FINAL REGULATION ORDER

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

Effective October 18, 2007, title 17, California Code of Regulations section 93115 is amended to read as follows (sections 93115 through 93115.15):

§ 93115. Airborne Toxic Control Measure for Stationary Compression Ignition (CI) Engines.

The Air Toxic Control Measure (ATCM) for Stationary Compression Ignition (CI) Engines is set forth in sections 93115 through 93115.15, title 17, California Code of Regulations.

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

§ 93115.1 ATCM for Stationary CI Engines – Purpose.

The purpose of this airborne toxic control measure (ATCM) is to reduce diesel particulate matter (PM) and criteria pollutant emissions from stationary diesel-fueled compression ignition (CI) engines.

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

§ 93115.2 ATCM for Stationary CI Engines – Applicability.

(a) Except as provided in section 93115.3, this ATCM applies to any person who either sells a stationary CI engine, offers a stationary CI engine for sale, leases a stationary CI engine, or purchases a stationary CI engine for use in California, unless such engine is:

(1) a portable CI engine,
(2) a CI engine used to provide motive power,
(3) an auxiliary CI engine used on a marine vessel, or
(4) an agricultural wind machine as defined in section 93115.4.

(b) Except as provided in sections 93115.3 and 93115.9, this ATCM applies to any person who owns or operates a stationary CI engine in California with a rated brake horsepower greater than 50 (>50 bhp).

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

§ 93115.3 ATCM for Stationary CI Engines – Exemptions.

(a) The in-use stationary diesel agricultural emission standard and other requirements of section 93115.8(b) do not apply to agricultural emergency standby generator set engines equipped with nonresettable hour meters with a minimum display capability of 9,999 hours or remotely-located agricultural engines provided the owners or operators of such engines comply with the registration requirements of section 93115.8(c) and (d) and the applicable recordkeeping and reporting requirements of section 93115.10.

(b) The requirements specified in sections 93115.6, 93115.7, and 93115.10(a) do not apply to new or in-use stationary diesel-fueled CI engines used in agricultural operations.

(c) The requirements specified in section 93115.9 do not apply to single cylinder cetane test engines used exclusively to determine the cetane number of diesel fuels in accordance with American Society for Testing and Materials (ASTM) Standard D 613-03b, "Standard Test Method for Cetane Number of Diesel Fuel Oil," as modified on June 10, 2003, which is incorporated herein by reference.

(d) The requirements specified in sections 93115.6(b)(3) and 93115.7(b)(1) do not apply to in-use stationary diesel-fueled CI engines used in emergency standby or prime applications that, prior to January 1, 2005, were required in writing by the district to meet and comply with either minimum technology requirements or performance standards implemented by the district from the "Risk Management Guidance for the Permitting of New Stationary Diesel-Fueled Engines," October 2000, which is incorporated herein by reference.

(e) The requirements specified in section 93115.6(b)(3) do not apply to permitted in-use stationary emergency standby diesel-fueled CI engines that will be removed from service or replaced prior to January 1, 2009, in accordance with an approved Office of Statewide Health Planning Development (OSHPD) Compliance Plan that has been approved prior to January 1, 2009, except that this exemption does not apply to replacement engines for the engines that are removed from service under the OSHPD plan.

(f) The requirements in sections 93115.5 and 93115.7 do not apply to any stationary diesel-fueled CI engine used solely for the training and testing of United States Department of Defense (U.S. DoD) students or personnel of any U.S. military branch in the operation, maintenance, repair and rebuilding of engines when such training engines are required to be configured and designed similarly to counterpart engines used by the U.S. DoD, U.S. Military services or North Atlantic Treaty Organization (NATO) forces in combat, combat support, combat service support, tactical or relief operations used on land or at sea.

(g) The requirements specified in sections 93115.5 through 93115.8 do not apply to stationary diesel-fueled CI engines used solely on San Nicolas or San Clemente

Islands. The Ventura County Air Pollution Control District Air Pollution Control Officer (APCO) and the South Coast Air Quality Management District APCO shall review the land use plans for the island in their jurisdiction at least once every five (5) years and withdraw this exemption if the land use plans are changed to allow use by the general public of the islands.

(h) The requirements specified in sections 93115.6 and 93115.7 do not apply to stationary diesel-fueled engines used solely on outer continental shelf (OCS) platforms located within 25 miles of California's seaward boundary.

(i) *Exemption for Emergency Engines at Nuclear Facilities.* The requirements in section 93115.6(b)(3) do not apply to any in-use stationary diesel-fueled CI engines for which all of the following criteria are met:

(1) the engine is an emergency standby engine;
(2) the engine is subject to the requirements of the U.S. Nuclear Regulatory Commission;
(3) the engine is used solely for the safe shutdown and maintenance of a nuclear facility when normal power service fails or is lost; and
(4) the engine undergoes maintenance and testing operations for no more than 200 hours cumulatively per calendar year.

(j) *Request for Exemption for Low-Use Prime Engines Outside of School Boundaries.* The district APCO may approve a Request for Exemption from the provisions of section 93115.7(b)(1) for any in-use stationary diesel-fueled CI engine located beyond school boundaries, provided the approval is in writing, and the writing specifies all of the following conditions to be met by the owner or operator:

(1) the engine is a prime engine;
(2) the engine is located more than 500 feet from a school at all times;
(3) the engine operates no more than 20 hours cumulatively per year. The district APCO may use a different number of hours for applying this exemption if the diesel-fueled CI engine is used solely to start a combustion gas turbine engine, provided the number of hours used for this exemption is justified by the district, on a case-by-case basis, with consideration of factors including, at a minimum, the operational requirements of a facility using a combustion gas turbine engine and the impacts of the emissions from the engine at any receptor location.

(k) The requirements in sections 93115.6(b)(3), 93115.7(b)(1), and 93115.8(b)(1) through (3) do not apply to in-use dual-fueled diesel pilot CI engines that use an alternative fuel or an alternative diesel fuel.

(l) The requirements in sections 93115.5, 93115.6(a)(3), 93115.6(b)(3), 93115.7(a)(1), 93115.7(b)(1), 93115.8(a)(1), 93115.8(b)(1) through (3), and 93115.9 do not apply to dual-fueled diesel pilot CI engines that use diesel fuel and digester gas or landfill gas.

(m) The requirements in sections 93115.6(b)(3), 93115.6(c)(2), 93115.7(b)(1), and 93115.8(b)(1) through (3) do not apply to in-use stationary diesel-fueled CI engines that have selective catalytic reduction systems.

(n) The requirements of section 93115.6(b)(3) do not apply to in-use emergency fire pump assemblies that are driven directly by stationary diesel-fueled CI engines and only operated the number of hours necessary to comply with the testing requirements of National Fire Protection Association (NFPA) 25 "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems," 2002 edition, which is incorporated herein by reference.

(o) The requirements of sections 93115.5, 93115.6(a)(3), 93115.6(b)(3), 93115.7(a), and 93115.7(b) do not apply to any stationary diesel-fueled CI engine used to power equipment that is owned by the National Aeronautics and Space Administration (NASA) and used solely at manned-space flight facilities including launch, tracking, and landing sites, provided the District APCO approves this exemption in writing. This exemption only applies to diesel engines that power equipment which is maintained in the same configuration as similar equipment at all manned space flight facilities.

(p) *Request for Delay in Implementation for Remotely Located In-Use Prime Engines.* Prior to January 1, 2011, the district APCO may approve a Request for Delay in Implementation from the provisions of 93115.7(b)(1) until January 1, 2011, for any in-use stationary diesel-fueled CI engine, provided the approval is in writing, and the writing specifies all the following conditions to be met by the owner or operator:

(1) the engine is a prime engine, and
(2) the engine is located more than one mile from any receptor location, and
(3) the impacts of the emissions from the engine at any receptor location result in:
    (A) a prioritization score of less than 1.0; and
    (B) a maximum cancer risk of less than 1 in a million; and
    (C) a maximum Hazard Index Value of less than 0.1.

(q) *Request for Delay in Implementation of Fuel Requirements.* Prior to January 1, 2006, the district may approve a Request for Delay in implementation from the provisions of 93115.5 until a date as determined by the district, for any new or in-use stationary diesel-fueled CI engine, provided the approval is in writing, and the writing specifies the following information:

(1) the engine is a new stationary CI engine or an in-use stationary diesel-fueled CI engine, and
(2) the engine's fuel consumption rate, and
(3) the identification of the fuel in the fuel tank at the time of approval, and
(4) the specification of the fuel in the fuel tank at the time of approval; and
(5) the amount of fuel in the fuel tank at the time of approval; and
(6) the anticipated number of hours per year the engine is planned to be operated; and
(7) the date when compliance with the fuel use requirements specified in section 93115.5 is required.

(r) The operational restrictions in sections 93115.6(a)(1) and 93115.6(b)(2) for engines located at or near school grounds do not apply to engines located at or near school grounds that also serve as the students' place of residence, e.g. boarding schools.

(s) The District may exempt any stock engine from the new stationary diesel-fueled engine emission standards in sections 93115.6(a), 93115.7(a), 93115.8(a), and 93115.9 provided the seller and the owner or operator demonstrate to the District's satisfaction that the following conditions are met:

(1) *Seller:* Any stationary diesel-fueled engine greater than 50 bhp shall meet the following standards and conditions:
   (A) The stationary diesel-fueled engine emission standards in sections 93115.6(b), 93115.7(b), or 93115.8(b), or
   (B) The Off-Road CI Engine Certification Standards (title 13, CCR, section 2423) immediately preceding the transition to new standards for an off-road CI engine of the same model year and maximum rated power, and
   (C) The engine was delivered to California no more than twelve months immediately preceding the transition to new standards for an off-road CI engine of the same model year and maximum rated power, and
   (D) The engine was sold no later than six months after the effective date of the new standards for an off-road CI engine of the same model year and maximum rated power,

(2) *Owner/operator:*
   (A) The date of acquisition of the stock engine is no later than six months from the date an emission standard applicable to new engines becomes more stringent than the emission standard to which the stock engine is certified.
   (B) The date the District determines the application is complete for an Authority to Construct permit is no later than six months after the date of acquisition of the stock engine.

(t) The requirements of section 93115.6(b)(3) do not apply to any stationary diesel-fueled emergency standby engine primarily used by the United States Department of Defense located at Command Destruct (CT) sites until December 31, 2009. Each stationary diesel-fueled emergency standby engine at a CT site will be allowed a maximum of 100 total annual hours of operation for maintenance and testing.

(u) Upon the prior written approval of the APCO, the requirements of this ATCM do not apply to stationary CI engines used exclusively:

(1) as engine test cells and test stands for testing burners, CI engines, or CI engine components, e.g., turbochargers;
(2) for operation or performance testing of fuels, fuel additives, or emission control devices at research and development facilities; or
(3) for maintenance, repair, or rebuild training at educational facilities.

(v) If the Executive Officer or District finds, based on verifiable information from the engine manufacturer, distributor, or dealer, that current model year engines meeting the current emission standards are not available or not available in sufficient numbers or in a sufficient range of makes, models, and horsepower ratings, then the Executive Officer or the District may allow the sale, purchase, or installation of a new stock engine meeting the emission standards from the previous model year to meet the new stationary diesel-fueled engine emission standards pursuant to title 13 of the California Code of Regulations or 40 CFR part 89.

