rate, g/bhp-hr, and shall not include PM captured in the impinger catch or solvent extract; and
 - iii. ammonia slip shall be measured with Bay Area Air Quality Management District Source Test Procedure ST-1B, Ammonia Integrated Sampling, dated January 1982, or other equivalent district approved test method.

- b. the duration of the emission test shall be sufficient to document the typical operation of the portable diesel-fueled engine(s); and
 - c. testing shall be performed at the frequency required by the permit or registration. In no event shall the time between emission tests exceed three years.
- (7) Beginning on January 1, 2013, the weighted average PM emission rate for the fleet cannot exceed the fleet standard that is in effect. Changes in the fleet, including portable engine additions and deletions, shall not result in noncompliance with this standard.

(d) Fleet Average Calculations

(1) General Provisions

- (A) The average PM emission factor for the fleet is determined by the following formula:

$$\frac{\sum \text{Summation for each portable engine in the fleet (bhp x emission factor)}}{\sum \text{Summation for each portable engine in the fleet (bhp)}}$$

where:

bhp = maximum rated horsepower.

emission factor = diesel PM emission rate, as determined below:

- (B) The following diesel PM emission rates shall be used with the above formula to determine the weighted average fleet emission rate:
1. for portable diesel-fueled engines certified to a nonroad engine standard, the results of emission measurements submitted to either the U.S. EPA or CARB for the purposes of satisfying the appropriate emission standard; or
 2. results from emission measurements from a verified emission control strategy may be used in conjunction with engine emission information; or
 3. for portable diesel-fueled engine(s) equipped with SCR system(s), results from valid emission tests.

- (2) The following incentives may be used to revise the fleet average, as outlined below:
- (A) Where equipment uses grid power for more than 200 hours in lieu of operating a portable diesel-fueled engine for a given project, the time period grid power is used may be used to reduce each affected engine's emission factor. The emission factor for each affected portable engine will be reduced proportionally by the percentage of time the equipment uses grid power. To receive credit for grid power in the fleet calculation, the recordkeeping and reporting requirements in section 93116.4(c)(3) shall be satisfied.
 - (B) Alternative-fueled portable engines
 1. Alternative-fueled portable engines operating 100 or more hours may be included toward determining compliance with the applicable fleet emission standards. A diesel PM emission rate of zero shall be used in the fleet calculations for these engines.
 2. Alternative-fueled portable engines operating 100 or more hours per calendar year and added to a fleet prior to January 1, 2009, may be counted twice in the company's fleet average determination toward compliance with the 2013 and 2017 fleet emission standards. The alternative-fueled engine shall be certified to meet a federal or California standard for newly manufactured nonroad engines pursuant to 40 CFR Part 89 or Title 13 of the California Code of Regulations.
 - (B) Portable diesel-fueled engines certified to Tier 4 nonroad engine standards that are added to a fleet prior to January 1, 2015, may be counted twice in the company's fleet average determination toward compliance with the 2013 and 2017 fleet emission standards.

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752, Health and Safety Code.

§ 93116.3.1 Compliance Flexibility for Diesel PM Standards.

If the Executive Officer finds, based on verifiable information from the engine manufacturer, distributor, or dealer, that current model year engines meeting the current emission standards are not available or not available in sufficient numbers or in a sufficient range of makes, models, and horsepower ratings, then the Executive Officer may allow the sale, purchase, or installation of a new stock engine meeting the emission standards from the previous model year to meet the emission standards in section 93116.3(b).

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752, Health and Safety Code.

§ 93116.4 Fleet Recordkeeping and Reporting Requirements.

