Appendix B

Contents and List of Proposed Amendments to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines

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LIST OF PROPOSED AMENDMENTS

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	s and references to subsections order to streamline and clarify t		e 17, California Code of Regulations, section 93115) have s.
Purpose	(a)	93115.1	This section has been renumbered as indicated (see note above).
Applicability	(b)	93115.2	This section has been renumbered as indicated (see note above).
	(b)(1)	93115.2(a)	This change and the deletion of sections (c)(1) and (2) of the existing ATCM clarify that the ATCM does not apply to specified portable, motive power, marine, and agricultural wind machine CI engines. For further discussion about the applicability of agricultural wind machines, see Chapter IV of the Staff Report.
	(b)(2)	93115.2(b)	This change clarifies that the ATCM does apply to less than 50 bhp new stationary diesel CI engines. Less than 50 bhp stationary diesel engines are subject to the emission limits in section 93115.9, designated as section (e)(3) in the existing ATCM.
	(b)(3)		This section has been deleted because it is redundant with respect to Health and Safety Code Section 39666(d)
Exemptions	(c)	93115.3	This section has been renumbered as indicated (see note above).
	(c)(1) and (c)(2)		The exemptions for portable, motive power, and marine engines have been deleted. They are no longer necessary as a result of the change to section 93115.2(a), designated as section (b)(1) in the existing ATCM, which indicates that the ATCM does not apply to specified portable, motive power, and marine CI engines.
	(c)(3)	93115.3(a)	This change clarifies that in-use stationary diesel agricultural engines per se are no longer exempt from ATCM requirements. However, a limited exemption from in-use emission standards has been proposed for agricultural emergency standby generator set engines and remotely-located agricultural engines provided they are equipped with hour meters and meet registration and recordkeeping requirements. For further discussion of these exemptions, see Chapter IV of the Staff Report.
	(c)(4)	93115.3(b)	This change clarifies that in-use, as well as new, stationary diesel-fueled agricultural engines are exempt from section 93115.6 and 93115.7 emergency standby engine and prime

Provision	ATCM as Last Amended September 2005	Proposed Amendments to the ATCM	Description/Rationale
	nd references to subsections er to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			engine standards, designated as section (e)(2)(A) through (D) in the existing ATCM, and section 93115.10(a) reporting requirements, designated as section (e)(4)(A) in the existing ATCM. See section 93115.8(c) of the ATCM and Chapter IV of the Staff Report for a discussion of new and in-use stationary diesel-fueled agricultural engine registration requirements that address reporting for these engines.
	(c)(13)	93115.3(k)	This change clarifies that the exemption for dual-fuel pilot engines that use alternative fuels or alternative diesel fuels applies to in-use stationary agricultural, as well as emergency standby or prime, dual-fuel pilot engines.
	(c)(14)	93115.3(I)	This change clarifies that the exemption for dual-fuel pilot engines that use digester or landfill gas also applies to stationary agricultural, as well as emergency standby and prime, engines.
	(c)(15)	93115.3(m)	This change clarifies that in-use stationary diesel-fueled agricultural engines equipped with selective catalytic reduction systems are exempt from emission standard requirements consistent with the exemption for similarly-equipped in-use stationary diesel-fueled emergency standby and prime engines.
	(c)(16)	93115.3 (n)	This change was made to update the reference to the 1998 edition of the National Fire Protection Association (NFPA) 25 "Standards for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems" to the new 2006 edition. This change also authorizes the Executive Officer of the ARB to update this reference as new editions are published.
		93115.3(s)	This new exemption provides sellers and owner/operators of new stock engines the flexibility to sell or use (as appropriate) inventory that does not meet a new more stringent emission standard provided certain conditions are met. This exemption has been characterized as a "sell-through" provision. For further discussion on this exemption, see Chapter IV of the Staff Report.
		93115.3 (t)	This new section provides the U.S. Department of Defense an exemption from the requirements of section 93115.6(b)(3) until December 31, 2009 for their emergency standby engines located