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

§ 93115.4 ATCM for Stationary CI Engines – Definitions.

(a) For purposes of this ATCM, the following definitions apply:

(1) "Agricultural Operations" means the growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural operations do not include activities involving the processing or distribution of crops or fowl.

(2) "Agricultural Wind Machine" means a stationary CI engine-powered fan used exclusively in agricultural operations to provide protection to crops during cold weather by mixing warmer atmospheric air with the colder air surrounding a crop.

(3) "Air Pollution Control Officer (APCO)" means the person appointed pursuant to section 40750 of the Health and Safety Code, or his or her designated representative.

(4) "Alternative Fuel" means natural gas, propane, ethanol, or methanol.

(5) "Alternative Diesel Fuel" means any fuel used in a CI engine that is not commonly or commercially known, sold, or represented by the supplier as diesel fuel No. 1-D or No. 2-D, pursuant to the specifications in ASTM D 975-81, "Standard Specification for Diesel Fuel Oils," as modified in May 1982, which is incorporated herein by reference, or an alternative fuel, and does not require engine or fuel system modifications for the engine to operate, although minor modifications (e.g., recalibration of the engine fuel control) may enhance performance. Examples of alternative diesel fuels include, but are not limited to, biodiesel and biodiesel blends that do not meet the definition of CARB diesel fuel; Fischer-Tropsch fuels; emulsions of water in diesel fuel; and fuels with a fuel additive, unless:

(A) the additive is supplied to the engine fuel by an on-board dosing mechanism, or

(B) the additive is directly mixed into the base fuel inside the fuel tank of the engine, or

(C) the additive and base fuel are not mixed until engine fueling commences, and no more additive plus base fuel combination is mixed than required for a single fueling of a single engine.

(6) "Approach Light System with Sequenced Flasher Lights in Category 1 and Category 2 Configurations (ALSF-1 and ALSF-2)" means high intensity approach lighting systems with sequenced flashers used at airports to illuminate specified runways during category II or III weather conditions, where category II means a decision height of 100 feet and runway visual range of 1,200 feet, and category III means no decision height or decision height below 100 feet and runway visual range of 700 feet.

(7) "Baseline" or "Baseline Emissions" means the emissions level of a diesel-fueled engine using CARB diesel fuel as configured upon initial installation or by January 1, 2003, whichever is later.

(8) "California Air Resources Board (CARB) Diesel Fuel" means any diesel fuel that meets the specifications of vehicular diesel fuel, as defined in title 13, CCR, sections 2281 and 2282.

(9) "Cancer Risk" means the characterization of the probability of developing cancer from exposure to environmental chemical hazards, in accordance with the methodologies specified in "The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," Office of Environmental Health Hazard Assessment, August 2003, which is incorporated herein by reference.

(10) "Carbon Monoxide (CO)" is a colorless, odorless gas resulting from the incomplete combustion of hydrocarbon fuels.

(11) "Certified Engine" means a CI engine that is certified to meet the Tier 1, Tier 2, Tier 3, or Tier 4 Off-Road CI Certification Standards as specified in title 13, California Code of Regulations, section 2423.

(12) "Combustion Gas Turbine Engine" means an internal combustion gas or liquid-fueled device consisting of compressor, combustor, and power turbine used to power an electrical generator.

(13) "Compression Ignition (CI) Engine" means an internal combustion engine with operating characteristics significantly similar to the theoretical diesel combustion cycle. The regulation of power by controlling fuel supply in lieu of a throttle is indicative of a compression ignition engine.

(14) "Control Area" means any electrical region in California that regulates its power generation in order to balance electrical loads and maintain planned interchange schedules with other control areas.

(15) "Cumulatively" means the aggregation of hours or days of engine use, and any portion of an hour or day of engine use, toward a specified time limit(s).

(16) "Date of Acquisition or Submittal" means

(A) For each District-approved permit or district registration for stationary sources, the date the application for the district permit or the application for engine registration was submitted to the District. Alternatively, upon District approval, the date of purchase as defined by the date shown on the front of the cashed check, the date of the financial transaction, or the date on the engine purchasing agreement, whichever is earliest.

(B) For an engine subject to neither a district permit program nor a district registration program for stationary sources, the date of purchase as defined by the date shown on the front of the cashed check, the date of the financial transaction, or the date on the engine purchasing agreement, whichever is earliest.

(17) "Date of Initial Installation" means one of the following, whichever is earlier:

(A) the date on which a new stationary diesel-fueled engine is placed at a location in order to be operated for the first time since delivery from the manufacturer or distributor, or,

(B) for the purposes of a Tier 1- or Tier 2-certified stationary diesel agricultural engine complying with section 93115.8(b)(3) emission standards, one year from January 1 of the model year of such engine.

(18) "Demand Response Program (DRP)" means a program for reducing electrical demand using an Interruptible Service Contract (ISC) or Rolling Blackout Reduction Program (RBRP).

(19) "Diesel Fuel" means any fuel that is commonly or commercially known, sold, or represented by the supplier as diesel fuel, including any mixture of primarily liquid hydrocarbons – organic compounds consisting exclusively of the elements carbon and hydrogen – that is sold or represented by the supplier as suitable for use in an internal combustion, compression-ignition engine.

(20) "Diesel-Fueled" means fueled by diesel fuel, CARB diesel fuel, or jet fuel, in whole or part.

(21) "Diesel Particulate Filter (DPF)" means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

(22) "Diesel Particulate Matter (PM)" means the particles found in the exhaust of diesel-fueled CI engines as determined in accordance with the test methods identified in section 93115.14.

(23) "Digester Gas" is any gas derived from anaerobic decomposition of organic matter.

(24) "Direct-Drive Emergency Standby Fire Pump Engines" means engines directly coupled to pumps exclusively used in water-based fire protection systems.

(25) "District" has the same meaning as defined in the California Health and Safety Code, Section 39025.

(26) "DRP Engine" means an engine that is enrolled in a DRP.

(27) "Dual-fuel Diesel Pilot Engine" means a dual-fueled engine that uses diesel fuel as a pilot ignition source at an annual average ratio of less than 5 parts diesel fuel to 100 parts total fuel on an energy equivalent basis.

(28) "Dual-fuel Engine" means any CI engine that is engineered and designed to operate on a combination of alternative fuels, such as compressed natural gas (CNG) or liquefied petroleum gas (LPG) and diesel fuel or an alternative diesel fuel. These engines have two separate fuel systems, which inject both fuels simultaneously into the engine combustion chamber.

(29) "Emergency Standby Engine" means a stationary engine that meets the criteria specified in (A) and (B) and any combination of (C) or (D) or (E) below:

- (A) is installed for the primary purpose of providing electrical power or mechanical work during an emergency use and is not the source of primary power at the facility; and
- (B) is operated to provide electrical power or mechanical work during an emergency use; and
- (C) is operated under limited circumstances for maintenance and testing, emissions testing, or initial start-up testing, as specified in sections 93115.6(a),(b), and (c); or
- (D) is operated under limited circumstances in response to an impending outage, as specified in sections 93115.6(a),(b), and (c); or
- (E) is operated under limited circumstances under a DRP as specified in section 93115.6(c).

(30) "Emergency Use" means providing electrical power or mechanical work during any of the following events and subject to the following conditions:

- (A) the failure or loss of all or part of normal electrical power service or normal natural gas supply to the facility:
  1. which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
  2. which is demonstrated by the owner or operator to the district APCO's satisfaction to have been beyond the reasonable control of the owner or operator;
- (B) the failure of a facility's internal power distribution system:

1. which is caused by any reason other than the enforcement of a contractual obligation the owner or operator has with a third party or any other party; and
2. which is demonstrated by the owner or operator to the district APCO's satisfaction to have been beyond the reasonable control of the owner or operator;

(C) the pumping of water or sewage to prevent or mitigate a flood or sewage overflow;

(D) the pumping of water for fire suppression or protection;

(E) the powering of ALSF-1 and ALSF-2 airport runway lights under category II or III weather conditions;

(F) the pumping of water to maintain pressure in the water distribution system for the following reasons:
1. a pipe break that substantially reduces water pressure; or
2. high demand on the water supply system due to high use of water for fire suppression; or
3. the breakdown of electric-powered pumping equipment at sewage treatment facilities or water delivery facilities; or

(G) the day-of-launch system checks and launch tracking performed (in parallel with grid power) by the United States Department of Defense at Command Destruct sites (also known as "CT" sites) that occur within the 24-hour time period associated with the scheduled time of the launch.

(31) "Emission Control Strategy" means any device, system, or strategy employed with a diesel-fueled CI engine that is intended to reduce emissions including, but not limited to, particulate filters, diesel oxidation catalysts, selective catalytic reduction systems, fuel additives used in combination with particulate filters, alternative diesel fuels, and any combination of the above.

(32) "End User" means any person who purchases or leases a stationary diesel-fueled engine for operation in California. Persons purchasing engines for the sole purpose of resale are not considered "end users."

(33) "Enrolled" means either of the following, whichever applies:

(A) the ISC is in effect during the specified time period for an engine in an ISC; or

(B) the date the engine is entered into the RBRP.

(34) "Executive Officer" means the executive officer of the Air Resources Board, or his or her designated representative.

(35) "Facility" means one or more contiguous properties, in actual physical contact or separated solely by a public roadway or other public right-of-way, under common ownership on which engines operate.

(36) "Fuel Additive" means any substance designed to be added to fuel or fuel systems or other engine-related engine systems such that it is present in-cylinder during

combustion and has any of the following effects: decreased emissions, improved fuel economy, increased performance of the engine; or assists diesel emission control strategies in decreasing emissions, or improving fuel economy or increasing performance of the engine.

(37) "Generator Set" means a CI engine coupled to a generator that is used as a source of electricity.

(38) "Hazard Index" means the sum of individual acute or chronic hazard quotients for each substance affecting a particular toxicological endpoint, as determined in accordance with the requirements of "The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments," Office of Environmental Health Hazard Assessment, August 2003, which is incorporated herein by reference.

(39) "HC" means the sum of all hydrocarbon air pollutants.

(40) "Health Facility" has the same meaning as defined in Section 1250 of the California Health and Safety Code.

(41) "In-Use" means a CI engine that is not a "new" CI engine.

(42) "Initial Start-up Testing" means operating the engine or supported equipment to ensure their proper performance either:

(A) for the first time after installation of a 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.

(43) "Interruptible Service Contract (ISC)" means a contractual arrangement in which a utility distribution company provides lower energy costs to a nonresidential electrical customer in exchange for the ability to reduce or interrupt the customer's electrical service during a Stage 2 or Stage 3 alert, or during a transmission emergency.

(44) "Jet Fuel" means fuel meeting any of the following specifications:

(A) ASTM D 1655-02, "Standard Specification for Aviation Turbine Fuels," which is incorporated herein by reference. Jet fuels meeting this specification include Jet A, Jet A-1, and Jet B;

(B) Military Detail (MIL-DTL) 5624T, "Turbine Fuels, Aviation, Grades Jet Propellant (JP) JP-4, JP-5, and JP-5/JP8 ST," dated September 18, 1998, which is incorporated herein by reference; and

(C) Military Test (MIL-T) 83133E, "Turbine Fuels, Aviation, Kerosene Types, North Atlantic Treaty Organization (NATO) F-34 (JP-8), NATO F-35, and JP-8+100," dated April 1, 1999, which is incorporated herein by reference.

