

Final Regulation Order

Regulation to Establish a Statewide Portable Equipment Registration Program

Amend sections 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, and 2462 Title 13, California Code of Regulations to read as follows:

(Note: Proposed amendments to the regulation are identified below. The originally proposed language is shown in underline is used to indicate proposed additions. ~~Strikeout~~ is used to show proposed deletions from the regulation text.)

Article 5. Portable Engine and Equipment Registration

2451. Purpose.

The purpose of this regulation is to establish a statewide portable equipment registration program.

This regulation shall be subject to the provisions of the California Administrative Procedure Act, Chapter 5 of Division 2 of Title 2 of the California Code of Regulations, and to the provisions of the California Code of Regulations, Title 13, Chapter 2, Section 2451.

(1) The registration program shall be subject to the provisions of the California Administrative Procedure Act, Chapter 5 of Division 2 of Title 2 of the California Code of Regulations, and to the provisions of the California Code of Regulations, Title 13, Chapter 2, Section 2451.

(2) The registration program shall be subject to the provisions of the California Administrative Procedure Act, Chapter 5 of Division 2 of Title 2 of the California Code of Regulations, and to the provisions of the California Code of Regulations, Title 13, Chapter 2, Section 2451.

2452. Definitions.

(1) "Registration program" means the statewide portable equipment registration program established by the Department of Industrial Relations.

(2) "Registration fee" means the fee established by the Department of Industrial Relations for the registration program.

§ 2455. General Requirements.

- ~~(a) The emissions from engines or equipment units registered under this article shall not, in the aggregate, interfere with the attainment or maintenance of any California or federal ambient air quality standards. The emissions from one or more registered engines or equipment units, exclusive of background concentration, shall not cause an exceedance of any ambient air quality standard. This paragraph shall not be construed as requiring operators of registered engines or equipment units to provide emission offsets for engines or equipment units registered under this article.~~
- ~~(b) Engines or equipment units registered under this article shall comply with article 1, chapter 3, part 4, division 26 of the California Health and Safety Code, commencing with section 41700.~~
- (c) Except for engines or equipment units permitted or registered by a district in which an emergency event occurs, an engine or equipment unit operated during an emergency event as defined in section 2452 (i) of this article, is considered

registered under the requirements of this article for the duration of the emergency event and is exempt from sections 2455, 2456, 2457, 2458, and 2459 of this article for the duration of the emergency event provided the owner or operator notifies the Executive Officer within 24 hours of commencing operation. The Executive Officer may for good cause refute that an emergency event under this provision exists. If the Executive Officer deems that an emergency event does not exist, all operation of engines and equipment units covered by this provision shall cease operation immediately upon notification by the Executive Officer. Misrepresentation of an emergency event and failure to cease operation under notice of the Executive Officer shall be deemed a violation of this article.

- (d) For the purposes of registration under this article, the owner or operator of a registered equipment unit must notify the U.S. EPA and comply with 40 CFR 52.21 if:
- (1) the registered equipment unit operates at a major stationary source under 40 CFR 51.166 or 52.21, and
 - (A) the major stationary source is located within 10 kilometers of a Class I area; or
 - (B) the registered equipment unit, operating in conjunction with other registered equipment units, operates at the major stationary source and its operation would be defined as a major modification to the stationary source under 40 CFR 51.166 or 52.21; or
 - (2) the registered equipment unit, operating in conjunction with other registered equipment units, would be defined as a major stationary source, as defined under 40 CFR 51.166 or 52.21.

NOTE: Authority cited: Sections 39600, 39601, 41752, 41753, 41754, 41755, 43013(b) and 43018, Health and Safety Code. Reference: Sections 41750, 41751, 41752, 41753, 41754, and 41755, Health and Safety Code.