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	ons and references to subsections in order to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			at Command Destruct (CT) sites. Section 93115.6(b)(3) requirements are summarized in the ATCM's Table 2: Summary of the Emission Standards and Operating Requirements for In-Use Stationary Emergency Standby Diesel-Fueled CI Engines.
		93115.3 (u)	This change provides air districts with discretionary authority to exempt specified stationary CI test cell or test stand engines or specified stationary CI engines used at research and development facilities or at educational facilities for training. This change will allow such engines to fulfill their experimental and/or educational purposes without notices of violation.
Definitions	(d)	93115.4 93115.4(b)	This section has been renumbered as indicated (see note above). A definition of "Agricultural Wind Machine" has been added to clearly identify such equipment. In accordance with revised section 93115.2(a), designated as section (b)(1) in the existing ATCM, the ATCM does not apply to stationary diesel engines used to power agricultural wind machines.
	(d)(2)	93115.4(c)	This change clarifies that the definition of "Air Pollution Control Officer (APCO)" is associated with the person appointed pursuant to Health and Safety Code section 40750 (or his or her designee).
	(d)(4)	93115.4 (e)	This change was made to clarify that biodiesel blends that do not meet the definition of CARB diesel are considered an alternative diesel fuel.
	(d)(7)	93115.4 (h) 93115.4(k)	This change was made to make the definition of CARB diesel fuel consistent with ARB fuel regulations. A definition of "Certified Engine" has been added to clearly identify
		93115.4(K)	the Tier 1- and Tier 2-certified engines to which new section 93115.8(b)(3) applies. For further discussion of Tier 1- and Tier 2-certified in-use stationary diesel-fueled agricultural engine requirements, see Chapter IV of the Staff Report.
		93115.4(q)	A definition of "Date of Initial Installation" has been added to clarify the compliance requirements for Tier 1- and Tier 2-certified in-use stationary diesel agricultural engines subject to section 93115.8(b)(3). For further discussion of the compliance requirements for such engines, see Chapter IV of the Staff Report.

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	nd references to subsections er to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
	(d)(25)(G)	93115.4(dd)(7)	This subsection was amended to clarify that any day of launch system checks and launch tracking performed at CT sites by emergency standby engines were considered as emergency use hours of operation. Further, these activities must occur within the 24-hour time period associated with the scheduled time of launch.
	(d)(27)	93115.4(ff)	The definition of "End User" has been changed to clarify that persons who acquire engines only to resell them are not engine "end users" for the purposes of the ATCM.
		93115.4 (uu)(4)	This change was made to provide air districts with discretionary approval to not count the additional hours of testing required when engine failure or breakdown occurs during routine maintenance and testing operations.
	(d)(44)(A)4.	93115.4(xx)(D)	This change was made to clarify that a stationary diesel agricultural engine that is moved to another site is not considered a "new" engine unless the owner/operator of the engine and facility has changed. For further discussion, see Chapter IV of the Staff Report.
	(d)(44)	93115.4(xx)(G)	Subsection 93115.4(xx)(G) has been added to the definition of "New CI Engine" to clarify that new Tier 1- and Tier 2-certified stationary diesel agricultural engines must comply with in-use standards if such engines are to be operated beyond the compliance dates set forth in section 93115.8(b)(3).
		93115.4(zz)	A definition of "Noncertified Engine" has been added to clearly identify the engines to which new section 93115.8(b)(2) applies. For further discussion of noncertified in-use stationary diesel agricultural engine requirements, see Chapter IV of the Staff Report.
		93115.4(kkk)	A definition for "Remotely-Located Agricultural Engine" has been added to clarify the applicability of the remotely-located agricultural engine exemption. For further discussion about this exemption, see Chapter IV of the Staff Report.
		93115.4(III)	A definition for "Residential Area" has been added to clarify the type of area of concern for the purposes of section 93115.8(c) stationary diesel-fueled agricultural registration submittal.