(45) "Landfill Gas" means any gas derived through any biological process from the decomposition of waste buried within a waste disposal site.

(46) "Location" means any single site at a facility.

(47) "Maintenance and Testing" means operating an emergency standby CI engine to:
- (A) evaluate the ability of the engine or its supported equipment to perform during an emergency. "Supported Equipment" includes, but is not limited to, generators, pumps, transformers, switchgear, and breakers; or
- (B) facilitate the training of personnel on emergency activities; or
- (C) provide electric power for the facility when the utility distribution company takes its power distribution equipment offline to service that equipment for any reason that does not qualify as an emergency use; or
- (D) provide additional hours of operation to perform testing on an engine that has experienced a breakdown or failure during maintenance. Upon air district approval, these additional hours of operation will not be counted in the maximum allowable annual hours of operation for the emergency standby CI engine that provided the electrical power.

(48) "Maximum Rated Power" means the maximum brake kilowatt output of an engine as determined from any of the following, whichever is the greatest:
- (A) the manufacturer's sales and service literature,
- (B) the nameplate of the unit, or
- (C) if applicable, as shown in the application for certification of the engine.

(49) "Model Year" means the stationary CI engine manufacturer's annual production period, which includes January 1st of a calendar year, or if the manufacturer has no annual production period, the calendar year.

(50) "New" or "New CI Engine" means the following:
- (A) a stationary CI engine installed at a facility after January 1, 2005, including an engine relocated from an off-site location after January 1, 2005, except the following shall be deemed in-use engines:
  1. a replacement stationary CI engine that is installed to temporarily replace an in-use engine while the in-use engine is undergoing maintenance and testing, provided the replacement engine emits no more than the in-use engine, and the replacement engine is not used more than 180 days cumulatively in any 12-month rolling period;
  2. an engine for which a district-approved application for a district permit or engine registration for stationary sources was submitted to the District prior to January 1, 2005, even though the engine was installed after January 1, 2005;
  3. an engine that is one of four or more engines owned by an owner or operator and is relocated prior to January 1, 2008, to an offsite location that is owned by the same owner or operator;
  4. an engine, or replacement for an engine, used in agricultural operations that is relocated within the same facility or to another facility under the same owner or operator for use in agricultural operations, unless the engine is sited where an engine is not currently located and has not been previously located.

5. an engine installed at a facility prior to January 1, 2005, and relocated within the same facility after January 1, 2005.
6. a model year 2004 or 2005 engine purchased prior to January 1, 2005, for use in California. The date of purchase is defined by the date shown on the front of the cashed check, the date of the financial transaction, or the date on the engine purchasing agreement, whichever is earliest.
7. a greater than 50 bhp Tier 1- or Tier 2-certified stationary diesel agricultural engine installed after January 1, 2005, shall be considered a new engine subject to the requirements of section 93115.8(a) until 12 years after the date of initial installation, at which time, it shall be considered an in-use engine subject to the requirements of section 93115.8(b)(3).

(B) a stationary CI engine that has been reconstructed after January 1, 2005, shall be deemed a new engine unless the sum of the costs of all individual reconstructions of that engine after January 1, 2005, is less than 50% of the lowest-available purchase price, determined at the time of the most recent reconstruction, of a complete, comparably-equipped new engine (within ± 10% of the reconstructed engine's brake horsepower rating).

For purposes of this definition, the cost of reconstruction and the cost of a comparable new engine shall not include the cost of equipment and devices required to meet the requirements of this ATCM.

(51) "Nitrogen Oxides (NOx)" means compounds of nitric oxide (NO), nitrogen dioxide ($N0_2$), and other oxides of nitrogen, which are typically created during combustion processes and are major contributors to smog formation and acid deposition.

(52) "Noncertified Engine" means a CI engine that is not certified to Off-Road CI Certification Standards as specified in title 13, California Code of Regulations, section 2423.

(53) "Non-Methane Hydrocarbons (NMHC)" means the sum of all hydrocarbon air pollutants except methane.

(54) "Outer Continental Shelf (OCS)" shall have the meaning provided by section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. Section 1331 et seq.).

(55) "Owner or Operator" means any person subject to the requirements of this ATCM, including but not limited to:

(A) an individual, trust, firm, joint stock company, business concern, partnership, limited liability company, association, or corporation including but not limited to, a government corporation; and
(B) any city, county, district, commission, the state or any department, agency, or political subdivision thereof, any interstate body, and the federal government or any department or agency thereof to the extent permitted by law.

(56) "Particulate Matter (PM)" means the particles found in the exhaust of CI engines, which may agglomerate and adsorb other species to form structures of complex physical and chemical properties.

(57) "Portable CI Engine" means a compression ignition (CI) engine designed and capable of being carried or moved from one location to another, except as provided in section 93115.4(a)(72). Indicators of portability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. The provisions of this definition notwithstanding, an engine with indicators of portability that remains at the same facility location for more than 12 consecutive rolling months or 365 rolling days, whichever occurs first, not including time spent in a storage facility, shall be deemed a stationary engine.

(58) "Prime CI Engine" means a stationary CI engine that is not an emergency standby CI engine.

(59) "Prioritization Score" means the numeric value used to rank facilities in order of their potential to pose significant risk to human receptors. Prioritization scores are calculated per the process described in the "CAPCOA Air Toxics 'Hot Spots' Program Facility Prioritization Guidelines," California Air Pollution Control Officer's Association (CAPCOA), July 1990, which is incorporated herein by reference.

(60) "Rated Brake Horsepower (bhp)" means:

(A) for in-use engines, the maximum brake horsepower output of an engine as determined from any of the following, whichever reflects the engine's configuration as of January 1, 2005:
   1. the manufacturer's sales and service literature;
   2. the nameplate of the engine; or
   3. if applicable, as shown in the application for certification of the engine;

(B) for new engines, the maximum brake horsepower output of an engine as determined from any of the following, whichever reflects the engine's configuration upon the engine's initial installation at the facility:
   1. the manufacturer's sales and service literature;
   2. the nameplate of the engine; or
   3. if applicable, as shown in the application for certification of the engine.

(61) "Receptor location" means any location outside the boundaries of a facility where a person may experience exposure to diesel exhaust due to the operation of a stationary diesel-fueled CI engine. Receptor locations include, but are not limited to, residences, businesses, hospitals, daycare centers, and schools.

(62) "Reconstruction" means the rebuilding of the engine or the replacement of engine parts, including pollution control devices, but excluding operating fluids; lubricants; and other consumables such as air filters, fuel filters, and glow plugs that are subject to regular replacement.

(63) "Remotely-Located Agricultural Engine" means a stationary diesel-fueled CI engine used in agriculture that is:

(A) located in a federal ambient air quality area that is designated as unclassifiable or attainment all PM and ozone national ambient air quality standards (title 40, Code of Federal Regulations, section 81.305); and

(B) located more than one-half mile from any residential area, school, or hospital.

(64) "Residential Area" means three or more permanent residences (i.e., homes) located anywhere outside the facility's property.

(65) "Rolling Blackout Reduction Program (RBRP)" means a contractual arrangement, implemented by the San Diego Gas and Electric Company (SDG&E) in San Diego County, in which SDG&E pays a nonresidential electrical customer, in accordance with the most current RBRP Schedule, in exchange for the customer using its diesel-fueled engines to reduce its electrical demand upon request by SDG&E during either a Stage 3 alert or a transmission emergency.

(66) "Rotating Outage" means a controlled, involuntary curtailment of electrical power service to consumers as ordered by the Utility Distribution Company.

(67) "School" or "School Grounds" means any public or private school used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in a private home(s). "School" or "School Grounds" includes any building or structure, playground, athletic field, or other areas of school property but does not include unimproved school property.

(68) "Selective Catalytic Reduction (SCR) System" means an emission control system that reduces NOx emissions through the catalytic reduction of NOx in diesel exhaust by injecting nitrogen-containing compounds into the exhaust stream, such as ammonia or urea.

(69) "Seller" means any person who sells, leases, or offers for sale any stationary diesel-fueled engine directly to end users.

(70) "Stage 2 Alert" means an official forecast or declaration by the California Independent System Operator that the operating reserves of electrical power will fall or have fallen below 5 percent.

(71) "Stage 3 Alert" means an official forecast or declaration by the California Independent System Operator that the operating reserves of electrical power will fall or have fallen below 1.5 percent.

(72) "Stationary CI Engine" means a CI engine that is designed to stay in one location, or remains in one location. A CI engine is stationary if any of the following are true:

(A) the engine or its replacement is attached to a foundation, or if not so attached, resides at the same location for more than 12 consecutive months. Any engine such as backup or standby engines, that replaces an engine at a location and is intended to perform the same or similar function as the engine(s) being replaced, shall be included in calculating the consecutive time period. The cumulative time of all engine(s), including the time between the removal of the original engine(s) and installation of the replacement engine(s), will be counted toward the consecutive time period; or

(B) the engine remains or will reside at a location for less than 12 consecutive months if the engine is located at a seasonal source and operates during the full annual operating period of the seasonal source, where a seasonal source is a stationary source that remains in a single location on a permanent basis (at least two years) and that operates at that single location at least three months each year; or

(C) the engine is moved from one location to another in an attempt to circumvent the 12 month residence time requirement. The period during which the engine is maintained at a storage facility shall be excluded from the residency time determination.

(73) "Stationary Source" means any building, structure, facility, or installation that emits any pollutant directly or as fugitive emissions. Building, structure, facility, or installation include all pollutant emitting activities which:

(A) are under the same ownership or operation, or which are owned or operated by entities which are under common control; and

(B) belong to the same industrial grouping either by virtue of falling within the same two-digit standard industrial code or by virtue of being part of a common industrial process, manufacturing process, or connected process involving a common raw material; and

(C) are located on one or more contiguous or adjacent properties.

(74) "Stock Engine" means a certified CI engine that has never been placed in service and is part of a supply of engines offered for sale, rent, or lease by a person or firm who offers for sale, rent, or lease engines and related equipment for profit.

(75) "Transmission Constrained Area" means the specific location that is subject to localized operating reserve deficiencies due to the failure of the normal electrical power distribution system.

(76) "Transmission Emergency" means an official forecast or declaration by the California Independent System Operator that the available electrical power transmission capacity to a transmission constrained area is insufficient and may result in an uncontrolled local grid collapse in the transmission constrained area.

(77) "Utility Distribution Company" means one of several organizations that control energy transmission and distribution in California. Utility Distribution Companies

include, but are not limited to, the Pacific Gas and Electric Company, the San Diego Gas and Electric Company, Southern California Edison, Los Angeles Department of Water and Power, the Imperial Irrigation District, and the Sacramento Municipal Utility District.

(78) "Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines (Verification Procedure)" means the ARB regulatory procedure codified in title 13, CCR, sections 2700-2710, which is incorporated herein by reference, that engine manufacturers, sellers, owners, or operators may use to verify the reductions of diesel PM or NOx from in-use diesel engines using a particular emission control strategy.

