

# ARTICLE 15: NONROAD ENGINES

---

## SECTION 15.01 SPECIAL DEFINITIONS

Adopted 12/15/11 (1233)

When used in this Article:

- (a) **“Nonroad engine”** means any internal combustion engine that, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. An internal combustion engine is not a nonroad engine if:
- (1) The engine is used to propel a motor vehicle or a vehicle used solely for competition, or is subject to standards promulgated under section 202 of the Federal Clean Air Act; or
  - (2) The engine is regulated by a New Source Performance Standard promulgated under section 111 of the Federal Clean Air Act; or
  - (3) The engine remains or will remain at a location for more than twelve consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location.

## SECTION 15.03 NOTICE OF INTENT TO OPERATE

Adopted 12/15/11 (1233)

- (a) **Applicability.** This section applies to any nonroad engines as defined in Section 15.01 of this Regulation, except for:
- (1) Any nonroad engine that is:
    - (A) In or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function; or
    - (B) In or on a piece of equipment that is intended to be propelled while performing its function.

- (2) Nonroad engines with a cumulative maximum rated brake horsepower of 500 bhp or less.
  - (3) Engines being stored in work centers, garages, or engine pool sites prior to being dispatched to the field for use and that do not provide back-up power at the work center, garage, or engine pool. Such engines may be operated at these facilities only for the purpose of engine maintenance, testing, and repair.
- (b) **> 500 and ≤ 2000 BHP.** This paragraph applies to the installation and operation of nonroad engines with a cumulative maximum rated brake horsepower greater than 500 bhp and less than or equal to 2000 bhp.
- (1) Notification of intent to operate is required before operations begin. The owner or operator must notify the Agency of their intent to operate prior to beginning operation. The notice must contain the following information:
    - (A) Name and address of owner or operator;
    - (B) Site address or location;
    - (C) Date of equipment arrival at the site;
    - (D) Cumulative engine maximum rated bhp.
  - (2) **Recordkeeping.** For each site, the owner or operator must record the following information for each nonroad engine:
    - (A) Site address or location;
    - (B) Date of equipment arrival at the site;
    - (C) Date of equipment departure from the site;
    - (D) Engine function or purpose;
    - (E) Identification of each component as follows:
      - (i) Equipment manufacturer, model number and its unique serial number;
      - (ii) Engine model year;
      - (iii) Type of fuel used with fuel specifications (sulfur content, cetane number, etc.).

- (3) **Record retention requirements.** The owner or operator must keep the records of the current engine and equipment activity in hard copy or electronic form. These records can be maintained on-site or off-site for at least five years and must be readily available to the permitting authority on request.
- (c) **>2000 bhp.** This paragraph applies to the installation and operation of any nonroad engine(s) with a cumulative maximum rated brake horsepower greater than 2000 bhp.
- (1) **Notification of intent to operate.** Prior to operation, the owner or operator must notify the Agency of the intent to operate and supply sufficient information to enable the Agency to determine that the operation will comply with national ambient air quality standards as regulated by WAC 173-400-113 (3) and (4). This notification of intent to operate shall be submitted on forms provided by the Agency for this purpose. A notification fee of \$100.00 shall be paid prior to any review by the Agency.
  - (2) **Approval is required before operations begin.** The owner or operator must obtain written nonroad engine approval to operate, from the Agency, prior to operation.
  - (3) **Recordkeeping.** The owner or operator must meet all of the requirements of Sections 15.03(b)(2) and 15.03(b)(3) of this Regulation.
  - (4) **Appeals.** Final decisions and orders of the Agency may be appealed to the Pollution Control Hearings Board as provided in Chapters RCW 43.21B and WAC 371-08.

## **SECTION 15.05 EMISSION STANDARDS**

Adopted 12/15/11 (1233)

- (a) **Fuel standards.** All nonroad engines must use ultra-low sulfur diesel or ultra-low sulfur biodiesel (a sulfur content of 15 ppm or 0.0015% sulfur by weight or less), gasoline, natural gas, propane, liquefied petroleum gas (LPG), hydrogen, ethanol, methanol, or liquefied/compressed natural gas (LNG/CNG). A facility that receives deliveries of only ultra-low sulfur diesel or ultra-low sulfur biodiesel is deemed to be compliant with this fuel standard.
- (b) Nonroad engines are not subject to emission limits set by the state implementation plan.