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Board Agenda Item

TO: Air Pollution Control District Board

FROM: Terry Dressler, Air Pollution Control Officer (961-8853)

SUBJECT: APCD Implementation of Airborne Toxic Control Measure for Diesel Agricultural Engines

RECOMMENDATION:

Receive and file a report regarding the amendments to the statewide Airborne Toxic Control Measure for Stationary Compression Ignition Engines to establish emission standards for agricultural engines.

DISCUSSION:

At a public hearing on November 16, 2006 the Air Resources Board approved amendments to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines (ATCM) to establish emission standards for agricultural engines. The ATCM establishes emission limits for greater than 50 horsepower agricultural engines. The emission limits require uncontrolled engines (primarily those manufactured prior to 1996) to be replaced with controlled engines of the Tier 3 or Tier 4 federal Off-Road Compression Ignition Engine Certification Standards starting January 1, 2011 for the engines subject to the earliest compliance dates. Engines that already meet the Tier 1 and Tier 2 Certification Standards must be replaced by Tier 4 certified engines by January 1, 2016. All existing engines that are subject to the regulation must register with the APCD by March 1, 2008. Newly installed engines are required to meet new engine standards for the class of engine installed and to be registered with the APCD no more than 90 days after installation. Wind machines are exempt from the regulation. Agricultural emergency standby generators and remotely located engines are exempt from the emission limits of the regulation, but must be registered with the APCD. Since we have never before regulated the vast majority of agricultural engines in Santa Barbara County, we do not know precisely how many such engines are operating within the County. However, we believe that there may be between 200 and 300 engines subject to the new regulation.

§39666(d) of the California Health & Safety Code stipulates that the local air pollution control districts shall implement and enforce airborne toxic control measures that have been adopted by the state Air Resources Board, or adopt airborne toxic control measures that are at least as stringent, no later than six months after each control measure is adopted by the state Board. The APCD has 120 days from the date the adopted ATCM is approved by the State Office of Administrative Law (OAL) to implement the regulation. We expect the ATCM to be approved by OAL sometime in the late spring. In implementing the ATCM, APCD staff need to undertake activities such as outreach to the agricultural community, engine registration program development and administration, field verification, computer database development and data input, and, after 2011, health risk screening for certain engines that are located near where people live. Prior to the 2011 applicability date of the AB 2588 "Hot Spots" Program, we hope to have all the stationary diesel agricultural engines that are located near residential areas or other sensitive receptors repowered with either Tier 3 or Tier 4 engines or electric motors.

On February 22, 2007, we met with representatives of the agricultural community to begin our outreach on this program with an informational briefing. At the briefing, we provided a background on the regulation, discussed the requirements and timelines, and requested the stakeholders communicate with their constituencies that we will need their input in the design of our implementation program. We sharply focused on our need to develop a comprehensive contact list so that we can inform all affected parties of the upcoming requirements and the availability of compliance assistance grant funding.

APCD staff will be working with the agricultural community to develop an implementation program that will include the required engine registration process. As with all APCD programs, it will be necessary for us to secure funding sources to cover the costs of program implementation. Since most of the agricultural sources remain exempt from permit requirements, we will not be able to fund this program with existing permit fees. Consequently, after working closely with the agricultural community on the development of a registration program, we will return to your Board with a recommendation that the Board adopt an agricultural engine registration fee. We are also working closely with the San Luis Obispo County and Ventura County Air Pollution Control Districts to ensure that our respective implementation programs are as closely aligned as possible.

There remain unanswered questions regarding the applicability of the Airborne Toxic Control Measure for Portable Compression Ignition Engines to agricultural engines. The air districts throughout the State are currently working with the California Air Resources Board staff to address these outstanding issues.

The staff report for the ATCM states, *"There are several incentive programs which could play an important role in providing early emissions reductions by encouraging growers to voluntarily replace existing...engines with electric motors or new, cleaner Tier-3 or Tier-4 certified engines...Incentive programs such as these are expected to encourage compliance with the proposed amendments..."* APCD staff has begun a rigorous and thorough outreach program to ensure that all parties who may be affected by this new regulation are aware of the opportunities for compliance assistance grant funding through our ITG programs. ARB staff has issued grant guidance that requires new engines purchased with grant funding be installed a least one year prior to the applicable ATCM compliance date. Therefore, for those operators who have a 2011

compliance date, it will be very important that they begin the grant application process soon in order to take advantage of the next three grant funding cycles.

As we learn the full scope of the implications of this new regulation, we will return to your Board with further updates and recommendations for any action required by the Board.