(79) "Verified Diesel Emission Control Strategy" means an emission control strategy, designed primarily for the reduction of diesel PM emissions, which has been verified pursuant to the "Verification Procedure."

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

§ 93115.5 ATCM for Stationary CI Engines – Fuel and Fuel Additive Requirements for New and In-Use Stationary CI Engines That Have a Rated Brake Horsepower of Greater than 50 (>50 bhp)

(a) As of January 1, 2006, except as provided for in sections 93115.3 and 93115.5(c), no owner or operator of a new stationary CI engine or an in-use prime stationary diesel-fueled CI engine shall fuel the engine with any fuel unless the fuel is one of the following:

(1) CARB Diesel Fuel; or
(2) an alternative diesel fuel that is:
    (A) biodiesel;
    (B) a biodiesel blend that does not meet the definition of CARB Diesel Fuel;
    (C) a Fischer-Tropsch fuel; or
    (D) an emulsion of water in diesel fuel; or
(3) any alternative diesel fuel that is not identified in section 93115.5(a)(2) above and meets the requirements of the Verification Procedure; or
(4) an alternative fuel; or
(5) CARB Diesel Fuel used with fuel additives that meets the requirements of the Verification Procedure; or
(6) any combination of 93115.5(a)(1) through (5) above.

(b) As of January 1, 2006, except as provided for in section 93115.3, no owner or operator of an in-use emergency standby stationary diesel-fueled CI engine shall add to the engine or any fuel tank directly attached to the engine any fuel unless the fuel is one of the following:

(1) CARB Diesel Fuel; or
(2) an alternative diesel fuel that is:
    (A) biodiesel;
    (B) a biodiesel blend that does not meet the definition of CARB Diesel Fuel;
    (C) a Fischer-Tropsch fuel; or
    (D) an emulsion of water in diesel fuel; or
(3) any alternative diesel fuel that is not identified in section 93115.5(b)(2) above and meets the requirements of the Verification Procedure; or
(4) an alternative fuel; or
(5) CARB Diesel Fuel used with fuel additives that meets the requirements of the Verification Procedure; or
(6) any combination of 93115.5(b)(1) through (5) above.

(c) Upon the effective date of the amendments to add in-use stationary diesel-fueled agricultural engine requirements to the ATCM, no owner or operator of an in-use stationary diesel-fueled CI engine used in agricultural operations shall fuel the engine with any fuel unless the fuel is one of the following:
(1) CARB Diesel Fuel; or
(2) an alternative diesel fuel that is:
    (A) biodiesel;
    (B) a biodiesel blend that does not meet the definition of CARB Diesel Fuel;
    (C) a Fischer-Tropsch fuel; or
    (D) an emulsion of water in diesel fuel; or
(3) any alternative diesel fuel that is not identified in section 93115.5(c)(2) above and meets the requirements of the Verification Procedure; or
(4) an alternative fuel; or
(5) CARB Diesel Fuel used with fuel additives that meets the requirements of the Verification Procedure; or
(6) any combination of 93115.5(c)(1) through (5) above.

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

§ 93115.6 ATCM for Stationary CI Engines – Emergency Standby Diesel-Fueled CI Engine (>50 bhp) Operating Requirements and Emission Standards.

(a) New Emergency Standby Diesel-Fueled CI Engine (>50 bhp) Operating Requirements and Emission Standards.

(1) *At-School and Near-School Provisions.* No owner or operator shall operate a new stationary emergency standby diesel-fueled CI engine for non-emergency use, including maintenance and testing, during the following periods:

(A) whenever there is a school sponsored activity, if the engine is located on school grounds, and

(B) between 7:30 a.m. and 3:30 p.m. on days when school is in session, if the engine is located within 500 feet of school grounds. Section 93115.6(a)(1) does not apply if the engine emits no more than 0.01 g/bhp-hr of diesel PM.

(2) No owner or operator shall operate any new stationary emergency standby diesel-fueled CI engine (>50 bhp) in response to the notification of an impending rotating outage, unless all the following criteria are met:

(A) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage, or the District has established a policy or program that authorizes operation of the engine in anticipation of a rotating outage; and

(B) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a specified time; and

(C) the engine is located in a specific location that is subject to the rotating outage; and

(D) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and

(F) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

(3) *New Engines*: As of January 1, 2005, except as provided in section 93115.3, no person shall sell, offer for sale, purchase, or lease for use in California any new stationary emergency standby diesel-fueled CI engine that has a rated brake horsepower greater than 50 unless it meets the following applicable emission standards, and no person shall operate any new stationary emergency standby diesel-fueled CI engine that has a rated brake horsepower greater than 50, unless it meets all of the following applicable operating requirements and emission standards specified in 93115.6(a)(3) (which are summarized in Table 1):

(A) *Diesel PM Standard and Hours of Operating Requirements.*

1. *General Requirements*: New stationary emergency standby diesel-fueled engines (>50 bhp) shall:

a. emit diesel PM at a rate less than or equal to 0.15 g/bhp-hr; or

b. meet the diesel PM standard, as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13 CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4 whichever is more stringent; and

c. not operate more than 50 hours per year for maintenance and testing purposes, except as provided in 93115.6(a)(3)(A)2. This subsection does not limit engine operation for emergency use and for emission testing to show compliance with 93115.6(a)(3).

2. The District may allow a new emergency standby diesel-fueled CI engine (> 50 hp) to operate up to 100 hours per year for maintenance and testing purposes on a site-specific basis, provided the diesel PM emission rate is less than or equal to 0.01 g/bhp-hr.

Table 1: Summary of the Emission Standards and Operating Requirements for New Stationary Emergency Standby Diesel-Fueled CI Engines > 50 BHP (See section 93115.6(a)(3))

Diesel PM				*Other Pollutants*
Diesel PM Standards (g/bhp-hr)	*Maximum Allowable Annual Hours of Operation for Engines Meeting Diesel PM Standards*			*HC, NOx, NMHC+NOx, and CO Standards (g/bhp-hr)*
	Emergency Use	*Non-Emergency Use*		
		Emission Testing to show compliance[2]	*Maintenance & Testing (hours/year)*	
≤0.15[1]	Not Limited by ATCM[3]	Not Limited by ATCM[3]	50	Off-Road CI Engine Certification Standards for an off-road engine of the model year and horsepower rating of the engine installed to meet the applicable PM standard, or Tier 1 standards.[4]
≤0.01[1]	Not Limited by ATCM[3]	Not Limited by ATCM[3]	51 to 100 (Upon approval by the District)	

1. Or off-road certification standard (title 13 CCR section 2423) for an off-road engine with the same maximum rated power, whichever is more stringent.
2. Emission testing limited to testing to show compliance with section 93115.6(a)(3).
3. May be subject to emission or operational restrictions as defined in current applicable district rules, regulations, or policies.
4. The option to comply with the Tier 1 standards is available only if no off-road engine certification standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI engine.

(B) *HC, NOx, NMHC + NOx, and CO standards*: New stationary emergency standby diesel-fueled CI engines (> 50 bhp) must meet the standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI engine, then the new stationary emergency standby diesel-fueled CI engine shall meet the Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power, irrespective of the new stationary emergency standby diesel-fueled CI engine's model year.

(C) The District:

1. may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards; and

2. may establish more stringent limits on hours of maintenance and testing on a site-specific basis; and
3. shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with other District rules and initial start-up testing.

(4) *New Direct-Drive Emergency Standby Fire Pump Engines*: Except as provided in section 93115.3, no person shall sell, offer for sale, purchase, or lease for use in California any new direct-drive emergency standby diesel-fueled fire-pump engine that has a rated brake horsepower greater than 50 unless it meets either the emission standards of section 93115.6(a)(3) or the emission standards defined in section 93115.6(a)(4), and no person shall operate any new stationary emergency standby diesel-fueled CI engine that has a rated brake horsepower greater than 50, unless it meets all of the applicable operating requirements and emission standards specified in either 93115.6(a)(3) or 93115.6(a)(4).

(A) *Standards and Hours of Operating Requirements.*

1. *General Requirements*: New direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) shall, upon District approval of installation:
   a. meet the Tier 2 emission standards specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13 CCR, section 2423) until 3 years after the date the Tier 3 standards are applicable for off-road engines with the same maximum rated power. At that time, new direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) are required to meet the Tier 3 emission standards, until 3 years after the date the Tier 4 standards are applicable for off-road engines with the same maximum rated power. At that time, new direct-drive emergency standby diesel-fueled fire-pump engines (>50 bhp) are required to meet the Tier 4 emission standards; and
   b. not operate more than the number of hours necessary to comply with the testing requirements of the National Fire Protection Association (NFPA) 25 - "Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems," 2002 edition, which is incorporated herein by reference. This subsection does not limit engine operation for emergency use and for emission testing to show compliance with 93115.6(a)(4).

(B) The District:

1. may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards; and
2. may establish more stringent limits on hours of maintenance and testing on a site-specific basis; and
3. shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with other District rules and initial start-up testing.

(b) In-Use Emergency Standby Diesel-Fueled CI Engine (> 50 bhp) Operating Requirements and Emission Standards.

(1) No owner or operator shall operate any in-use stationary emergency standby diesel-fueled CI engine in response to the notification of an impending rotating outage unless all the following criteria are met:

(A) the engine's permit to operate allows operation of the engine in anticipation of a rotating outage, or the District has established a policy or program that authorizes operation of the engine in anticipation of a rotating outage; and

(B) the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a certain time; and

(C) the engine is located in a specific location that is subject to the rotating outage; and

(D) the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and

(E) the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

(2) *At-School and Near-School Provisions.* No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine for non-emergency use, including maintenance and testing, during the following periods:

(A) whenever there is a school sponsored activity, if the engine is located on school grounds, and

(B) between 7:30 a.m. and 3:30 p.m. on days when school is in session, if the engine is located within 500 feet of school grounds. Section 93115.6(b)(2) does not apply if the engine emits no more than 0.01 g/bhp-hr of diesel PM.

(3) Except as provided in section 93115.3, no owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (> 50 hp) in California unless it meets, in accordance with the applicable compliance schedules specified in sections 93115.11 and 93115.12, the following requirements (which are summarized in Table 2):

Table 2: Summary of the Emission Standards and Operating Requirements for In-Use Stationary Emergency Standby Diesel-Fueled CI Engines > 50 BHP (See section 93115.6(b)(3))				
Diesel PM				*Other Pollutants*
Diesel PM Standards (g/bhp-hr)	*Maximum Allowable Annual Hours of Operation for Engines Meeting Diesel PM Standards*			*HC, NOx, NMHC+NOx, and CO Standards (g/bhp-hr)*
		Non-Emergency Use		
	Emergency Use	*Emission Testing to show compliance*[1]	*Maintenance & Testing (hours/year)*	
>0.40[2]	Not Limited by ATCM[2]	Not Limited by ATCM[2]	20	Not limited by ATCM[2]
>0.15 and ≤0.40	Not Limited by ATCM[2]	Not Limited by ATCM[2]	21 to 30	For engines with emission control strategies not verified through the verification procedure: Off-Road CI Engine Certification Standards for an off-road engine of the model year and maximum rated power of the engine installed to meet the applicable PM standard, or Tier 1 standards.[3] OR Both (i) and (ii) must be met: (i) No increase in HC or NOx above 10% from baseline levels OR No increase in NMHC+NOx emissions above baseline levels (ii) No increase in CO above 10% from baseline levels
>0.01 and ≤0.15	Not Limited by ATCM[2]	Not Limited by ATCM[2]	31 to 50 (Upon approval by the District)	
≤0.01	Not Limited by ATCM[2]	Not Limited by ATCM[2]	51 to 100 (Upon approval by the District)	

1. Emission testing limited to testing to show compliance with section 93115.6(b)(3).
2. May be subject to emission or operational restrictions as defined in current applicable district rules, regulations, or policies.
3. The option to comply with the Tier 1 standards is available only if no off-road engine certification standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI engine.