Provision	ATCM as Last Amended September 2005	Proposed Amendments to the ATCM	Description/Rationale
Note: All subsections and been renumbered in order			e 17, California Code of Regulations, section 93115) have s.
	(d)(56)	93115.4(mmm)	This change clarifies that the "Rolling Blackout Reduction Program" consists of the latest set of elements for such program approved by the California Public Utilities Commission (PUC). The definition no longer specifies values, percentages, or minimum reductions in capacity because these elements are subject to change by the PUC.
		93115.4(vvv)	A definition of "Stock Engine" has been added to clarify the type of engine that may be exempted per section 93115.3(s).
	(d)(69)	93115.4(aaaa)	The change to the definition of "Verified Diesel Emission Control Strategy" clarifies that the verification procedure is pursuant to title 13, California Code of Regulations, section 2700.
Requirements	(e)		This section has been subdivided to make it easier to locate requirements per type of engine or type of requirement.
(Fueling)	(e)(1)	93115.5	This section has been renumbered as indicated (see note above).
	(e)(1)(A)(2)	93115.5(a)(2) and (3)	These sections have been changed to clarify the alternative diesel fuels that are considered appropriate to add to the fuel tanks of stationary new and in-use prime engines and new agricultural engines.
	(e)(1)(B)(2)	93115.5(b)(2) and (3)	These sections have been changed to clarify the alternative diesel fuels that are considered appropriate to add to the fuel tanks of nonagricultural stationary new and in-use emergency standby engines.
		93115.5(c)	Consistent with the fueling requirements for other stationary diesel-fueled engines, this section adds fueling requirements for stationary diesel-fueled agricultural engines. For further discussion, see Chapter IV of the Staff Report.
(Emergency Standby Engines)	(e)(2)(A),(B), and (F)	93115.6(a),(b), and (c)	This section has been renumbered as indicated (see note above).
	(e)(2)(A)(3)a.II.	93115.6 (a)(3)(A)2.	This change was made to provide an additional compliance option to meet the ≤ 0.01 g/bhp-hr diesel PM emission standard for new and in-use prime and emergency standby engines. Table 1: Summary of the Emission Standards and Operating Requirements for New Stationary Emergency Standby Diesel-Fueled CI Engines

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Note: All subsections ar been renumbered in orde	nd references to subsections er to streamline and clarify th	s in the existing ATCM (title ne location of requirements	e 17, California Code of Regulations, section 93115) have s.
			>50 bhp also contains the verbiage for this alternative compliance option.
	(e)(2)(B)(3)a.II.iii.	93115.6 (b)(3)(A)2.c.	See description for section 93115.6 (a)(3)(A)2. above. Table 2: Summary of the Emission Standards and Operating Requirements for In-Use Stationary Emergency Standby Diesel-Fueled CI Engines >50 bhp also contains the verbiage for this alternative compliance option.
	(e)(2)(F)	93115.6(c)	The operating requirements and standards for emergency standby engines used in demand response programs have been moved from section (e)(2)(F) in the existing ATCM to section 93115.6(c) in the proposed ATCM so that they immediately follow similar requirements for new and in-use emergency standby engines.
		93115.6(c)(1)(D)	New section added to provide new emergency standby stationary diesel-fueled CI Demand Response Program (DRP) engines with a compliance option to meet the ≤ 0.01 g/bhp-hr diesel PM emissions standard by combining a Level 3 Verified Diesel Emission Control Strategy with a certified Tier 3 engine (or Tier 2 engine for engines greater than 750 bhp) that meets the 0.15 g/bhp-hr PM emission standard.
		93115.6(c)(2)(D)	New section added to provide in-use stationary emergency standby diesel-fueled CI DRP engines with the same compliance option provided in 93115.6(c)(1)(D).
(Prime Engines)	(e)(2)(C) and (D)	93115.7	This section has been renumbered as indicated (see note above).
		93115.7 (a)(1)(B)	See description for section 93115.6 (a)(3)(A)2. above. Table 3: Summary of the Emission Standards and Operating Requirements for New Stationary Prime Diesel-Fueled CI Engines >50 bhp also contains the verbiage for this alternative compliance option.
		93115.7 (b)(1)(D)	See description for section 93115.6(a)(3)(A)2. above. Table 4: Summary of the Emission Standards and Operating Requirements for In-Use Prime Diesel-Fueled CI Engines >50 bhp also contains the verbiage for this alternative compliance option.
(Agricultural Engines)	(e)(2)(E)	93115.8	This section has been renumbered as indicated (see note above).
	(e)(2)(E)1.	93115.8(a)(1)	This section was changed to add an exception - see

