

Notice of Decision

- Project Title:** Amendments to Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines Rated at 50 Horsepower and Greater, and to the Statewide Portable Equipment Registration Program Regulations
- Project Location:** Statewide
- Public Meeting Date:** November 16, 2017; Agenda Item # 17-11-6
- Project Description:** Amendments to the requirements in the Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines that will provide more time for cleaner engine replacement while preserving the expected emission reductions, and make other improvements to the program. In addition, the Board will consider corresponding amendments to the Portable Engine and Equipment Registration Program and make other improvements to the program. Collectively, these amendments will work together to improve implementation and enforcement of both regulatory programs.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the above regulatory action November 16, 2017.

When the Portable Engine ATCM was first approved in 2004, along with subsequent modifications to the PERP Regulation, the Staff Reports included a chapter that was the substitute equivalent of a negative declaration, which analyzed the reasonably foreseeable environmental impacts of the methods of compliance (PRC 21159, 14 CCR 15187). The analyses concluded the adoption of the Portable Engine ATCM and the amendments to PERP Regulation, and the reasonably foreseeable methods of compliance with these regulations, would not result in any significant adverse environmental impacts. They also concluded the regulations would lead to significant air quality and health benefits from the reduction of diesel PM and NOx. When the Board approved the regulations in 2004¹, it adopted a finding of no impact. CARB determined no major revisions to the prior negative declaration equivalent document is required nor is the equivalent of an EIR required for these amendments because the proposed changes do not lead to any new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts and there are no changed circumstances or new information that result in new or more severe environmental impacts. This An explanation of CARB's decision to not prepare a subsequent or supplemental EA for the amendments is included in the functional equivalent of an addendum to the 2004 Portable Engine ATCM and PERP Regulation EA in Appendix J of the Staff Report (Initial Statement of Reasons) released September 26, 2017.

CARB did not receive any written comments raising significant environmental issues pertaining to these amendments.

The Staff Report, and all other related documents are available for public inspection on the CARB rulemaking webpage at: <https://www.arb.ca.gov/regact/2017/perp2017/perp2017.htm>

These documents may also be examined at:

California Air Resources Board
Attn: Board Administration and Regulatory Coordination Unit
1001 I Street
Sacramento, CA 95814

FILED

AUG 10 2018

Certified:



CARB CEQA Unit

Resources Agency of California

Date:

8/10/2018