(A) *Diesel PM Standard and Hours of Operation Limitations.*

1. *General Requirements:*

a. No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) that emits diesel PM at a rate greater than 0.40 g/bhp-hr more than 20 hours per year for maintenance and testing purposes. The District may approve up to 20 additional hours per year for the maintenance and testing of such in-use emergency standby diesel-fueled CI engines operated at health facilities. This subsection does not limit engine operation for emergency use and for emission testing to show compliance with 93115.6(b)(3).

b. No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine (>50 bhp) that

emits diesel PM at a rate less than or equal to 0.40 g/bhp-hr more than 30 hours per year for maintenance and testing purposes, except as provided in 93115.6(b)(3)(A)2. This subsection does not limit engine operation for emergency use and for emission testing to show compliance with 93115.6(b)(3).

2. The District may allow in-use stationary emergency standby diesel-fueled CI engines (> 50 bhp) to operate more than 30 hours per year for maintenance and testing purposes on a site-specific basis, provided the following limits are met:
   a. Up to 40 annual hours of operation are allowed for maintenance and testing purposes at a health facility if the diesel PM emission rate is greater than 0.15 g/bhp-hr but less than or equal to 0.40 g/bhp-hr.
   b. Up to 50 annual hours of operation are allowed for maintenance and testing purposes if the diesel PM emission rate is less than or equal to 0.15 g/bhp-hr.
   c. Up to 100 annual hours of operation are allowed for maintenance and testing purposes if the diesel PM emission rate is less than or equal to 0.01 g/bhp-hr.

(B) *Additional Standards:*
Owners or operators that choose to meet the diesel PM standards defined in section 93115.6(b)(3)(A) with emission control strategies that are not verified through the Verification Procedure shall either:

1. Meet the applicable HC, NOx, NMHC+NOx, and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the in-use stationary emergency standby diesel-fueled CI engine, then the in-use stationary emergency standby diesel-fueled CI engine shall meet the Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power, irrespective of the in-use stationary emergency standby diesel-fueled CI engine's model year; Or
2. Not increase CO emission rates by more than 10% above baseline; and
   Not increase HC or NOx emission rates by more than 10% above baseline; or
   Not increase the sum of NMHC and NOx emission rates above baseline.

(C) The District:

1. may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards; and
2. may establish more stringent limits on hours of maintenance and testing on a site-specific basis; and

3. shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with other District rules and initial start-up testing.

(c) *Operating Requirements and Emission Standards for New and In-Use Emergency Standby Stationary Diesel-Fueled CI Engines that Have a Rated Brake Horsepower of Greater than 50 (>50 bhp) Used in Demand Response Programs (DRP Engines).*

(1) *New Emergency Standby Diesel-Fueled CI DRP Engines (>50 bhp) Operating Requirements and Emission Standards.*

(A) *At-School and Near-School Provisions.* No owner or operator shall operate a new stationary emergency standby diesel-fueled CI DRP engine for non-emergency use, including maintenance and testing, during the following periods:

1. whenever there is a school sponsored activity, if the engine is located on school grounds; and
2. between 7:30 a.m. and 3:30 p.m. on days when school is in session, if the engine is located within 500 feet of school grounds. Section 93115.6(c)(1)(A) does not apply if the engine emits no more than 0.01 g/bhp-hr of diesel PM.

(B) No owner or operator shall operate any new stationary emergency standby diesel-fueled CI DRP engine (>50 bhp) in response to the notification of an impending rotating outage, unless the engine is operating pursuant to a DRP, or all of the following criteria are met:

1. the engine's permit to operate allows operation of the engine in anticipation of a rotating outage, or the District has established a policy or program that authorizes operation of the engine in anticipation of a rotating outage; and
2. the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a specified time; and
3. the engine is in a specific location that is subject to the rotating outage in the control area; and
4. the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
5. the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

(C) Except as provided in section 93115.3, no owner or operator shall operate any new stationary emergency standby diesel-fueled CI DRP engine (>50 bhp), unless it meets all of the following applicable operating requirements and emission standards:

1. *Diesel PM Standard and Hours of Operating Requirements.*
   a. New DRP Engines enrolled in the RBRP on or after January 1, 2005, and prior to January 1, 2008, shall:
      (i.) meet the requirements specified in 93115.6(a)(3) and

(ii.) not operate more than 75 hours per year for RBRP operation.

b. New DRP Engines enrolled in the RBRP on or after January 1, 2008, shall:

(i.) meet the more stringent diesel PM standard of either 0.01 g/bhp-hr of diesel PM; or

(ii.) the current model year diesel PM standard as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13, CCR, section 2423) in effect on the date of RBRP enrollment; and

(iii.) comply with the limitations on the hours of operation for maintenance and testing as specified in 93115.6(a)(3)(A)2.; and

(iv.) not operate more than 75 hours per year for RBRP operation.

c. New DRP Engines enrolled in an ISC on or after January 1, 2005, shall:

(i.) meet the more stringent diesel PM standard of either 0.01 g/bhp-hr diesel PM; or

(ii.) the current model year diesel PM standard as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13, CCR, section 2423) in effect on the date of ISC enrollment; and

(iii.) comply with the limitations on the hours of operation for maintenance and testing as specified in 93115.6(a)(3)(A)2.; and

(iv.) not operate more than 150 hours per year for ISC operation.

2. *HC, NOx, NMHC + NOx, and CO standards:* No owner or operator shall operate any new stationary emergency standby diesel-fueled CI DRP engine (>50 bhp), unless it meets the standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI DRP engine, then the new stationary emergency standby diesel-fueled CI DRP engine shall meet the Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power, irrespective of the new stationary emergency standby diesel-fueled CI DRP engine's model year.

3. A District:
   a. may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards; and
   b. may establish more stringent maintenance and testing hour of operation standards on a site-specific basis; and
   c. shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with other District rules and initial start-up testing.

(2) *In-Use Emergency Standby Diesel-Fueled CI DRP Engine (> 50 bhp) Operating Requirements and Emission Standards.*

(A) *At-School and Near-School Provisions.* No owner or operator shall operate an in-use stationary emergency standby diesel-fueled CI engine for non-emergency use, including maintenance and testing during the following periods:
1. whenever there is a school sponsored activity, if the engine is located on school grounds; and
2. between 7:30 a.m. and 3:30 p.m. on days when school is in session, if the engine is located within 500 feet of school grounds. Section 93115.6(c)(2)(A) does not apply if the engine emits no more than 0.01 g/bhp-hr of diesel PM.

(B) No owner or operator shall operate any in-use stationary emergency standby diesel-fueled CI DRP engine (>50 bhp) in response to the notification of an impending rotating outage, unless the engine is operating pursuant to a DRP, or all of the following criteria are met:
1. the engine's permit to operate allows operation of the engine in anticipation of a rotating outage, or the District has established a policy or program that authorizes operation of the engine in anticipation of a rotating outage; and
2. the Utility Distribution Company has ordered rotating outages in the control area where the engine is located, or has indicated it expects to issue such an order at a certain time; and
3. the engine is in a specific location that is subject to the rotating outage in the control area; and
4. the engine is operated no more than 30 minutes prior to the time when the Utility Distribution Company officially forecasts a rotating outage in the control area; and
5. the engine operation is terminated immediately after the Utility Distribution Company advises that a rotating outage is no longer imminent or in effect.

(C) Except as provided in section 93115.3, no owner or operator shall operate any in-use stationary emergency standby diesel-fueled CI DRP engine (> 50 hp) unless it meets all of the following applicable operating requirements and emission standards:
1. *Diesel PM Standard and Hours of Operation Requirements.*
   a. In-Use DRP Engines enrolled in the RBRP prior to January 1, 2005, shall:

(i.) meet the diesel PM standards and hour of operation limitations specified in 93115.6(b)(3)(A) and (B); and
(ii.) not operate more than 75 hours per year for RBRP operation.

b. In-Use DRP Engines enrolled in the RBRP on or after January 1, 2005, and prior to January 1, 2008, shall:
(i.) meet a diesel PM standard of 0.15 g/bhp-hr diesel PM; and
(ii.) meet the requirements specified in 93115.6(b)(3)(A) for maintenance and testing hours of operation; and
(iii.) not operate more than 75 hours per year for RBRP operation.

c. In-Use DRP Engines enrolled in the RBRP on or after January 1, 2008, shall:
(i.) meet a diesel PM standard of 0.01 g/bhp-hr diesel PM; and
(ii.) meet the requirements specified in 93115.6(b)(3)(A) for maintenance and testing hours of operation; and
(iii.) not operate more than 75 hours per year for RBRP operation.

d. In-Use DRP Engines enrolled in an ISC prior to January 1, 2005, shall as of January 1, 2006:
(i.) meet a diesel PM standard of 0.15 g/bhp-hr diesel PM; and
(ii.) meet the requirements specified in 93115.6(b)(3)(A) for maintenance and testing hours of operation; and
(iii.) not operate more than 150 hours per year for ISC operation.

e. In-Use DRP Engines enrolled in an ISC on or after January 1, 2005, and prior to January 1, 2008, shall:
(i.) meet a diesel PM standard of 0.15 g/bhp-hr diesel PM; and
(ii.) meet the requirements specified in 93115.6(b)(3)(A) for maintenance and testing hours of operation; and
(iii.) not operate more than 150 hours per year for ISC operation.

f. In-Use DRP Engines enrolled in an ISC on or after January 1, 2008, shall:
(i.) meet a diesel PM standard of 0.01 g/bhp-hr diesel PM; and
(ii.) meet the requirements specified in 93115.6(b)(3)(A) for maintenance and testing hours of operation; and
(iii.) not operate more than 150 hours per year for ISC operation.

2. *Additional Standards.*
Owners or operators that choose to meet the diesel PM standards and hour of operation limits defined in section 93115.6(c)(2)(C) with emission control strategies that are not verified through the Verification Procedure shall either:

a. Meet the applicable HC, NOx, NMHC+NOx, and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition

Engine Standards (title 13, CCR, section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the in-use stationary emergency standby diesel-fueled CI DRP engine, then the in-use stationary emergency standby diesel-fueled CI DRP engine shall meet the Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power, irrespective of the in-use stationary emergency standby diesel-fueled CI DRP engine's model year; or

b. Not increase CO emission rates by more than 10% above baseline; and not increase HC or NOx emission rates by more than 10% above baseline, or not increase the sum of NMHC and NOx emission rates above baseline.

