

Air Pollution Control District Guidance
Allowable Uses of Portable Equipment in San Diego County
July 2011

Background

Due to a wide variety of sources and operating scenarios, existing portable equipment definitions are open to interpretation and the inadvertent misuse of equipment may have occurred. Consequently, the historical operation of some equipment as portable equipment may have occurred when, in fact, that equipment did not actually qualify as portable equipment. Such errors could result in circumvention of the New Source Review requirements and increased emissions. In an effort to provide fair and consistent guidance for allowable uses of portable equipment, the San Diego County Air Pollution Control District (District) developed this guidance based upon common practices in other air districts. This guidance supplements and clarifies existing guidance and limitations on use of portable equipment contained in the State Portable Equipment Registration Program (PERP) regulation and District rules.

Portable

The PERP Regulation defines Portable as, in part, “designed and capable of being carried or moved from one location to another” and which will not “reside at the same location for more than 12 consecutive months.”

“Consecutive” (paraphrased) - The time any engine operates while replacing another engine is included in calculating the consecutive period. In addition, the period between the removal of the original engine and installation of a replacement engine counts towards the consecutive period.

Examples of Appropriate Uses of Portable Equipment:

- A Provider of Essential Public Service (PEPS) has an emergency where an engine is required and brought in. They remove the engine once emergency is alleviated (not limited to PEPS).
- A shipbuilding and repair facility hires contractors to apply coatings to their vehicles. Contractors applying coatings to vehicles would not be replacing or supplementing ongoing primary activities and therefore may perform under a portable permit.
- A road construction project is taking place that will require several years to complete. There is portable equipment including cement silos, crushing/screening equipment, and engines/generators. The portable equipment will be at one location for no more than one year and move to a new location as the project continues.
- A company is constructing an aggregate plant and a registered engine/generator is utilized to test control equipment prior to commencing operation of stationary source.

Not Portable

An emission unit is not portable if:

- 1) The equipment replaces or supplements an ongoing primary activity of a stationary source, or
- 2) Movement of the equipment to new locations is not a business necessity, or
- 3) An emission unit operates for essentially the full annual length of the stationary source operations (seasonal operation).

District Stationary Source Operation - In part, this means an emission unit or aggregation of emission units located at one contiguous property under common ownership or entitlement to use.

Emergency backup engines are commonplace, as is evidenced by over 1,500 District permits issued for such equipment. The District has a long history of permitting such engines where a need for reliable power has existed.

Seasonal Operation - In part, this means a facility that remains at one location for at least two years and operates at that site for at least three months. Any engine or equipment unit that operates during the full annual operating period of the seasonal operation must be permitted as a stationary source.

Examples of seasonal operation include:

- Backup engines placed at water pump stations or grid stations during the entire fire season
- Aggregate/recycling storage yards where non-spec material is stored year round and occasionally processed through crushing/screening equipment
- Green waste facilities where vegetation is stored throughout the year and occasionally processed through grinding/screening equipment
- Stationary source aggregate plants where non-spec aggregate is stored and occasionally processed through crushing/screening equipment

Examples of Inappropriate Uses of Portable Equipment

- A shipbuilding and repair facility (SIC 3731) hires contractors to apply coatings to ships undergoing construction or repair. Contractors applying coatings to ships would be replacing or supplementing ongoing primary activities of the host facility and those activities require a stationary source permit.
- A tub grinder operates for five months per year at a biomass supplier's home operation that already includes a permitted wood chipper operating year-round. The tub grinder would be replacing or supplementing ongoing primary activities and therefore must perform under a District permit.
- A business loses the ability to operate its prime engine, utilized for work other than power generation, due to mechanical failure. The source wants to utilize a

portable engine while repairs occur to the prime engine. If a stationary source utilizes an engine critical to their operation, they should consider acquiring a backup engine. If such a situation occurs and the source does not have a backup, permitted engine, the District may consider a Compliance Agreement to operate a portable engine on a case-by-case basis.

- A backup engine provides power to an electrical grid station/phone cell tower/water district during fire season each year. The engines are onsite in anticipation of an emergency and will be there thru fire season.
- For one month each year, equipment grinds and/or screens 11 months of accumulated wood/concrete/aggregate at a storage yard.
- A rural water district utilizes grid power to pump water to a customer. During each fire season, they bring in an engine to supply power in the event grid power is lost or shut off, but there is no active emergency. This is a seasonal operation and not eligible for portable registration. The engine they use must have a District permit.

EMERGENCIES

“Emergency Event” means any situation arising from a sudden and reasonably unforeseen natural disaster such as an earthquake, flood, fire, or other unforeseen events beyond the control of the equipment/unit operator its officers, employees, and contractors, and that threatens public health and safety, and that requires the immediate temporary operation of portable engines or equipment units to help alleviate the threat to public health and safety.

Under no circumstances will the District prevent the deployment and use of portable equipment during a declared emergency event as defined in the ARB PERP regulation.

When an energy provider alerts customers that their power will be shut off, the customer may place a portable unit at their facility up to eight hours in advance of the notified shut down time. Once the emergency is over and grid power restored the entity must immediately shut down the portable equipment and remove it within 24 hours.

ARB PERP UPDATE

The ARB’s recent amendments to the PERP regulation allow Districts to permit or register Tier 1 and 2 engines. The District will only permit or register engines that are the latest Tier. The District bases its decision on the fact the county is non-attainment for ozone and that the emissions reductions provided by newest tiered engines. If a source has an unpermitted Tier 1 or II engine and they need additional time to obtain a required engine, the District will may consider entering into compliance agreement. The District will review each situation on a case-by-case basis with penalties assessed.

SUGGESTIONS:

1. For those utility companies, water districts, and others that require on-site backup power capability at multiple locations in advance of emergencies, it is suggested they obtain permitted engines for each location or seek a multiple location permit for a portable unit.
2. Entities may wish to request priority processing for engines needing permits on a quick turnaround. The availability of such processing is not guaranteed, as it depends on current District workloads. Extra fees are charged for priority processing.
3. Owners and operators of portable diesel engines should be mindful that operating Tier 0 (non-certified) engines is no longer allowed (with exceptions for designated emergency and low-use engines) and Tier I/II engines have fast approaching deadlines.

VOLUNTARY CURTAILMENTS

Some entities may have agreements with utility companies where they agree to voluntary power curtailments (often for lower power purchase costs). Such agreed curtailments are foreseen interruptions of electrical power, and the PERP prohibits anyone from operating a portable engine to provide back-up power during voluntary curtailments pursuant to such an agreement.

ADMINISTRATIVE REMEDIES FOR FACILITIES

Because the scenarios described herein relate to permitting activities, the variance process is not an option. This is because State law prohibits the issuance of variances from permitting actions. The aforementioned compliance agreements are not variances, because they require payment of penalties.

QUESTIONS

For questions about the use of existing registered or permitted equipment, contact the Compliance Division at (858) 586-2650. For questions on permitting new equipment, contact the Engineering Division at (858) 586-2716.