

Emergency Generator & Public Safety Power Shutoff

Wildfires are more destructive and deadlier than in the past, and the threat of wildfires is more prevalent throughout the state for a variety of reasons. As a result of these fires and evaluating all means of avoiding them, state investor-owned electric utilities, including Pacific Gas & Electric and Southern California Edison, have begun implementing Public Safety Power Shutoffs (PSPS), to protect public safety under California law, specifically California Public Utilities Code (PU Code) Sections 451 and 399.2(a). The PSPS is a preventative measure that the utility company can choose to utilize if they believe that there is an imminent and significant risk that strong winds may topple power lines or cause major vegetation-related issues resulting in increased fire risk.

Many residents and businesses have expressed concerns about being without power for extended periods of time during a PSPS and have had questions regarding the installation and usage of electrical generators powered by internal combustion engines (gensets). It is important to note that while it is generally permissible to install these types of gensets, if the engine powering the generator is greater than 50 horsepower, a permit or registration as discussed below is needed prior to installation.

Consistent with guidance provided by the California Air Resources Board (CARB), PSPS events are considered unforeseen interruptions of electrical power from the utility. Therefore, after a specific potential PSPS has been announced for a location, a CARB or San Joaquin Valley Air Pollution Control District (District) registered portable genset may be brought onsite and used during any associated power shutoff. Any such registered portable genset must be removed from the facility as soon as possible after the PSPS (or potential PSPS) has been cancelled or power has been restored. A portable registration is not valid for businesses requiring a federal Title V operating permit.

In the event a registered portable genset cannot be procured, CARB has provided guidance that PSPS events generally qualify as Emergency Events, and therefore the use of unregistered portable engines may be allowed for the duration of a PSPS event – but only if necessary to alleviate a threat to public health and safety. An unregistered portable

genset may be operated during an Emergency Event only if the following conditions are met:

- The engine to be used is certified to meet a California or federal emission control standard;
- The owner or operator demonstrates that there is an immediate temporary need to operate the engine to help alleviate a threat to public health and safety that is the result of a reasonably unforeseen event, that is beyond the control of the owner or operator;
- The owner or operator notifies CARB within 24 hours of commencing operation by submitting a Form 40 ([Notification of Operation in an Emergency Event](#)); and
- The engine is operated only for the duration of the Emergency Event, or up to 12 months, whichever comes first.

In response to receiving a Form 40 submittal, CARB, in consultation with the local air district, may refute that an Emergency Event exists, in which case operation of the engine must cease immediately.

If a business or resident wants to have a backup generator (of greater than 50 horsepower) on site to address the potential for future power outages, including future PSPS events that have not yet been announced, an Authority to Construct/Permit to Operate Application Form and a Supplemental Application Form must be submitted to the District, and an Authority to Construct must be received prior to installing the genset. The genset permit will include conditions limiting non-emergency usage and requiring recordkeeping.

Please note that for units requiring permits the engine powering the generator will have to meet Best Available Control Technology (BACT) requirements which are available at: www.valleyair.org/busind/pto/bact/chapter3.pdf

It is recommended that residents or businesses contact the District prior to purchasing or operating a genset to understand the applicable requirements and ensure that they do not purchase a unit that is illegal to install or operate in the San Joaquin Valley.

NOTE: Generators with engines 50 horsepower or less do not require a District permit.

Permit application forms are available at www.valleyair.org/busind/pto/ptoforms/1ptoforidx.htm

Form 40 Notification is available at ww2.arb.ca.gov/sites/default/files/2018-12/perp_form40.pdf

Should you need assistance or have questions, please contact the District's Small Business assistance at:

Northern Region Office
(Serving San Joaquin,
Stanislaus and Merced counties)
(209) 557-6446

Central Region Office
(Serving Madera, Fresno
and Kings counties)
(559) 230-5888

Southern Region Office
(Serving Tulare County and the Valley
air basin portion of Kern County)
(661) 392-5665