3. A District:

a. may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards; and

b. may establish more stringent limits on hours of maintenance and testing on a site-specific basis; and

c. shall determine an appropriate limit on the number of hours of operation for demonstrating compliance with other District rules and initial start-up testing.

(3) *Other Requirements Specific to RBRP Engines and the San Diego. Gas and Electric Company (SDG&E).*

(A) The sum total electrical generation (also known as the "total load reduction capacity") from all diesel-fueled engines dispatched in the RBRP shall not exceed 80.0 megawatts (MW) at any time.

(B) RBRP Engines shall be dispatched by SDG&E into service in accordance with a district-approved dispatch protocol as specified in section 93115.10(h)(2).

(4) *Requirements Applicable to DRP Engines after a DRP is Terminated*
After a DRP is terminated by either the Utility Distribution Company or the engine owner or operator, the DRP engine shall remain subject to the requirements of subsection 93115.6(c) as if the DRP were still in effect.

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

§ 93115.7 ATCM for Stationary CI Engines – Stationary Prime Diesel-Fueled CI Engine (>50 bhp) Emission Standards.

(a) New Stationary Prime Diesel-Fueled CI Engine (>50 bhp) Emission Standards.
As of January 1, 2005, except as provided in section 93115.3, no person shall sell, purchase, or lease for use in California a new stationary prime diesel-fueled CI engine that has a rated brake horsepower greater than 50

unless it meets the following applicable emission standards, and no owner or operator shall operate any new stationary prime diesel-fueled CI engine that has a rated brake horsepower greater than 50 unless it meets all of the following emission standards and operational requirements (which are summarized in Table 3):

Table 3: Summary of the Emission Standards for New Stationary Prime Diesel-Fueled CI Engines >50 BHP (See section 93115.7(a)(1))	
Diesel PM Standards (g/bhp-hr)	*HC, NOx, NMHC+NOx, and CO Standards (g/bhp-hr)*
Meet the more stringent of: ≤0.01[1] OR Off-Road CI Engine Certification Standard for an off-road engine of the same maximum rated power	Off-Road CI Engine Certification Standard for an off-road engine of the model year and maximum rated power of the engine installed to meet the applicable PM standard, or Tier 1 standards.[1,2]

1. May be subject to additional emission limitations as specified in current district rules, regulations, or policies governing distributed generation.
2. The option to comply with the Tier 1 standards is available only if no off-road engine certification standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary prime diesel-fueled CI engine.

(1) *Diesel PM Standard:* All new stationary prime diesel-fueled CI engines (> 50 bhp) shall emit diesel PM at a rate that is less than or equal to 0.01 grams diesel PM per brake-horsepower-hour (g/bhp-hr) or shall meet the diesel PM standard, as specified in the Off-Road Compression Ignition Engine Standards for off-road engines with the same maximum rated power (title 13, CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4, whichever is more stringent.

(2) *HC, NOx, NMHC+NOx, and CO Standards:* All new stationary prime diesel-fueled CI engines (> 50 bhp) shall meet the standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no limits have been established for an off-road engine of the same model year and maximum rated power as the new stationary prime diesel-fueled CI engine, then the new stationary prime diesel-fueled CI engine shall meet the Tier 1 standards in title 13, CCR, section 2423, for an off-road engine of the same maximum rated power, irrespective of the new stationary prime diesel-fueled CI engine's model year;

(3) New stationary prime diesel-fueled CI engines that are used to provide electricity near the place of use (also known as "distributed generation") may be subject to additional emission limitations as specified in current district rules, policies, or regulations governing distributed generation;

(4) The District may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate limits on a site-specific basis.

(b) In-Use Stationary Prime Diesel-Fueled CI Engine (>50 bhp) Emission Standards. Except as provided in section 93115.3, no owner or operator shall operate an in-use stationary prime diesel-fueled CI engines (> 50 bhp) in California unless it meets the following requirements (which are summarized in Table 4):

Table 4: Summary of the Emission Standards for In-Use Stationary Prime Diesel-Fueled CI Engines > 50 BHP (See section 93115.7(b)(1))		
Diesel PM		*Other Pollutants*
Diesel PM Standards (g/bhp-hr)		*HC, NOx, NMHC+NOx, and CO Standards (g/bhp-hr)*
Applicability	*Standard*	
All off-road certified in-use prime engines	85% reduction from baseline levels (Option 1) OR 0.01 g/bhp-hr (Option 2)	For engines with emission control strategies not verified through the verification procedure: Off-Road CI Engine Certification Standards for an off-road engine of the model year and maximum rated power of the engine installed to meet the applicable PM standard, or Tier 1 standards.[1] OR Both (i) and (ii) must be met: (i) No increase in HC or NOx emissions above 10% from baseline levels OR No increase in NMHC+NOx emissions above baseline levels (ii) No increase in CO above 10% from baseline levels
Only in-use prime engines NOT certified in accordance with the Off-Road Compression Ignition Standards	85% reduction from baseline levels (Option 1) OR 0.01 g/bhp-hr (Option 2) OR [30% reduction from baseline levels AND 0.01 g/bhp-hr by no later than July 1, 2011] (Option 3)	

1. The option to comply with the Tier 1 standards is available only if no off-road engine certification standards have been established for an off-road engine of the same model year and maximum rated power as the new stationary emergency standby diesel-fueled CI engine.

(1) *Diesel PM Standards:* All in-use stationary prime diesel-fueled CI engines (> 50 bhp) certified in accordance with the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423) shall comply with either option 1 or option 2 below. All engines not certified in accordance with the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423) shall comply with option 1, option 2, or option 3 below:

(A) Option 1: Reduce the diesel PM emission rate by at least 85 percent, by weight, from the baseline level, in accordance with the appropriate compliance schedule specified in sections 93115.11 and 93115.12;

(B) Option 2: Emit diesel PM at a rate less than or equal to 0.01 g/bhp-hr in accordancewith the appropriate compliance schedule as specified in sections 93115.11 and 93115.12;

(C) Option 3: Reduce the diesel PM emission rate by at least 30% from the baseline level, by no later than January 1, 2006, and emit diesel PM at a rate of 0.01 g/bhp-hr or less by no later than July 1, 2011.

(2) *Additional Standards:*
Owners or operators that choose to meet the diesel PM limits defined in section 93115.7(b) with emission control strategies that are not verified through the Verification Procedure shall either:

(A) Meet the applicable HC, NOx, NMHC+NOx, and CO standards for off-road engines of the same model year and maximum rated power as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no standards have been established for an off-road engine of the same model year and maximum rated power as the in-use stationary prime diesel-fueled CI engine, then the in-use stationary prime diesel-fueled CI engine shall meet the Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power, irrespective of the new stationary emergency standby diesel-fueled CI engine's model year; or

(B) Not increase CO emission rates by more than 10% above baseline; and
Not increase HC or NOx emission rates by more than 10% above baseline, or
Not increase the sum of NMHC and NOx emission rates above baseline.

(3) The District may establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission rate standards.

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

§ 93115.8 ATCM for Stationary CI Engines – Emission Standards for Stationary Diesel-Fueled CI Engines (>50 bhp) Used in Agricultural Operations.

(a) 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 sections 93115.3, 93115.8(a)(1)(A)5., and 93115.8(a)(2), no person shall sell, purchase, or lease

for use in California any new 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.):

Table 5: Summary of the Emission Standards for New Stationary Diesel-Fueled CI Engines > 50 BHP Used in Agricultural Operations (See section 93115.8(a))		
	Diesel PM	*Other Pollutants*
Horsepower Range (hp)	*Diesel PM Standards (g/bhp-hr)*	*HC, NOx, NMHC+NOx, and CO Standards (g/bhp-hr)*
All Applications Greater Than 50 But Less Than 100, Other Than Generator Sets	Less Than or Equal to 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 model year and maximum rated power of the engine installed to meet the applicable PM standard, or Tier 1 standards.[1]
All Applications Greater Than or Equal to 100 But Less Than 175, Other Than Generator Sets	Less Than or Equal to 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	
All Applications Greater Than or Equal to 175, Other Than Generator Sets	Less than or Equal to 0.15[1] OR Off-Road Engine Certification Standard for an off-road engine of the same maximum rated power, whichever is more stringent	
Generator Set Engines Greater Than 50	Less Than or Equal to 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 sold from one agricultural operation to another and funded under State or federal incentive funding programs, as specified in 93115.8(a)(2).

(A) *Diesel PM Standard:*

1. New agricultural stationary diesel-fueled CI engines, used in all agricultural operations except generator set applications with a maximum rated horsepower greater than 50 but less than 100 shall emit no more than 0.30 g/bhp-hr diesel particulate matter (PM) limit or shall meet the standards, as specified in the Off-Road Compression

Ignition Engine Standards for off-road engines of the same maximum rated power (title 13, CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4, whichever is more stringent; and

2. New agricultural stationary diesel-fueled CI engines, used in all agricultural operations except generator set applications with a maximum rated horsepower greater than or equal to 100 but less than 175 shall emit no more than 0.22 g/bhp-hr diesel particulate matter (PM) limit or shall meet the standards, as specified in the Off-Road Compression Ignition Engine Standards for off-road engines of the same maximum rated power (title 13, CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4 whichever is more stringent; and
3. New agricultural stationary diesel-fueled CI engines, used in all agricultural operations except generator set applications with a maximum rated horsepower greater than or equal to 175 shall emit no more than 0.15 g/bhp-hr diesel PM or shall meet the standards, as specified in the Off-Road Compression Ignition Engine Standards for off-road engines of the same maximum rated power (title 13, CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4, whichever is more stringent; and
4. New agricultural stationary diesel-fueled CI engines, used in generator set applications with a maximum rated horsepower greater than 50, shall emit no more than 0.15 g/bhp-hr diesel PM, or shall meet the standards, as specified in the Off-Road Compression Ignition Engine Standards for off-road engines of the same maximum rated power (title 13, CCR, section 2423), in effect on the date of acquisition or submittal, as defined in section 93115.4, whichever is more stringent;
5. On a site-specific basis, a District may extend compliance with sections 93115.8(a)(1)(A)1. through 4. up to four years provided:
   a. The District determines that an engine meeting sections 93115.8(A)1. through 4. would exceed the District's threshold for significant risk pursuant to H&SC section 44391 (AB 2588 "Hot Spots" Program), and
   b. No later than four years after the applicable initial compliance date for sections 93115.8(a)(1)(A)1. through 4., one of the following is installed:
      (i.) an electric motor;
      (ii.) an engine greater than 50 bhp but less than 75 bhp that does not exceed 0.02 g/bhp-hr PM; or
      (iii.) an engine greater than 75 bhp that does not exceed 0.01 g/bhp-hr diesel PM.

(B) *NMHC, NOx, and CO Standards:* New agricultural stationary diesel-fueled CI engines shall meet the HC, NOx, (or NMHC+NOx, if applicable) and CO

standards for off-road engines of the same model year and maximum rated power, as specified in the Off-Road Compression Ignition Engine Standards (title 13, CCR, section 2423). If no limits have been established for an off-road engine of the same model year and maximum rated power as the new agricultural stationary diesel-fueled CI engine, then the new agricultural stationary diesel-fueled CI engine shall meet the Tier 1 standards in title 13, CCR, section 2423, for an off-road engine of the same maximum rated power, irrespective of the new agricultural diesel-fueled CI engine's model year.

