

PROPOSED REGULATION ORDER

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

Note: The text of the proposed amendments to title 17, California Code of Regulations, section 93115 is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions, compared to the regulatory language as it existed April 3, 2005. Since the emergency amendments that became operative April 4, 2005 are only effective for 120 days, those amendments are not shown. The symbol “* * * * *” means that intervening text not being amended has been omitted.

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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(d) Definitions

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- (36) “Initial Start-up Testing” means operating the engine or supported equipment to ensure their proper performance either:
- (A) for the first time after ~~initial~~ installation of a ~~new~~ stationary diesel-fueled CI engine at a facility, or
 - (B) for the first time after installation of emission control equipment on an in-use stationary diesel-fueled CI engine.

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(e) Requirements

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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).

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

1. As of January 1, 2005, except as provided in subsection (c) and subsection (e)(2)(E)2., no person shall sell, purchase, or lease for use in California any stationary diesel-fueled engine to be used in agricultural operations that has a rated brake horsepower greater than 50, or operate any new stationary diesel-fueled engine to be used in agricultural operations that has a rated brake horsepower greater than 50, unless the engine meets all of the following emission performance standards (which are summarized in Table 5.):

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TABLE 5: SUMMARY OF THE EMISSION STANDARDS FOR NEW STATIONARY DIESEL-FUELED CI ENGINES > 50 BHP USED IN AGRICULTURAL OPERATIONS (SEE SUBSECTION (e)(2)(E))		
<i>Horsepower Range (hp)</i>	<i>DIESEL PM</i>	<i>OTHER POLLUTANTS</i>
	<i>DIESEL PM STANDARDS (g/bhp-hr)</i>	<i>HC, NOx, NMHC+NOx, AND CO STANDARDS (g/bhp-hr)</i>
<u>Ag Pump Engines >50 to < 99</u>	<0.30 ¹ OR Off-Road CI Engine Certification Standard for an off-road engine of the same maximum rated power, whichever is more stringent	Off-Road CI Engine Certification Standard for an off-road engine of the same model year and maximum rated power, or Tier 1 standard for an off-road engine of the same maximum rated power. ¹
<u>Ag Pump Engines >99 to < 175</u>	<0.22 ¹ OR Off-Road CI Engine Certification Standard for an off-road engine of the same maximum rated power, whichever is more stringent	
<u>All other Ag Engines >50</u>	<0.15 ¹ OR Off-Road CI Engine Certification Standard for an off-road engine of the same maximum rated power, whichever is more stringent.	

1. Prior to January 1, 2008, these limits shall not apply to engines approved for installation prior to January 1, 2005 and funded under State or federal incentive funding programs, as specified in (e)(2)(E)2.

a. Diesel PM Standard:

- I. New agricultural stationary diesel-fueled CI pump engines with a maximum rated horsepower greater than 50 but less than or equal to 99 shall emit no more than 0.1530 g/bhp-hr diesel particulate matter (PM) limit or shall meet the current standards for off-road engines of the same maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (title 13, CCR, section 2423), whichever is lower; and
- II. New agricultural stationary diesel-fueled CI pump engines, with a maximum rated horsepower greater than 99 but less than 175 shall emit no more than 0.22 g/bhp-hr diesel particulate matter (PM) or shall meet the current standards for off-road engines of the same maximum rated power as

specified in the Off-Road Compression-Ignition Engine Standards (title 13, CCR, section 2423), whichever is lower; and

- iii. Except as provided in subsection (e)(2)(E)1.a.I and (e)(2)(E)1.a.II all new agricultural stationary diesel-fueled CI engines, with a maximum rated horsepower greater than 50, shall emit no more than 0.15 g/bhp-hr diesel PM, or shall meet the current standards for off-road engines of the same maximum rated power as specified in the Off-Road Compression-Ignition Engine Standards (title 13, CCR, section 2423), whichever is lower; and

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- (3) Emission Standards for New Stationary Diesel-Fueled CI Engines, Less Than or Equal to 50 Brake Horsepower (< 50 bhp).

