BILL CONNELLY, Chair
Supervisor, District #1

STEVEN JERNIGAN, Vice Chair
Vice Mayor, Oroville

JANE DOLAN
Supervisor, District #2

MARY ANNE HOUX
Supervisor, District #3

CURT JOSIASSEN
Supervisor, District #4

KIM YAMAGUCHI
Supervisor, District #5

JOHN G. BUSCH
Mayor, Biggs

SCOTT GRUENDL
Mayor, Chico

FRANK COOK
Mayor, Gridley

ROBIN HUFFMAN
Councilmember, Paradise

W. James Wagoner
Air Pollution Control Officer

(530) 891-2882
(530) 891-2878 Fax

November 3, 2006

Clerk of the Board
California Air Resources Board
1001 I Street, 23rd Floor
Sacramento, CA 95814

Re: Proposed Amendments to the Airborne Toxics Control Measure for Compression Ignition Engines

The Governing Board of the Butte County Air Quality Management District (Board) is contacting the California Air Resources Board (CARB) to provide comments on the proposed amendments to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines (ATCM) (Title 17, California Code of Regulations, Section 93115) to include in-use engines used in agricultural operations.

The Board appreciates that CARB postponed the hearing until November 16, 2006 at the request of the stakeholders to allow increased participation in the public hearing; however, the selected location in San Francisco makes attendance difficult for members of the regulated rural community to attend. The Board requests that the hearing be rescheduled to a date that allows the hearing to occur in Sacramento. This will also provide more time for public outreach prior to the hearing.

While this Board is supportive of protecting the public from the harmful effects of diesel particulate exhaust emissions, it does not appear to us that the disproportionate high cost of compliance is commensurate with the health benefits in rural areas such as Butte County. The Board has concerns that the proposal will involve a significant capital outlay for a questionable reduction in public exposure to toxic air contaminants in rural areas. The Board believes such regulations negatively impact the rural county economy and is concerned with the inability of the State to adequately provide funding for such mandates.

As proposed, the exemption for remotely located and/or low use engines is contingent upon attainment of federal ambient air quality standards, not health risk. The Board supports exempting engines that do not pose a demonstrated risk to the public and opposes limiting the exemption to attainment areas. Measures to attain the federal ozone and particulate matter (PM) standards should be implemented through the SIP planning process, for areas that need these reductions, not through an ATCM. The Board believes the focus of the measure should be on reducing public exposure to diesel particulate matter, a toxic air pollutant, without also mandating reductions in criteria pollutants.

The Board also understands that the goal of the proposed amendments are to encourage engine replacement versus adding control technology because of the additional benefits in reducing criteria pollutants. This approach is not consistent with the implementation approach taken with other in-use diesel engines which allows 85% reduction from baseline (initial) conditions.

In summary, the Butte County Air Quality Management District Governing Board provides the following comments:

1. Reschedule the adoption hearing to a later date in Sacramento to allow time for more outreach to and participation from the agricultural community.
2. The requirement to replace or retrofit an engine should only apply if an engine poses a demonstrated health risk to the public.
3. Exempt engines that do not pose a significant toxic health risk to the public, regardless of attainment status.
4. Specify the same standards for all stationary compression ignition engines regardless of whether the engine is used in an agricultural or non-agricultural application.
5. The Board also supports the comments of the Sacramento Valley Basinwide Air Pollution Control Council (BCC), as stated in their November 1st letter.

Finally, while we recognize this is difficult to quantify, we wonder if the aggressive implementation schedule will result in an overall emissions increase in the short-term due to the required increase in engine manufacturing activities.

Our Air Pollution Control Officer, Jim Wagoner, will be providing a separate letter of technical comments on the proposal.

Thank you for the opportunity to comment on the proposed amendments to the ATCM. If you have any questions regarding this correspondence, please contact Jim Wagoner at (530) 891-2882.

Sincerely,

Bill Connelly

Bill Connelly, Chair
Butte County Air Quality Management District Governing Board

Attachment: BCC letter dated November 1, 2006.