

**CALIFORNIA STATE OF EMERGENCY (October 27, 2019): SALE, OFFER FOR SALE, AND IMPORTATION OF U.S. EPA CERTIFIED RESIDENTIAL-TYPE GENERATORS INTO CALIFORNIA**

The current fire weather conditions in California pose an imminent threat to the health and safety of Californians, both through on-going wildfires and public safety power shutoffs (PSPS). During PSPS events, residential utility customers who have lost power may want to use a residential-type portable generator to power critical equipment, such as medical devices and refrigerators.

In California, every residential-type generator, including those used in portable generators rated at or below 19 kilowatts, must be certified to California emission standards in order to be legally sold.<sup>1</sup> However, in some areas, there is currently a shortage of California certified residential-type portable generators available for sale due to the increased demand resulting from the PSPS events. During this emergency, the California Air Resources Board (CARB) will exercise maximum discretion with regard to the sale and use of new generators less than 19 kilowatts in size by temporarily allowing (through December 31, 2019) the import, sale, and offer for sale of U.S. EPA certified generators subject to the following conditions:

- Manufacturers<sup>2</sup> must send a letter to CARB indicating their desire to take advantage of this advisory by (a) indicating the current make(s) and model(s) of California-certified residential-type generators that are sold out, (b) identifying the intended replacement products that are certified to the current applicable federal emissions standards, and (c) describing their production plan to increase production of California-certified product more rapidly in the future to address similar supply shortfalls.
- Manufacturers must report to CARB by January 24, 2020 how many U.S. EPA certified generators, by make and model as identified in the letter above, that they distributed or sold, and to whom each generator was distributed or sold at the first point of retail sale.
- Letters and reports must be emailed to [generators@arb.ca.gov](mailto:generators@arb.ca.gov). Prior to reporting, please request an Excel spreadsheet template using the address, above.
- Manufacturers must notify distributors, wholesalers, and retailers that the identified U.S. EPA certified replacement generators are allowed for sale in California only through December 31, 2019.

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<sup>1</sup> 13 CCR 2400(a)(2), 13 CCR 2401(a)(39), 13 CCR 2751(a)

<sup>2</sup> The term manufacturer means "generator-set manufacturer" throughout

- Distributors and wholesalers must keep records of the affected generators they distributed or sold, by retailer, and by make and model, and must make these records available upon request to CARB.
- Retailers must keep records of the affected generators they sold, both online and in-store, by retailer, and by make and model, and make these records available upon request to CARB.

Manufacturers that do not have California certification(s) for model-year 2019 generators are prohibited from selling U.S. EPA certified generators into California. Likewise, if California certified generators become available to a manufacturer, distributor, wholesaler, or retailer, those must be sold prior to offering a U.S. EPA certified generator.

Beginning January 1, 2020, any generator being offered for sale, or sold without California certification will be treated as a violation subject to penalties per **CARB's Enforcement Policy**. Manufacturers are expected to work with their distributors, wholesalers, and ultimately the retailers to ensure that any U.S. EPA certified generators that are unsold as of this date are expeditiously transferred out-of-state or otherwise removed from sale in California.

Consumers should take precautions when operating generators, following all manufacturer guidelines. Only enough fuel for immediate use should be added to the generator's tank, and the generator should never be stored with unused fuel in the tank when not in use.