(2) Prior to January 1, 2008, the requirements of section 93115.8(a)(1) shall not apply to any stationary diesel-fueled CI engine that:
   (A) is used in agricultural operations; and
   (B) was funded under a State or federal incentive funding program; and
   (C) was sold for use in another agricultural operation, provided the stationary diesel-fueled CI engine complies with Tier II Off-Road Compression Ignition Standards for off-road engines of the same maximum rated power (title 13, CCR, section 2423).

   For purposes of this subsection, State or federal incentive funding programs include, but are not limited to, California's Carl Moyer Program, as set forth in title 17, Part 5, Chapter 9 of the California Health and Safety Code, and the U.S. Department of Agriculture's Environmental Quality Incentives Program (EQIP), as set forth in title 7, Chapter XIV, Part 1466 of the Code of Federal Regulations.

(b) Emission Standards for In-Use Stationary Diesel-Fueled CI Engines (>50 bhp) Used in Agricultural Operations.

(1) Except as provided in sections 93115.3 and 93115.8(b)(5) through (7), no owner or operator shall operate an in-use stationary diesel-fueled CI engine greater than 50 bhp in an agricultural operation in California unless it meets the requirements in sections 93115.8(b)(2) through (4) (which are summarized in Tables 6 and 7):

Table 6: Emission Standards Noncertified Greater than 50 BHP In-Use Stationary Diesel-Fueled Engines Used in Agricultural Operations See sections 93115.8(b)(2) and (4)				
Horsepower Range (hp)	*Application*	*Compliance On or After December 31*	*Diesel PM Not to Exceed (g/bhp-hr)*	*HC, NOx, NMHC+NOx, and CO Not to Exceed (g/bhp-hr)*
Greater Than 50 But Less Than 75	Generator Sets	2015	0.02	Off-Road CI Engine Certification Standards for an off-road engine of the model year and maximum rated power of the engine installed to meet the applicable PM standard.[1]
	All Other Applications	2011	0.30	
Greater Than or Equal to 75 But Less Than 100	Generator Sets	2015	0.01	
	All Other Applications	2011	0.30	
Greater Than or Equal to 100 But Less Than 175	Generator Sets	2015	0.01	
	All Other Applications	2010	0.22	
Greater Than or Equal to 175 But Less Than or Equal to 750	All Applications	2010	0.15	
Greater Than 750	All Applications	2014	0.075	

1. If no limits have been established for an off-road engine of the same model year and maximum rated power, then the in-use stationary diesel-fueled engine used in an agricultural operation shall not exceed Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power irrespective of model year.

Table 7: Emission Standards Tier 1- and Tier 2-Certified Greater than 50 BHP In-Use Stationary Diesel-Fueled Engines Used in Agricultural Operations See sections 93115.8(b)(3) and (4)			
Horsepower Range (hp)	*Compliance* *On or After December 31*	*Diesel PM* *Not to Exceed (g/bhp-hr)*	*HC, NOx, NMHC+NOx, and CO Not to Exceed (g/bhp-hr)*
Greater Than 50 But Less Than 75	2015 or 12 years after the date of initial installation, whichever is later	0.02	Off-Road CI Engine Certification Standards for an off-road engine of the model year and maximum rated power of the engine installed to meet the applicable PM standard.[1]
Greater Than or Equal to 75 But Less Than 175	2015 or 12 years after the date of initial installation, whichever is later	0.01	
Greater Than or Equal to 175 But Less Than or Equal to 750	2014 or 12 years after the date of initial installation, whichever is later	0.01	
Greater Than 750	2014 or 12 years after the date of initial installation, whichever is later	0.075	

1. If no limits have been established for an off-road engine of the same model year and maximum rated power, then the in-use stationary diesel-fueled engine used in an agricultural operation shall not exceed Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power irrespective of model year.

(2) *Diesel PM Standards for Noncertified In-use Stationary Diesel-fueled CI Engines Used in Agricultural Operations (except as provided in section 93115.3):*

(A) On or after December 31, 2015, no owner or operator shall operate any greater than 50 but less than 75 bhp noncertified stationary diesel-fueled generator set engine used in an agricultural operation unless such generator set engine's diesel PM emissions do not exceed 0.02 g/bhp-hr.

(B) On or after December 31, 2015, no owner or operator shall operate any greater than or equal to 75 but less than 175 bhp noncertified stationary diesel-fueled generator set engine used in an agricultural operation unless such generator set engine's diesel PM emissions do not exceed 0.01 g/bhp-hr.

(C) On or after December 31, 2011, no owner or operator shall operate any greater than 50 but less than 75 bhp noncertified stationary diesel-fueled engine (other than a generator set engine) used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.30 g/bhp-hr.

(D) On or after December 31, 2011, no owner or operator shall operate any greater than or equal to 75 but less than 100 bhp noncertified stationary diesel-fueled engine (other than a generator set engine) used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.30 g/bhp-hr.

(E) On or after December 31, 2010, no owner or operator shall operate any greater than or equal to 100 but less than 175 bhp noncertified stationary diesel-fueled engine (other than a generator set engine) used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.22 g/bhp-hr.

(F) On or after December 31, 2010, no owner or operator shall operate any greater than or equal to 175 through 750 bhp noncertified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.15 g/bhp-hr.

(G) On or after December 31, 2014, no owner or operator shall operate any greater than 750 bhp noncertified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.075 g/bhp-hr.

(3) *Diesel PM Standards for Tier 1- and Tier 2-Certified In-use Stationary Diesel-fueled Engines Used in Agricultural Operations (except as provided in section 93115.3):*

(A) On or after December 31, 2015, or 12 years after the date of initial installation, whichever is later, no owner or operator shall operate any greater than 50 but less than 75 bhp Tier 1- or Tier 2-certified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.02 g/bhp-hr.

(B) On or after December 31, 2015, or 12 years after the date of initial installation, whichever is later, no owner or operator shall operate any greater than or equal to 75 but less than 175 bhp Tier 1- or Tier 2-certified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.01 g/bhp-hr.

(C) On or after December 31, 2014, or 12 years after the date of initial installation, whichever is later, no owner or operator shall operate any greater than or equal to 175 through 750 bhp Tier 1- or Tier 2-certified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.01 g/bhp-hr.

(D) On or after December 31, 2014 or 12 years after the date of initial installation, whichever is later, no owner or operator shall operate any greater than 750 bhp Tier 1- or Tier 2-certified stationary diesel-fueled engine used in an agricultural operation unless such engine's diesel PM emissions do not exceed 0.075 g/bhp-hr.

(4) *HC, NOx, NMHC+NOx, and CO Standards:* An agricultural engine shall not exceed the HC, NOx (or NMHC+NOx, if applicable) and CO standards for off-road engines of the same model year and maximum rated power, as specified in the Off-Road CI Engine Standards (title 13, CCR, section 2423). If no limits have been established for an off-road engine of the same model year and maximum rated power, then the in-use stationary diesel-fueled engine used in an agricultural operation shall not exceed Tier 1 standards in title 13, CCR, section 2423 for an off-road engine of the same maximum rated power irrespective of model year.

(5) The Executive Officer may extend the compliance dates in sections 93115.8(b)(1) through (4) up to one year, provided that verifiable information shows new engine packages for stationary diesel engine applications are not available in sufficient numbers or in a sufficient range of makes, models, and sizes to replace in-use stationary diesel agricultural engines.

(6) On a site-specific basis, a District may extend compliance dates in sections 93115.8(b)(1), (2), and (4) up to four years provided:

(A) A District determines that an engine meeting section 93115.8(b)(2) would exceed a District's threshold for significant risk pursuant to H&SC section 44391 (AB 2588 "Hot Spots" Program), and

(B) No later than four years after the applicable initial compliance date for section 93115.8(b)(2), one of the following is installed:

1. an electric motor;
2. an engine greater than 50 bhp but less than 75 bhp that does not exceed 0.02 g/bhp-hr PM; or
3. an engine greater than 75 bhp that does not exceed 0.01 g/bhp-hr diesel PM.

(7) A District may:

(A) Allow an owner or operator up to two additional years to comply with sections 93115.8(b)(1) through (4), provided at least 60 days prior to the applicable compliance date or dates, the owner or operator submits to the District Air Pollution Control Officer documentation demonstrating that an affected engine or engines shall be replaced with an electric motor or electric motors within two years. Documentation for each engine replaced shall include identification of the engine, the purchasing agreement for the electric motor, and a copy of an agreement with a utility distribution company to provide electricity if electricity is not already available for electric motor operation.

(B) Establish more stringent diesel PM, NMHC+NOx, HC, NOx, and CO emission limits, emission limit compliance dates, or other requirements.

(c) *Registration Requirements for Greater than 50 bhp Stationary Diesel-Fueled CI Agricultural Engines.*

(1) *Registration Submittal.* Except as provided in section 93115.2(a), the owner or operator of a greater than 50 bhp stationary diesel-fueled CI agricultural engine or engines shall submit the registration information specified in section (c)(2) below to the District according to the following schedule:

(A) For each in-use stationary diesel-fueled CI agricultural engine, no later than March 1, 2008;

(B) For each new stationary diesel-fueled CI agricultural engine installed on or after March 1, 2008, no later than 90 days after the date of initial installation; and

(C) For each new stationary diesel-fueled CI agricultural engine installed on or after January 1, 2005, but before March 1, 2008, within 90 days after initial installation or the effective date of amendments adding section 93115.8(c)

to the ATCM, whichever is later.

(2) *Registration Information.*

(A) At minimum, the owner or operator shall submit the following information for each greater than 50 bhp stationary diesel-fueled CI agricultural engine:

1. Date of registration application submittal;
2. Name, title (as applicable), and signature of person submitting the registration application;
3. Name, address, mailing address (if differs from address), and telephone number of the engine owner and of the operator, if the owner is not also the operator;
4. Date of installation or anticipated installation;
5. Year of manufacture or approximate age, if unable to determine year of manufacture;
6. Make;
7. Model;
8. Serial number;
9. Maximum rated brake horsepower;
10. Certification status with respect to Off-Road CI Engine Certification Standards (title 13, CCR, section 2423) (if available)
11. Estimated annual average operating hours;
12. Fuels Used;
13. Estimated annual average gallons of each fuel used, if alternative diesel fuels are used;
14. Location including, but not limited to, one of the following: latitude and longitude, universal trans meridian (UTM) coordinates, global positioning satellite data (GPS), address, town and nearest cross streets, parcel or plot number/designation, or other description that clearly identifies the location of the engine; and
15. For an engine located within one-quarter mile of (1,320 feet) of a residential area, school, or hospital:
    a. Distance (in meters or feet) from engine to residential area, school, or hospital;
    b. Direction from engine to residential area, school, or hospital;
    c. Location of engine and residential area, school, or hospital including one or more of the following for each: latitude and longitude, universal trans meridian (UTM) coordinates, global positioning satellite data (GPS), address, town and nearest cross streets.

(B) Any additional information required to evaluate the section 93115.3(a) exemption of an agricultural emergency standby generator set engine or a remotely-located agricultural engine from the requirements of section 93115.8(b).

