

Attachment B to Resolution 06-39

**PROPOSED AMENDMENTS TO THE AIRBORNE TOXIC CONTROL MEASURE
FOR STATIONARY COMPRESSION IGNITION ENGINES**

Staff's Suggested Modifications to the Original Proposal

Presented at the November 16, 2006 Public Hearing

Note: The originally proposed amendments are shown in underline to indicate additions and ~~striketrough~~ to indicate deletions compared to the existing regulatory text (effective September 9, 2005). The modifications suggested by staff are shown in double underline to indicate additions and ~~double striketrough~~ to indicate deletions.

Amend title 17, California Code of Regulations, section 93115 to read as follows:

Section 93115. Airborne Toxic Control Measure for Stationary Compression Ignition (CI) Engines

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(c) ~~Exemptions~~ 93115.3 Exemptions

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(~~3a~~) The in-use stationary diesel agricultural emission standard and other requirements of this section 93115.8(b) do not apply to in-use stationary CI engines used in agricultural operations. ~~agricultural emergency standby generator set engines equipped with nonresettable hour meters with a minimum display capability of 9,999 hours or remotely-located agricultural engines provided:~~

~~(1) the engines are equipped with nonresettable hour meters with a minimum display capability of 9,999 hours; and~~

~~(2) the owners or operators of such engines comply with the registration requirements of section 93115.8(c) and (d) and the applicable recordkeeping and reporting requirements of section 93115.10(d) and (f).~~

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(d) ~~Definitions~~ 93115.4 Definitions

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(~~44xx~~) "New" or "New CI Engine" means the following:

- (A1) a stationary CI engine installed at a facility after January 1, 2005, including an engine relocated from an off-site location after January 1, 2005, except the following shall be deemed in-use engines:

- ~~1.~~(A) a replacement stationary CI engine that is installed to temporarily replace an in-use engine while the in-use engine is undergoing maintenance and testing, provided the replacement engine emits no more than the in-use engine, and the replacement engine is not used more than 180 days cumulatively in any 12-month rolling period;
- ~~2.~~(B) an engine for which a district-approved application for a district permit or engine registration for stationary sources was submitted to the District prior to January 1, 2005, even though the engine was installed after January 1, 2005;
- ~~3.~~(C) an engine that is one of four or more engines owned by an owner or operator and is relocated prior to January 1, 2008, to an offsite location that is owned by the same owner or operator;
- ~~4.~~(D) an engine, or replacement for an engine, installed prior to or on January 1, 2005, in a facility used in agricultural operations that is owned by an owner or operator, which is subsequently relocated within the same facility or to another offsite facility under the same owner or operator for use in agricultural operations, unless the engine is sited where an engine is not currently located and has not been previously located. ~~location that is owned by the same owner or operator.~~
- ~~5.~~(E) an engine installed at a facility prior to January 1, 2005, and relocated within the same facility after January 1, 2005.
- ~~6.~~(F) a model year 2004 or 2005 engine purchased prior to January 1, 2005, for use in California. The date of purchase is defined by the date shown on the front of the cashed check, the date of the financial transaction, or the date on the engine purchasing agreement, whichever is earliest.
- ~~(G) a greater than 50 bhp Tier 1- or Tier 2-certified stationary diesel agricultural engine installed after January 1, 2005, shall be considered a new engine subject to the requirements of section 93115.8(a) until 12 years after the date of initial installation, at which time, it shall be considered an in-use engine subject to the requirements of section 93115.8(b)(3). a greater than 50 bhp Tier 1- or Tier 2-certified stationary diesel-fueled CI engine used in agricultural operations installed after January 1, 2005, shall be considered an in-use stationary diesel engine subject to the requirements of section 93115.8(b)(3), provided such an engine is still operating 12 years after the date of initial installation.~~
- (B~~2~~) a stationary CI engine that has been reconstructed after January 1, 2005, shall be deemed a new engine unless the sum of the costs of all individual reconstructions of that engine after January 1, 2005, is less than 50% of the lowest-available purchase price, determined at the time of the most recent reconstruction, of a complete, comparably-equipped new engine (within \pm 10% of the reconstructed engine's brake horsepower rating).

For purposes of this definition, the cost of reconstruction and the cost of a comparable new engine shall not include the cost of equipment and devices required to meet the requirements of this ATCM.

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(kkk) "Remotely-Located Agricultural Engine" means a stationary diesel-fueled CI engine used in agriculture that is:

- (1) located in a federal ambient air quality area that is designated as attainment for all PM and ozone national ambient air quality standards (title 40, Code of Federal Regulations, section 81.305 et seq.); and
- (2) located more than one-half mile from any receptor location; ~~and~~
- ~~(3) operated no more than 200 hours annually if the engine is a noncertified or Tier 1 certified engine; or~~
- ~~(4) operated no more than 600 hours annually if the engine is a Tier 2, Tier 3, or interim Tier 4 certified engine.~~

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~~(2) — Operating Requirements and Emission Standards for New and In-Use Stationary Diesel-Fueled CI Engines That Have a Rated Brake Horsepower of Greater than 50 (>50 bhp).~~