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	nd references to subsections ler to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			section 93115.8(a)(1(A)5. For further discussion, see Chapter IV of the Staff Report - Residual Risk Provision .
	Table 5	Table 5	The language for new stationary diesel nongenerator set engine emission limits has been changed to clarify that they are not meant to apply to new stationary diesel agricultural generator set engines outside the identified horsepower range. Also, for clarity, words replace the symbols used in Table 5:
	(e)(2)(E)1.a.l. and II.	93115.8(a)(1)(A)1. and 2.	Consistent with the Off-Road CI Engine Certification Standards (title 13, CCR, section 2423), "less than or equal to 99" hp has been changed to "less than 100" hp and "greater than 99" hp has been changed to "greater than or equal to 100" hp.
	(e)(2)(E)1.a. and Table 5	93115.8(a)(1)(A)3. and Table 5	This change corrects the omission of emission limits for new nongenerator stationary diesel agricultural engines greater than or equal to 175 hp.
		93115.8(a)(1)(A)5.	Section 93115.8(a)(1)(A)5. has been added because an engine meeting Tier 3 or Interim Tier 4 Off-Road CI Engine Certification Standards for PM could comply with the ATCM's new stationary diesel agricultural emission standards but still pose significant risk for nearby receptors. Staff believes such situations will occur

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	d references to subsections r to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			infrequently. When they do, this section would allow local air districts to extend compliance with the ATCM provided an electric motor is installed or the engine meets Tier 4 PM certification standards (0.02 g/bhp-hr for an engine greater than 50 but less than 75 bhp or 0.01 g/bhp-hr for an engine greater than or equal to 75 bhp) no later than four years after the otherwise applicable ATCM compliance date. Staff does not anticipate any significant residual risk issues from electric motors or Tier 4 engines with such low PM emission rates. For further discussion, see Chapter IV of the Staff Report - Residual Risk Provision.
		93115.8(a)(1)(A)6.	This section was added to provide an alternative compliance option for the 0.01 g/bhp-hr PM standard as explained for section 93115.6(a)(3)(A)2.
		93115.8(b)	This section has been added to incorporate emission standards, registration, and other requirements for in-use stationary diesel agricultural engines into the ATCM. For further discussion, see Chapter IV of the Staff Report.
		Table 6	Section 93115.8(b) Table 6 has been added to summarize the emission limits and compliance dates for noncertified in-use stationary diesel agricultural engines.
		Table 7	Section 93115.8(b) Table 7 has been added to summarize the emission limits and compliance dates for Tier 1- and Tier 2 - certified in-use stationary diesel agricultural engines.
	(e)(2)(F)		Section (e)(2)(F) in the existing ATCM has been deleted. The requirements in section (e)(2)(F) of the existing ATCM have been moved to section 93115.6(c) of the proposed ATCM so that operating requirements and standards for emergency standby engines used in demand response programs immediately follow similar requirements for other new and in-use emergency standby engines.
(New Less Than 50 bhp Engines)	(e)(3)	93115.9	This section has been renumbered as indicated (see note above).
	Table 6	Table 8	To accommodate the addition of two tables to new section 93115.8, Table 6 in section (e)(3) of the existing ATCM has been

