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Agency Secretary

Air Resources Board

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Arnold Schwarzenegger
Governor

April 12, 2005

TO: All Interested Parties

SUBJECT: Public Workshop to Discuss Proposed Revisions to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines

Introduction:

The California Air Resources Board (ARB or the Board) invites you to participate in a public workshop to discuss proposed revisions to the Airborne Toxic Control Measure for Stationary Compression Ignition Engines (ATCM). The proposed revisions would require that new stationary compression ignition agricultural pump engines greater than 50 to less than 175 horsepower (hp) comply with California and federal new off-road compression ignition engine certification particulate matter (PM) standards instead of a 0.15 grams per brake horsepower-hour (g/bhp-hr) PM standard. Current "Tier 2" California and federal standards are 0.30 g/bhp-hr PM for engines 50 to 99 hp and 0.22 g/bhp-hr PM for engines 100 to 174 hp. These proposed revisions would make permanent the emergency regulatory changes (adopted by the Board on March 17, 2005) which would otherwise expire on August 3, 2005. Please see "Background" and "Proposed Revisions," below.

Public workshops will be held on:

Date:	Wednesday, April 27, 2005	Wednesday, May 4, 2005
Time:	9:00 AM to 11:30 AM	10:00 AM to 12:00 PM
Location:	California Environmental Protection Agency Sierra Hearing Room, Second Floor 1001 "I" Street Sacramento, California 95814	San Joaquin Valley Unified Air Pollution Control District San Joaquin Room 1990 E. Gettysburg Avenue Fresno, California 93726

At each workshop, we will discuss the emergency regulatory changes, the reasons for the proposed revisions, and the expected timeline and process for this rulemaking. We are seeking input and comments from the public, including all interested stakeholders and potentially affected parties. Please see "Workshop Details," below.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Background:

On February 26, 2004, the Board approved the Stationary Compression Ignition Engine ATCM to reduce diesel PM emissions from new and in-use stationary diesel engines. Among other provisions, the ATCM contains a 0.15 g/bhp-hr PM standard for new stationary compression ignition agricultural engines. Just prior to the effective date of the standard (January 1, 2005) local air districts and agricultural engine distributors notified ARB of their concern about the availability of compliant diesel agricultural pump engines greater than 50 to less than 175 hp.

ARB staff conducted an extensive investigation and reported to the Board at its regularly scheduled Board meeting on March 17, 2005. During the meeting, the Board heard a presentation from ARB staff and testimony from stakeholders within the agricultural industry, agriculture equipment distributors and dealers, engine manufacturers, and others. As a result, the Board took emergency action to remove the requirement that new stationary agricultural pump engines greater than 50 to less than 175 hp meet the 0.15 g/bhp-hr PM standard. In place of the 0.15 g/bhp-hr PM standard, the Board determined that such engines must meet the appropriate California and federal new off-road compression ignition engine certification PM standards. This action was based on the limited availability of 0.15 g/bhp-hr PM-compliant engines in the greater than 50 to less than 100 hp range and the limited number of manufacturers offering compliant engines in the 100 to less than 175 hp range.

The emergency regulation approved by the Board on March 17, 2005, was reviewed by the Office of Administrative Law and became effective on April 4, 2005. It will expire on August 3, 2005, unless the ATCM is amended by this rulemaking. Until August 3, 2005, California and federal Tier 2-certified stationary agricultural pump engines greater than 50 to less than 175 hp may be sold by dealers/distributors and purchased by farmers in compliance with the ATCM. However, staff do not anticipate that engine manufacturers will increase the number of greater than 50 to less than 175 hp stationary agricultural pump engine models meeting the 0.15 g/bhp-hr standard over the next few years. Staff believe that the limited availability of these engines beyond August 3, 2005, could impact voluntary stationary diesel agricultural pump engine replacement and, as a consequence, anticipated reductions in diesel PM emissions and exposure. Therefore, staff are effectively proposing to remove the August 3, 2005, deadline by amending the ATCM to make the emergency PM standard changes permanent for affected engines.

Proposed Revisions:

For new stationary agricultural compression ignition pump engines greater than 50 to less than 175 hp, the proposed amendments would require compliance with current Off-Road Compression Ignition Engine Standards (Title 13 CCR, Section 2423) applicable to an engine of the same brake horsepower rating and model year. Current "Tier 2" California and federal new off-road compression ignition engine standards are 0.30 g/bhp-hr PM for engines 50 to 99 hp and 0.22 g/bhp-hr PM for engines 100 to 174 hp. These standards represent best available control technology for this category of engines.

For new stationary compression ignition engines used in other types of agricultural operations or other applications (e.g., generators), no amendments are being proposed at this time. The ATCM requires that these engines continue to meet the 0.15 g/bhp-hr PM standard, which is more stringent than the current new off-road compression ignition engine PM standards. However, staff would appreciate information and will consider comments regarding the availability of these engines.

Staff are also proposing several non-substantive clarifications to the regulatory text of the ATCM. You may obtain a copy of all the proposed revisions and other documents related to this rulemaking at <http://www.arb.ca.gov/regact/statde05/statde05.htm>.

Workshop Details:

The workshop agenda will be available at <http://www.arb.ca.gov/diesel/ag/ag.htm>. If you did not receive this workshop notice directly and would like to be on the mailing list for future notifications regarding proposed rulemakings involving stationary diesel agricultural engines, please sign up via our website at <http://www.arb.ca.gov/diesel/ag/inuseag.htm>.

The Sacramento workshop will be webcast (i.e., audio broadcast live over the Internet). On April 27, 2005, you may access the webcast through the ARB website at www.arb.ca.gov by clicking on the "Webcasts" link on the left side of the ARB Home Page, and then following the prompts.

Since these workshops will take place during the 45-day public review period for the rulemaking, please submit your comments on the proposed amendments in writing to:

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

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Electronic mail may be sent to: statde05@listserv.arb.ca.gov. Webcast participants may also submit written questions and comments on the day of the workshop (April 27, 2005) by sending an electronic mailing to onair@arb.ca.gov. Staff will discuss verbal and written questions and comments during each workshop and will respond to all written comments received during the 45-day comment period in the Final Statement of Reasons (FSOR) for the rulemaking.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please go to <http://www.arb.ca.gov/as/eeo/languageaccess.htm> or contact the Bilingual Coordinator at (916) 324-5049. For Sacramento parking and public transit information, please view the "Transportation" information on the California Environmental Protection Agency's website at <http://www.calepa.ca.gov/epabldg/location.htm>.

We welcome your participation in this proposed rulemaking effort. If you have any questions regarding these workshops or the proposed amendments to the ATCM, please contact Ms. Barbara Cook at (916) 327-1507 or bcook@arb.ca.gov, or Mr. Tony Andreoni at (916) 324-6021 or tandreoni@arb.ca.gov.

Sincerely,

/s/

Daniel E. Donohoue, Chief
Emissions Assessment Branch