93115.6 *Emergency Standby Diesel-Fueled CI Engine (>50 bhp) Operating Requirements and Emission Standards*

~~(A) — New Emergency Standby Diesel-Fueled CI Engine (>50 bhp) Operating Requirements and Emission Standards~~

(a) *New Emergency Standby Diesel-Fueled CI Engine (>50 bhp) Operating Requirements and Emission Standards*

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- ~~(4-)~~ New Direct-Drive Emergency Standby Fire Pump Engines: Except as provided in ~~subsection (e)93115.3~~, no person shall sell, offer for sale, purchase, or lease for use in California any new direct-drive emergency standby diesel-fueled fire-pump engine that has a rated brake horsepower greater than 50 unless it meets either the emission standards of ~~subsection (e)(2)(A)3.93115.6(a)(3)~~ or the emission standards defined in ~~subsection (e)(2)(A)4.93115.6(a)(4)~~, and no person shall operate any new stationary emergency standby diesel-fueled CI engine that has a rated brake horsepower greater than 50, unless it meets all of the applicable operating requirements and emission standards specified in either ~~(e)(2)(A)3.93115.6(a)(3)~~ or ~~(e)(2)(A)4.93115.6(a)(4)~~.
a.(A) Standards and Hours of Operating Requirements

- #1. General Requirements: New direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) shall, upon District approval of installation:
- ia. meet the Tier 2 emission standards specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13 CCR, section 2423) until 3 years after the date the Tier 3 standards are applicable for off-road engines with the same maximum rated power. At that time, new direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) are required to meet the Tier 3 emission standards, until 3 years after the date the Tier 4 standards are applicable for off-road engines with the same maximum rated power. At that time, new direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) are required to meet the Tier 4 emission standards; and
 - ib. not operate more than the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems," 1998/2006 edition or the most current edition approved by the Executive Officer, which is incorporated herein by reference. This subsection does not limit engine operation for emergency use and for emission testing to show compliance with ~~(e)(2)(A)~~493115.6(a)(4).

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~~(E) Emission Standards for New Stationary Diesel-Fueled CI Engines (> 50 bhp) Used in Agricultural Operations~~
93115.8 Emission Standards for Stationary Diesel-Fueled CI Engines (>50 bhp) Used in Agricultural Operations

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(b) Emission Standards for In-Use Stationary Diesel-Fueled CI Engines (>50 bhp) Used in Agricultural Operations

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(4) HC, NOx, NMHC+NOx, and CO Standards: An agricultural operation engine shall not exceed the HC, NOx (or NMHC+NOx, if applicable) and CO standards for off-road engines of the same model year and maximum rated power, as specified in the Off-Road CI Engine Standards (title 13, CCR, section 2423). If no limits have been established for an off-road engine of the same model year and maximum rated power, then the in-use stationary

diesel-fueled engine used in an agricultural operation shall not exceed Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power irrespective of model year.

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~~(4) Recordkeeping, Reporting, and Monitoring Requirements~~
93115.10 Recordkeeping, Reporting, and Monitoring Requirements

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(Gb) Reporting Requirements for Sellers of Stationary Diesel-Fueled CI Engines Having a Rated Brake Horsepower Less Than or Equal to 50 (≤ 50 bhp)

~~4.(1)~~ Except as provided in ~~subsection (c)93115.3, no later than by~~ January 31, 2006 and by January 31st of each year thereafter, all sellers of stationary diesel fueled CI engines sold for use in California that have a rated brake horsepower less than or equal to 50 shall provide the following information for the previous calendar year ~~(January 1st through December 31st)~~ to the Executive Officer of the Air Resources Board:

~~a.(A)~~ Contact Information

- ~~I~~1. Sellers Company Name (if applicable);
- ~~II~~2. Contact name, phone number, e-mail address;

~~b.(B)~~ Engine Sales Information (for each engine sold for use in California in the previous calendar year)

- ~~I~~1. Make,
- ~~II~~2. Model,
- ~~III~~3. Model year (if known),
- ~~IV~~4. Rated brake horsepower,
- ~~V~~5. Number of engines sold,
- ~~VI~~6. Certification executive order number (if applicable),
- ~~VII~~7. Engine family number (if known),
- ~~VIII~~8. Emission control strategy (if applicable); ~~IX~~
- ~~9. Hours on nonresettable hour meter when delivered to end user (if applicable).~~

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(Hf) Reporting Provisions for Exempted Agricultural Emergency, Remotely Located Agricultural, Prime, and Nonagricultural Emergency Engines

An owner or operator of an agricultural emergency standby generator set engine subject to ~~subsections (c)(6)93115.3(a) or an engine subject to sections 93115.3(d), or (c)(12)93115.3(i)~~ shall keep records of the number of hours the engines are operated on a monthly basis. Such records shall be retained for a minimum of 36 months from the date of entry. Record entries made within 24 months of the most recent entry shall be retained on-site, either at a central location or at the engine's location, and made immediately available to the District staff upon request. Record entries made from 25 to

36 months from the most recent entry shall be made available to District staff within 5 working days from the district's request.

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