SACRAMENTO VALLEY

BASINWIDE AIR POLLUTION CONTROL COUNCIL

Chair		Vice Chair						
Butte	Colusa	Feather River	Glenn	Placer	Sacramento	Shasta	Tehama	Yolo-Solano

November 1, 2006

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

Re: Comments on Proposed Amendments to the Stationary Diesel Engine Control Measure

The Sacramento Valley Basinwide Air Pollution Control Council (BCC) is providing the following 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). The comments focus on the amendments affecting in-use (existing) stationary agriculture engines.

In preface, the BCC expresses appreciation for the workshops conducted by California Air Resources Board (CARB) staff in Colusa and Durham on July 26th. We also appreciated the opportunity to meet with the Executive Officer and staff to discuss the regulatory concepts on September 22nd, prior to the release of the proposed amendments. While staff efforts are helpful, as discussed later, we feel more outreach is needed prior to taking final action on this proposal.

While the BCC is supportive of protecting the public from the harmful effects of diesel particulate exhaust emissions and other toxic air contaminants, it does not appear to us that the disproportionate high cost of compliance is commensurate with the health benefits in rural areas such as the Sacramento Valley. In addition, there are some elements under discussion that the BCC considers inappropriate regulatory measures for the ATCM process.

The BCC provides the following comments:

1. The requirement to replace or retrofit an engine should only apply if an engine poses a demonstrated health risk to the public.
2. Along this line, we understand that CARB is considering an exemption for remotely located and/or low use engines. As stated above, the BCC supports exempting engines that do not pose a significant toxic health risk to the public. We understand that this exemption would only be available in federal ozone and particulate matter (PM) attainment areas. The BCC opposes limiting the exemption to attainment areas. Measures to attain the federal ozone and PM standards should be implemented through the SIP planning process.

3. The emissions standards under consideration are different than the existing in-use engine requirements for non-agriculture engines. We understand this is because of concerns related to criteria pollutant emissions. The BCC does not support the use of the ATCM to control criteria pollutants. The ATCM should only be used to control toxic air contaminants. The standards for in-use non-agriculture engines should also apply to agriculture engines.
4. The ATCM should only apply to compression ignition engines using diesel fuel blends. The ATCM should not apply to an engine using 100% bio-diesel (B100).
5. The BCC supports CARB development of a model registration program to facilitate implementation.
6. The ATCM should not be used to address the requirements of the Air Toxics "Hot Spots" Program (AB 2588). Provisions addressing residual risk under AB 2588 should be addressed in the AB 2588 program.
7. Depending on use, an individual engine may be subject to the portable equipment ATCM or the stationary engine ATCM. Compliance standards and timelines may be different. Fleet averaging is allowed for portable equipment but not available for stationary engines. The requirements for the two regulations should be harmonized.
8. Even though CARB and local district staffs have conducted outreach to the agricultural community, the BCC is concerned that many engine owners are still unaware of the proposed regulation. Also, there will be a very limited time period to utilize the Carl Moyer grant funding, with only one more year of funding available for stationary agricultural engines. While CARB has offered to pay postage for additional outreach, no funding is available for staff time necessary to complete the outreach efforts. In order for this program to be successful, more time is needed for outreach. The recent industry concerns with the portable equipment program illustrate the importance of adequate outreach. The BCC requests that action be continued to a later date to allow more outreach and participation by the agricultural community.

If you have any questions regarding this correspondence, please contact the BCC Secretary, Jim Wagoner, Butte County AQMD, at (530) 891-2882.

Sincerely,

Supervisor Curt Josiassen, Chair
Sacramento Valley Basinwide Air Pollution Control Council

cc: Sacramento Valley Basinwide Air Pollution Control Council
Catherine Witherspoon, Executive Officer
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BCC-TAC