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			e 17, California Code of Regulations, section 93115) haves.
			redesignated as Table 8 in section 93115.9 of the proposed amendments.
(Recordkeeping, Reporting, Monitoring)	(e)(4)	93115.10	This section has been renumbered as indicated (see note abov
-	(e)(4)(A)3.d. through f.	93115.10(a)(3)(D) through (F)	Minor language changes (addition of the word "including" and replacement of "State" with "A statement") have been made to better clarify the intent of this subsection.
	(e)(4)(A)4.	93115.10(a)(4)	Minor language changes (addition of "greater than 50 brake horsepower" to explain the abbreviation ">50 bhp") have been made to better clarify the intent of this subsection.
	(e)(4)(B)		This section was deleted as no longer necessary due to the addition of agricultural engine registration requirements in section 93115.8(c). For further discussion of registration requirements, see Chapter IV of the Staff Report.
	(e)(4)(A)5.	93115.10(a)(5)	This section was changed to clarify that district registration programs and other records that provide information equivalen that required in section 93115.10(a)/(e)(4)(A)5. (as well as perrapplications and permits) may be used in lieu of the owner/operator reporting requirements of this section.
	(e)(4)(C)	93115.10(b)(1)	Minor language changes (replacement of "by" with "no later the and addition of the word "sold") have been made to better clari the intent of this subsection.
		93115.10(b)(9)	This section was added to clarify that engine sellers must repo metered hours at delivery. This provision will help inspectors identify any hours the engine was operated before delivery to t end-user.
	(e)(4)(D)1	93115.10(c)(1)	This section has been changed to delete the reference to section (e)(2)(E)1 of the existing ATCM so that the provisions f compliance demonstration do not apply to new stationary diese agricultural engines. This change is consistent with the staff's original intention to require sellers of new stationary diesel agricultural engines to demonstrate compliance, rather than placing that burden on the owners and operators of such engin

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	references to subsections to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			See July 1, 2004 15-day notice for original ATCM, Summary of Second Set of Proposed Modifications Title 17, CCR, Section 93115(c) Exemptions.
	(e)(4)(E)		This section has been deleted because of the potential for self-incrimination by owners or operators who report engine emission standard violations which are subject to civil or criminal penalties.
	(e)(4)(F)	93115.10(d)	This section has been changed to allow owners or operators five days to notify districts when an exemption no longer applies because immediate notification is not always practicable. This section has also been changed to allow owners or operators who lose exemption status for an in-use stationary diesel agricultural emergency standby or remotely-located agricultural engine up to 18 months to comply with applicable stationary diesel agricultural engine emission limits.
	(e)(4)(H)	93115.10(f)	This section has been changed to include reporting provisions for in-use stationary diesel agricultural emergency standby and remotely-located agricultural engines that are exempt from emission limits.
	(e)(4)(l)1.d.	93115.10(g)(1)(D)	The term "testing" has been added to ensure that the hours recorded are those resulting from those engine operations defined in the definition of "Initial Start-up Testing" (section 93115.4 (pp))
	(e)(4)(I)1.g and 2	93115.10(g)(1)(G) and (2)	This change clarifies that emergency standby engine fuel records need not be on an engine-by-engine basis provided they are sufficient to demonstrate that only compliant fuels are added to the fueling tanks for such engines per section 93115.5(b), designated as section (e)(1)(B) in the existing ATCM. This change recognizes that centralized fuel recordkeeping is appropriate where fuel delivery and disbursement are centralized.
Compliance for Owners or Operators of Three or Fewer Engines	(f)	93115.11	This section has been renumbered as indicated (see note above).
	(f)(2)	93115.11(b)	This change clarifies the intent of this section, in that, engines that

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	nd references to subsections er to streamline and clarify th		e 17, California Code of Regulations, section 93115) have s.
			comply with the emission standards for in-use emergency standby engines by reducing their annual hours of operation for maintenance and testing are provided a delayed compliance schedule based on model year of the engine.
Compliance for Owners or Operators of Four or More Engines	(g)	93115.12	This section has been renumbered as indicated (see note above).
	(g)(2)	93115.12 (b)	This section was amended to make the language of this requirement consistent with a similar requirement in section 93115.11(b) (see above).
Emissions Data	(h)	93115.13	This section has been renumbered as indicated (see note above).
Test Methods	(i)	93115.14	This section has been renumbered as indicated (see note above).
Severability	(j)	93115.15	This section has been renumbered as indicated (see note above).