



Camp Fire Recovery Equipment and Engine Authorization (Updated 6/19/2019)

The Butte County Air Quality Management District (District) is providing this guidance to help ensure that the owners, operators, contractors and other support functions helping rebuild structures and services damaged or destroyed in the Camp Fire stay in compliance with the State and local air regulations. The District requires permitting of stationary sources and registration of portable equipment that may emit air pollutants (such as particulate matter or products of combustion) and engines rated at greater than 50 HP.

Emergency Declaration under the State Portable Equipment Registration Program (PERP):

Section 2452(j) of Title 13 defines “Emergency Event” as any situation arising from sudden and reasonably unforeseen natural disaster such as earthquake, flood, fire, or other unforeseen events beyond the control of the portable engine or equipment unit operator, its officers, employees, and contractors 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. Acting Governor Newsom declared the Camp Fire event an emergency on November 8, 2018.

Examples of portable equipment may include chippers, air compressors, rock or concrete crushers, and towable generator sets. Section 2455(c) of the PERP regulation exempts engines and equipment units operating during an emergency event from the registration and emissions standards or limitations provided the owner or operator notifies the Air Resources Board’s (ARB) Executive Officer within 24 hours of commencing operations. ARB has posted Form 40 for providing notification: https://ww2.arb.ca.gov/sites/default/files/2018-12/perp_form40.pdf. A copy of the PERP regulation can be accessed on ARB’s website at: <https://ww2.arb.ca.gov/resources/documents/perp-regulation-and-portable-engine-atcm>. Some areas of Paradise and Magalia may have Naturally Occurring Asbestos in the ground. If so, PERP registered crushing and screening equipment can only operate under the emergency notification provisions in these circumstances.

The newly adopted regulation that became effective November 30, 2018, limits emergency use to 12 months at one location. Consistent with current permitting exemptions requirements, the District would allow up to 60 days for an engine or equipment unit that loses exemptions status to apply for a District permit or portable equipment registration as applicable. “Portable” emissions units used at one location for longer than 12 months would need to apply for a District stationary source permit.

Butte County AQMD Portable Equipment Registration Program:

As an alternative to the State PERP program, the District maintains a local portable equipment registration program modelled from the State's PERP and implemented by District Rule 440—*Portable Equipment Registration*. Equipment operating under the Form 40 emergency provisions do not need a local registration. Portable engines and equipment units may apply for a registration that is valid for use in Butte County only for a two-year period (however, the engine/emissions unit must continue to meet the definition of “portable”). The local rule does not include an exemption for emergency operations. The fee for the first emissions unit is currently \$240.50 and \$152.75 for each subsequent emissions unit. Forms can be found on the District website: <http://bcaqmd.org/forms-applications/portable-equipment-registration/>. A copy of Rule 440 can be accessed from ARB's website at: <https://www.arb.ca.gov/drdb/but/cur.htm>.

Butte County AQMD Stationary Source Permitting:

Each emissions unit (i.e., engines rated at greater than 50HP providing prime or emergency power, boilers rated at over 1 MMBtu/hr, auto body shops, gasoline stations, etc.) requires a separate application with \$75 application fee. In most cases, replacement of previously permitted equipment requires a new application. The District is classified as non-attainment for Ozone and PM2.5 and emissions units would be subject to the Best Available Control Technology (BACT) thresholds in Rule 430—*State New Source Review* and subject to the District's new source health risk assessment policy. District staff strive to complete application review within 60 days of receiving a complete application. Depending on the volume of applications, most applications are processed within two weeks of receiving a complete application. Applicants will be notified within 30 days of submittal if the application is complete or additional information is required. To begin the permit process, a complete application with \$75 application fee must be submitted to the District. The District will evaluate the application and supporting materials and, if meeting the minimum requirements, will issue an Authority to Construct (ATC) permit with an invoice for the permitting fees set in accordance with Rule 500—*Permit Fees*. Permit fees are based on the District's hourly rate (currently \$87.75 and subject to change if a new rate is adopted by the Governing Board). A copy of Rule 430 and Rule 500 can be accessed on ARB's website: <https://www.arb.ca.gov/drdb/but/cur.htm>.

Mobile Vehicles and Off-Road Equipment:

For mobile on-road vehicles and off-road equipment, the District does not have jurisdiction over these sources. Please contact ARB at: 1-866-6DIESEL (1-866-634-3735).

For Additional Questions:

For specific questions regarding District stationary source permitting, please contact Ali Roohani at 530-332-9400 ext.-107. For specific questions regarding portable equipment registrations or Form 40 authorization, please contact Michelle Hanson at 530-332-9400 ext.-102.