Policy: Use of PERP Equipment at Stationary Sources

Policy

PERP equipment that is used as a necessary part of a stationary source operation does not qualify for the permit exemption in Regulation 2, Rule 1, Section 105. The owner/operator of such PERP equipment must obtain a District permit.

As of the effective date of this policy, PERP equipment requiring District permits will be permitted as follows:

- The District will permit PERP equipment that is owned by the facility as "Loss of Exemption" sources; and, based on TAC trigger levels in Table 2-5-1, require a Health Risk Assessment to determine compliance with Regulation 11, Rule 18. To be treated as "Loss of Exemption" sources, the equipment must be owned by the owner/operator before the effective date of this policy.
- The District will permit other PERP equipment that is not owned by the facility as new sources.

Background

Numerous facilities in the District use PERP equipment to perform necessary functions of the facility. Some facilities have been required to obtain District permits for their PERP equipment, while others have not. The purpose of this policy is to ensure that permits are required and facilities with such equipment are treated consistently.

Definitions

The following is a list of helpful definitions:

- **Stationary Source** – equivalent to BAAQMD definition of facility
- **PERP** – Portable Equipment Registration Program: Voluntary CARB program for equipment that is portable and remains at any location for less than 12 months or less in some circumstances. The original purpose of this program is to allow portable equipment to move between air districts without the need to obtain a permit in each district (Section 2450 of CARB's PERP regulation).
- **Commercial Air Operator** as defined in the California Public Utilities Code, section 5500 – As used in this article, "commercial air operator" means any person owning, controlling, operating, renting, or managing aircraft for any commercial purpose for compensation. "Commercial air operator" does not include any person owning, controlling, operating, renting, managing, furnishing, or otherwise providing transportation by hot air balloon for entertainment, sporting, or recreational purposes.
- **Portable -** as defined by §2452 (dd) of CARB's PERP regulation.

RESCINDED
Effective November 17 2026

Effective date

Upon signature

Who is affected

In addition to Engineering and Enforcement Division staff, this policy affects facilities that wish to use PERP equipment in conjunction with their permitted sources, including but not limited to:

- Landfills;
- Sewage treatment plants;
- Concrete recycling facilities;
- Sand and aggregate facilities;
- Composting facilities;
- Refineries;
- And similar facilities.

At this time, this policy does not apply to PERP equipment owned by commercial air operators as defined in the Public Utilities Code, section 5500.

RESCINDED
Effective November 17 2026

Rationale

A consistent policy for PERP use at facilities within the District is needed. Section 2453(m)(4)(B) of CARB's PERP regulation states that equipment "that is determined by the district to qualify as part of a stationary source" does not have a valid registration to operate at that location. Equipment that is necessary for a facility to conduct its normal business, such as a wood grinder at a composting operation, or a prime engine that supplies all or part of the electricity needed for operation qualifies as part of the facility (stationary source).

In addition to ensuring that facilities are treated consistently, this policy will allow the District to:

- assess and limit the impact of the emissions of toxic air contaminants;
- review the equipment for Best Available Control Technology requirements (BACT) (except for portable engines);
- review the equipment for Best Available Control Technology requirements for Toxics (TBACT) (except for portable engines);
- determine whether the equipment has become stationary:
- determine compliance with the CARB ATCM for portable engines,
- require offsets, as applicable.

PERP is intended to allow operation of portable equipment for a limited time, for emergencies, and for circumstances that are not part of the facility (stationary source). Following are examples:

- Section 2453(m)(4)(E)(3) allows use of PERP engines during an interruption in power to upgrade electrical equipment for a period up to 90 days or longer with APCO authorization in writing.
- Section 2453(m)(4)(E)(4) allows use of PERP engines when backup generators have failed, for up to 180 days or longer as authorized in writing by the APCO, with some limits and conditions.

PERP equipment can be used for construction for no more than 12 months at any location (footprint).

Contact

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Related policies and procedures

This policy replaces our existing policy *District Permitting Requirements for CARB PERP-Registered Equipment* (March 28, 2013).

Approval

Name & Title	Signature	Date
Pamela Leong, Director of Engineering	Pamela J Leong	2/19/2020

RESCINDED
Effective November 17 2026