- (a) The owner or operator of a fleet is not subject to the requirements of this section if each portable diesel-fueled engine in the fleet satisfies any one of the following requirements:
 - (1) the portable diesel-fueled engine is certified to Tier 4 emission standards for newly manufactured nonroad engines; or
 - (2) the portable diesel-fueled engine is equipped with a properly functioning level-3 verified technology; or
 - (3) the portable diesel-fueled engine is equipped with a combination of verified emission control strategies that have been verified together to achieve at least 85% reduction in diesel PM emissions.
- (b) Portable diesel-fueled engine(s) equipped with properly operating SCR system(s) shall be excluded from the requirements of section 93116.4(a) if the engine(s) is not subject to section 93116.3(c)(1).
- (c) Effective January 1, 2012, the Responsible Official of a fleet shall:
 - (1) Keep and maintain records for:
 - (A) alternative-fueled portable engines used as part of a company's fleet average, except as provided in section 93116.4(d); and
 - (B) portable diesel-fueled engines affected by the use of electrification; and
 - (C) portable diesel-fueled engines qualifying as low-use engines; and
 - (D) portable diesel-fueled engines used exclusively in emergency applications.
 - (2) The Responsible Official, for all portable engines subject to section 93116.4(c)(1), shall:
 - (A) install or cause to be installed and properly maintained on each portable engine subject to recordkeeping a non-resettable hour-meter; and

- (B) maintain on a calendar year basis a record of the total hours of operation for each portable engine. If the portable engine is used out-of-state, then the records may account for operation within California only, excluding operation within the OCS; and
 - (C) maintain all required records at a central place of business for five years. The records shall clearly identify each portable engine subject to the recordkeeping requirement as well as the annual hours of operation. These records are to be made available, upon request for inspection, to local air pollution control district or CARB personnel. The requested records shall be provided to the appropriate personnel within ten business days of the request.
- (3) The Responsible Official of a fleet electing to use electrification in determining the fleet average shall:
- (A) notify the Executive Officer identifying the dates, location, duration of the project, and a description of the project that will rely on electrification instead of using portable diesel-fueled engines. The notification shall be provided prior to the start of the project; and
 - (B) identify each affected portable diesel-fueled engine, including: make, model, serial number, year of manufacture for each engine, emission factor (g/bhp-hr) and district permit or State/district registration number; and
 - (C) shall clearly identify the electrification activity, including indicating the amount of electricity used and the time period for the project; and
 - (D) shall retain copies of contracts or other documentation, with the project proponent and/or applicable utility, supporting the use of grid power.
- (4) Test results for SCR compliance shall be maintained at a central place of business for five years. At the request of CARB or district personnel, the Responsible Official shall have three business days to provide a copy of the most recent test results.
- (d) Effective January 1, 2008, for alternative-fueled engines added to a fleet prior to January 1, 2009, the Responsible Official shall:
- (1) install or cause to be installed and properly maintained on each portable engine subject to recordkeeping a non-resettable hour-meter; and
 - (2) maintain on a calendar year basis a record of the total hours of operation for each portable engine. If the portable engine is used out-of-state,

then the records may account for operation within California only, excluding operation within the OCS; and

- (3) maintain all required records at a central place of business for five years. The records shall clearly identify each portable engine subject to the recordkeeping requirement as well as the annual hours of operation. These records are to be made available, upon request for inspection, to local air pollution control district or CARB personnel. The requested records shall be provided to the appropriate personnel within ten business days of the request.
- (e) The Responsible Official of the fleet shall provide the following reports to the Executive Officer:
- (1) A status report, due to the Executive Officer by March 1, 2011, that includes the following items:
 - (A) the fleet's weighted average PM emission rate for the 2010 calendar year, including a summary for each portable engine that is part of the fleet and each engine's emission rate (g/bhp-hr); and
 - (B) inventory of portable engines in the fleet identifying whether the engine is state-registered or permitted/registered with the district. Alternative-fueled engines should be identified by fuel type. The inventory shall identify the make, model, serial number, year of manufacture, primary fuel type, emission factor (g/bhp-hr), and district permit or State/district registration number for each engine to be used in the fleet average determination; and
 - (C) identify, if applicable, each portable diesel-fueled engine that the owner commits to replacing with a Tier 4 engine, including: make, model, serial number, year of manufacture for each engine, and district permit or State/district registration number; and
 - (D) listing of portable diesel-fueled engines, if applicable, used exclusively in emergency applications. The listing shall identify each engine claiming use only in emergency applications, including: make, model, serial number, year of manufacture for each engine, emission factor (g/bhp-hr), and district permit or State/district registration number; and
 - (E) listing of portable diesel-fueled engines, if applicable, satisfying the low-use engine requirements. The listing shall identify each engine, including: make, model, serial number, year of manufacture for each engine, emission factor (g/bhp-hr), and district permit or State/district registration number; and

