



# Air Resources Board



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June 15, 2011

Mail-Out #MSC 11-21

**TO:** ALL INTERESTED PARTIES

**SUBJECT:** EXCLUSION OF FULLY CONTROLLED LATE MODEL YEAR LARGE SPARK IGNITION (LSI) ENGINE EQUIPMENT FROM THE LSI FLEET AVERAGE CALCULATIONS UNTIL APRIL 16, 2012

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On April 8, 2010, the Air Resources Board (ARB or Board) issued Mail-Out #MSC 10-16. The mail-out allowed operators of LSI engine-powered equipment fleets to exclude equipment from calculations performed to determine compliance with the LSI fleet average emission level (FAEL) standards contained in title 13, section 2775.1(a) Table 2, California Code of Regulations, until April 16, 2011, but only if every LSI piece of equipment in the fleet was powered by an original equipment manufacturer (OEM) controlled engine as of January 1, 2009. Additionally, equipment could no longer be excluded once it reached seven years of age. This mail-out extends the Late Model Certified Engines provisions of LSI Program Advisory 08-03 until April 16, 2012. It also identifies the number of operating hours that are equivalent to the seven-year turnover rate upon which replacement is based.

Mail-Out #MSC 10-16 provided relief to LSI equipment operators whose fleets were wholly comprised of recent model year LSI engines controlled to a 3.0 gram per brake horsepower-hour hydrocarbon and oxides of nitrogen standard or better. Based upon routine turnover assumptions, these engines or pieces of equipment were not expected to leave the fleet for seven years. However, as there are no retrofit emission control systems (retrofit kits) for OEM-controlled engines, these fleets were not able to meet the 2009 and 2011 FAEL standards.

The exclusion provided for by Mail-Out #MSC 10-16 ended on April 16, 2011. However, ARB has determined that there are still no retrofit kits for OEM-controlled engines and this lack of availability may impact an operator's ability to comply with the FAEL standard. Therefore, an extension in compliance, as provided for in the LSI Regulation is warranted. Since the FAEL standards are based upon a seven-year turnover rate and the average total hours of use associated with this seven-year period is 13,300, ARB will allow fleets that were comprised entirely of OEM-controlled LSI engine equipment as of January 1, 2009, to address their equipment as follows:

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

California Environmental Protection Agency

- The turnover threshold for both leased and owned equipment is seven years of age or 13,300 accumulated hours, whichever is later.
- Leased equipment, and owned equipment for which retrofit kits are not available, may be excluded from the January 1, 2011 FAEL standard calculation through April 15, 2012 or until it reaches the turnover threshold, whichever is earlier.
- Leased and owned equipment that has reached the turnover threshold must be included in FAEL standards calculations. Owned equipment for which retrofit kits become available prior to April 16, 2012, must also be included in the operator's FAEL standard calculations. However, ARB will allow retrofit kits that were purchased on or before April 15, 2012, for installation on OEM-controlled LSI engine equipment, to be incorporated into the January 1, 2011 FAEL standard calculation. Evidence of purchase may be a purchase order or equivalent document. The verification absolute emission level for the retrofit kit may be used in place of the certification standard of the OEM-controlled equipment being retrofitted until the retrofit kit has been installed as evidenced by inventory records. Installation must occur on or before December 31, 2012.
- ARB will revisit the availability of retrofit kits for OEM-controlled leased or owned equipment and the need for any additional exclusion periods prior to the end of this one-year exclusion.

Should you have any questions regarding this advisory, please contact Mr. Mark Williams, Air Pollution Specialist, at (916) 327-5610 or via email at [mwilliam@arb.ca.gov](mailto:mwilliam@arb.ca.gov), or Ms. Elise Keddie, Manager, at (916) 323-8974 or via email at [ekeddie@arb.ca.gov](mailto:ekeddie@arb.ca.gov).

Sincerely,

/s/

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