As of January 1, 2005, except as provided in subsection (c), no ~~owner or operator~~ person shall sell, offer for sale, or lease for use in California any stationary diesel-fueled CI engine that has a rated brake horsepower less than or equal to 50, unless the engine meets the current Off-Road Compression-Ignition Engine Standards (title 13, CCR, section 2423) for PM, NMHC+NOx, and CO for off-road engines of the same maximum rated power. (These requirements are summarized in Table 6.)

TABLE 6 : SUMMARY OF THE EMISSION STANDARDS FOR STATIONARY DIESEL-FUELED CI ENGINES ≤ 50 BHP (SEE SUBSECTION (e)(3))
DIESEL PM STANDARDS, NMHC+NOx, AND CO STANDARDS (g/bhp-hr)
Current Off-Road CI Engine Certification Standard for an off-road engine of the same model year and maximum rated power.

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- (4) Recordkeeping , Reporting, and Monitoring Requirements

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(D) Demonstration of Compliance with Emission Limits

- 1. Prior to the installation of a new stationary diesel-fueled CI engine at a facility, the owner or operator of the new stationary diesel-fueled CI engine(s) subject to the requirements of section (e)(2)(A)3-, or (e)(2)(C)1, (e)(2)(E)(1), or (e)(2)(F)1c, shall provide emission data to the District APCO in accordance with the requirements of subsection (h) for purposes of demonstrating compliance.

2. By no later than the earliest applicable compliance date specified in subsections (f) or (g), the owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of subsection (e)(2)(B)~~3~~, ~~or~~ (e)(2)(D)1, or (e)(2)(F)2.c., shall provide emissions and/or operational data to the District APCO in accordance with the requirements of subsection (h) for purposes of demonstrating compliance.

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(E) Notification of Non-Compliance

Owners or operators who have determined that they are operating their stationary diesel-fueled engine(s) in violation of the requirements specified in subsections (e)(1) or (e)(2) shall notify the district APCO immediately upon detection of the violation and shall be subject to district enforcement action.

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(f) Compliance Schedule for Owners or Operators of Three or Fewer Engines (> 50 bhp) Located within the District

- (1) All owners and operators of three or fewer engines located within the District, who will meet the requirements of subsections (e)(2)(B) solely by maintaining or reducing the current annual hours of operation for maintenance and testing, shall be in compliance with the annual hours of operation limits ~~by no later than beginning~~ January 1, 2006.

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(g) Compliance Schedule for Owners or Operators of Four or More Engines (> 50bhp) Located within the District

- (1) All owners and operators of four or more engines located within the District, who will meet the requirements of subsections (e)(2)(B) solely by maintaining or reducing the current annual hours of operation for maintenance and testing, shall be in compliance with the annual hours of operation limits ~~by no later than beginning~~ January 1, 2006.

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(h) Emissions Data

- (1) Upon approval by the District APCO or the Executive Officer, the following sources of data may be used in whole or part to meet the emission data requirements of subsections (e)(2)(A) through (e)(2)(~~D~~E):
 - (A) off-road engine certification test data for the stationary diesel-fueled CI engine,
 - (B) engine manufacturer test data,
 - (C) emissions test data from a similar engine, or

(D) emissions test data used in meeting the requirements of the Verification Procedure for the emission control strategy implemented.

(2) Emissions testing of a stationary diesel-fueled CI engine, for purposes of showing compliance with the requirements of subsections (e)(2)(A) through (e)(2)(EF), shall be done in accordance with the methods specified in subsection (i).

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NOTE: Authority cited: Sections 39600, 39601, 39650, 39658, 39659, 39665, 39666, 41511, and 43013, Health and Safety Code. Reference: Sections 39002, 39650, 39658, 39659, 39665, 39666, 40000, 41511, and 43013.