- (F) listing of portable alternative-fueled engines, if applicable, added to the fleet prior to January 1, 2009, pursuant to section 93116.3(d)(2)(B)2. The listing shall identify each engine, including: make, model, serial number, year of manufacture for each engine, U.S. EPA engine family name, emission factor (g/bhp-hr), and district permit or State/district registration number; and
 - (G) for portable diesel-fueled engine(s) equipped with SCR-system(s), documentation demonstrating that the SCR system is operating properly.
- (2) A statement of compliance signed by the Responsible Official that the fleet standards are being achieved and a summary that identifies each portable engine in the fleet and the associated emission rate (g/bhp-hr). Portable engines included in the fleet are those that are part of the fleet at the time the fleet standard became effective. The engine identification shall include, at a minimum, the make, model, serial number, and year of manufacture for each engine. Alternative-fueled engines should be identified by fuel type. The statements of compliance are due to the Executive Officer by the following dates:
- (A) March 1, 2013, for the fleet standards that become effective January 1, 2013; and
 - (B) March 1, 2017, for the fleet standards that become effective January 1, 2017; and
 - (C) March 1, 2020 for the fleet standards that become effective January 1, 2020.
- (3) The Responsible Official shall identify to the Executive Officer, as part of each compliance report, the specific portable diesel-fueled engines, if any, used exclusively in emergency applications and the specific portable diesel-fueled engines, if any, claimed to be low-use engine. The list shall include for each portable diesel-fueled engine: the make, model, serial number, year of manufacture for each engine, emission factor (g/bhp-hr), and district permit or State/district registration number.
- (4) The Responsible Official shall identify to the Executive Officer, as part of each compliance report, the specific portable diesel-fueled engines, if any, excluded from the fleet because the portable diesel-fueled engine operated exclusively outside of California or operated only within the OCS. The list shall include for each portable diesel-fueled engine: the make, model, serial number, year of manufacture, and, district permit or State/district registration number for each engine.
- (5) If compliance with the fleet average includes the use of electrification, the Responsible Official shall provide documentation supporting the credit claimed for electrification.

- (6) As part of each compliance report, the Responsible Official shall, if applicable, certify the following:
 - (A) all portable alternative-fueled engines included in the fleet average operated at least 100 hours during the previous 12 months prior to the fleet emission standard becoming effective.
 - (B) for all portable diesel-fueled engines used exclusively in emergency applications, the engines were used only for emergency applications.
 - (C) for all portable diesel-fueled engines using the low-use designation, the engines operated no more than 80 hours for the reporting period.
 - (D) for all portable diesel-fueled engines equipped with SCR, the engine complies with applicable district or Statewide Portable Equipment Registration Program requirements.
- (7) After March 1, 2013, the APCO or the Executive Officer may require the submittal of information demonstrating compliance with the applicable fleet standard. Upon receiving the request, the Responsible Official shall provide the requested information within 30 days.
- (f) For fleets that are exempted from the requirements of section 93116.4 pursuant to section 93116.4 (a), the Responsible Official shall certify that all portable diesel-fueled engines in the fleet satisfy the requirements of section 93116.4(a). The Responsible Official shall provide the certification statement and a list of the portable diesel-fueled engines in the fleet to the Executive Officer when the fleet initially satisfies the requirements of section 93116.4(a). The list of engines shall identify the make, model, serial number, and district permit or State/district registration number for each engine.

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752 Health and Safety Code.

§ 93116.5 Enforcement Of Fleet Requirements.

- (a) Both the Executive Officer and the APCO have the authority to review or seek enforcement action for violation of the fleet emission standard.
- (b) The CARB will make available to the districts the information the Responsible Official has provided to CARB to demonstrate compliance with the fleet standard.

Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39666, 41752, 43013 and 43018 Health and Safety Code. Reference: Sections 39650, 39666, 41752 Health and Safety Code.