(3) The owner or operator of a stationary diesel-fueled CI agricultural engine registered under section 93115.8(c)(1) shall notify the District in writing no later than 14 days after any change of owner or operator, change in location,

installation or commencement of an emissions control strategy, or replacement with an electric motor or noncompression ignition engine.

(4) A District may provide stationary diesel-fueled CI agricultural engine owners and operators with alternatives to section 93115.8(c)(1) through (3) requirements, provided the Executive Officer finds such alternatives to be equivalent to sections 93115.8(c)(1) through (3).

(5) Upon written request by the Executive Officer, an APCO shall provide to the Executive Officer a written report of information gathered under sections 93115.8(c)(1) through (4).

(d) *Fee Requirements for Greater than 50 bhp Stationary Diesel-Fueled CI Agricultural Engine Owners or Operators.*
The owner or operator of a greater than 50 bhp stationary diesel-fueled CI agricultural engine or engines shall pay any fees assessed by the District for the purpose of recovering the District's cost of implementing and enforcing section 93115.8 requirements, including section 93115.8(c) requirements.

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

§ 93115.9 ATCM for Stationary CI Engines – Emission Standards for New Stationary Diesel-Fueled Engines, Less Than or Equal to 50 Brake Horsepower (<50 bhp).

As of January 1, 2005, except as provided in section 93115.3, no 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 diesel off-road engines of the same maximum rated power. (These requirements are summarized in Table 8.)

Table 8: Summary of the Emission Standards for Stationary Diesel-Fueled CI Engines ≤ 50 BHP (See section 93115.9)
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 maximum rated power

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

§ 93115.10 ATCM for Stationary CI Engines – Recordkeeping, Reporting, and Monitoring Requirements.

(a) *Reporting Requirements for Owners or Operators of New and In-Use Stationary CI Engines, Including Non-Diesel-Fueled CI Engines, Having a Rated Horsepower Greater than 50 (> 50 bhp).*

(1) Except as provided in section 93115.3 and section 93115.10(a)(5) below, prior to the installation of any new stationary CI engine (> 50 bhp) at a facility, each owner or operator shall provide the information identified in section 93115.10(a)(3) to the District APCO.

(2) Except as provided in section 93115.3 and section 93115.10(a)(5) below, no later than July 1, 2005, each owner or operator of an in-use stationary CI engine (>50 bhp) shall provide the information specified in section 93115.10(a)(3) to the District APCO.

(3) Each owner or operator shall submit to the District APCO the following information for each new and in-use stationary CI engine (>50 bhp) in accordance with the requirements of sections 93115.10(a)(1) and (2) above:

(A) Owner/Operator Contact Information

1. Company name
2. Contact name, phone number, address, e-mail address
3. Address of engine(s)

(B) Engine Information

1. Make,
2. Model,
3. Engine Family,
4. Serial number,
5. Year of manufacture (if unable to determine, approximate age),
6. Rated Brake Horsepower Rating,
7. Exhaust stack height from ground,
8. Engine Emission Factors and supporting data for PM, NOx and NMHC separately or NMHC+NOx, and CO, (if available) from manufacturers data, source tests, or other sources (specify),
9. Diameter of stack outlet,
10. Direction of outlet (horizontal or vertical),
11. End of stack (open or capped),
12. Control equipment (if applicable)
    a. Turbocharger,
    b. Aftercooler,
    c. Injection Timing Retard,
    d. Catalyst,
    e. Diesel Particulate Filter,
    f. Other;

(C) Fuel(s) Used

1. CARB Diesel,
2. Jet fuel,
3. Diesel,

4. Alternative diesel fuel (specify),
5. Alternative fuel (specify),
6. Combination (Dual fuel) (specify),
7. Other (specify);

(D) Operation Information, including:
1. Describe general use of engine,
2. Typical load (percent of maximum bhp rating),
3. Typical annual hours of operation,
4. If seasonal, months of year operated and typical hours per month operated,
5. Fuel usage rate (if available);

(E) Receptor Information, including:
1. Nearest receptor description (receptor type),
2. Distance to nearest receptor (feet or meters),
3. Distance to nearest school grounds;

(F) A statement whether the engine is included in an existing AB 2588 emission inventory.

(4) Except as provided in section 93115.3, no later than180 days prior to the earliest applicable compliance date specified in sections 93115.11 or 93115.12, each owner or operator of an in-use stationary diesel-fueled CI engine greater than 50 brake horsepower (> 50 bhp) shall provide the following additional information to the District APCO: an identification of the control strategy for each stationary diesel-fueled CI engine that when implemented will result in compliance with sections 93115.6 and 93115.7. If applicable, the information should include the Executive Order number issued by the Executive Officer for a Diesel Emission Control Strategy that has been approved by the Executive Officer through the Verification Procedure.

(5) An APCO may exempt the owner or operator from providing all or part of the information identified in sections 93115.10(a)(3) or (4) if there is a current record of the information in the owner or operator's permit to operate, permit application, District registration program, or other District records.

(6) Upon written request by the Executive Officer, an APCO shall provide to the Executive Officer a written report of all information identified in sections 93115.10(a)(3) and (4).

(b) *Reporting Requirements for Sellers of Stationary Diesel-Fueled CI Engines Having a Rated Brake Horsepower Less Than or Equal to 50 (< 50 bhp).*

(1) Except as provided in section 93115.3, no later than January 31, 2006 and by January 31st of each year thereafter, all sellers of stationary diesel fueled CI engines sold for use in California that have a rated brake horsepower less than or equal to 50 shall provide the following information for the previous calendar year to the Executive Officer of the Air Resources Board:

(A) Contact Information
1. Sellers Company Name (if applicable);
2. Contact name, phone number, e-mail address;

(B) Engine Sales Information (for each engine sold for use in California in the previous calendar year)
1. Make,
2. Model,
3. Model year (if known),
4. Rated brake horsepower,
5. Number of engines sold,
6. Certification executive order number (if applicable),
7. Engine family number (if known),
8. Emission control strategy (if applicable).

(c) *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 93115.6(a)(3), 93115.6(a)(4), 93115.6(c)(1)(C), and 93115.7(a)(1) shall provide emission data to the District APCO in accordance with the requirements of section 93115.13 for purposes of demonstrating compliance.

(2) By no later than the earliest applicable compliance date specified in sections 93115.11 or 93115.12, the owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of section 93115.6(b)(3), 93115.6(c)(2)(C), or 93115.7(b)(1) shall provide emissions and/or operational data to the District APCO in accordance with the requirements of section 93115.13 for purposes of demonstrating compliance.

(d) *Notification of Loss of Exemption.*

(1) Owners or operators of in-use stationary diesel-fueled CI engines, who are operating under an exemption specified in sections 93115.3 or 93115.8(a)(2) from all or part of the requirements of subsections 93115.6, 93115.7, or 93115.8 shall notify the District APCO within five days after they become aware that the exemption no longer applies and shall demonstrate compliance with the applicable requirements of:

(A) section 93115.6 or 93115.7, no later than 180 days after the date the exemption no longer applies; or

(B) section 93115.8, no later than 18 months after the date the exemption no longer applies or no later than 18 months after the emission standard compliance date set forth in section 93115.8, whichever is later.

(2) A District APCO shall notify owners or operators of in-use stationary diesel-fueled CI engines, operating under an exemption specified in section 93115.3(g) from the requirements of section 93115.5 and sections 93115.6, 93115.7, or 93115.8, when the exemption no longer applies and the owner or operator shall demonstrate compliance with the applicable requirements of:

(A) section 93115.5, 93115.6, or 93115.7, no later than 180 days after notification by the District APCO; or
(B) section 93115.8, no later than 18 months after notification by the District APCO or no later than 18 months after the emission standard compliance date set forth in section 93115.8, whichever is later.

(3) An owner or operator of an in-use stationary diesel-fueled CI engine(s) subject to the requirements of sections 93115.6, 93115.7, or 93115.8 shall provide emissions data to the District APCO in accordance with the requirements of section 93115.13 for purposes of demonstrating compliance pursuant to section 93115.10(d)(1) or (2).

(e) *Monitoring Equipment.*

(1) A non-resettable hour meter with a minimum display capability of 9,999 hours shall be installed upon engine installation, or by no later than January 1, 2005, on all engines subject to all or part of the requirements of sections 93115.6, 93115.7, or 93115.8(a) unless the District determines on a case-by-case basis that a non-resettable hour meter with a different minimum display capability is appropriate in consideration of the historical use of the engine and the owner or operator's compliance history.

(2) All DPFs installed pursuant to the requirements in sections must, upon engine installation or by no later than January 1, 2005, be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

(3) The District APCO may require the owner or operator to install and maintain additional monitoring equipment for the particular emission control strategy(ies) used to meet the requirements of sections 93115.6, 93115.7, or 93115.8(a).

(f) *Reporting Provisions for Exempted Agricultural Emergency, Prime, and Nonagricultural Emergency Engines.*

An owner or operator of an agricultural emergency standby generator set engine subject to section 93115.3(a) or an engine subject to sections 93115.3(d) or 93115.3(j) shall keep records of the number of hours the engines are operated on a monthly basis. Such records shall be retained for a minimum of 36 months from the date of entry. Record entries made within 24 months of the most recent entry shall be retained on-site, either at a central location or at the engine's location, and made immediately available to the District staff upon request. Record entries made from 25 to 36 months from the most recent entry shall be made available to District staff within 5 working days from the district's request.

(g) *Reporting Requirements for Emergency Standby Engines.*

(1) Starting January 1, 2005, each owner or operator of an emergency standby diesel-fueled CI engine shall keep records and prepare a monthly summary that shall list and document the nature of use for each of the following:
(A) emergency use hours of operation;
(B) maintenance and testing hours of operation;

(C) hours of operation for emission testing to show compliance with sections 93115.6(a)(3) and 93115.6(b)(3);
(D) initial start-up testing hours;
(E) if applicable, hours of operation to comply with the requirements of NFPA 25;
(F) hours of operation for all uses other than those specified in sections 93115.10(g)(1)(A) through (D) above; and
(G) the fuel used.
1. For engines operated exclusively on CARB Diesel Fuel, the owner or operator shall document the use of CARB Diesel Fuel through the retention of fuel purchase records indicating that the only fuel purchased for supply to an emergency standby engine was CARB Diesel Fuel; or
2. For engines operated on any fuel other than CARB Diesel Fuel, fuel records demonstrating that the only fuel purchased and added to an emergency standby engine or engines, or to any fuel tank directly attached to an emergency standby engine or engines, meets the requirements of section 93115.5(b).

(2) Records shall be retained for a minimum of 36 months. Records for the prior 24 months shall be retained on-site, either at a central location or at the engine's location, or at an offsite central location within California, and shall be made immediately available to the District staff upon request. Records for the prior 25 to 36 months shall be made available to District staff within 5 working days from request.

(h) *Reporting Requirements for the San Diego Gas and Electric Company Regarding the RBRP.*

(1) The San Diego Gas and Electric Company shall provide to the San Diego County Air Pollution Control District the following information, by January 31, 2005, to the extent the District does not already have the information:
(A) For each diesel-fueled engine enrolled in the RBRP:
1. Owner's Company Name (if applicable);
2. Contact name, phone number, e-mail address;
3. Load reduction capacity of engine, which is the rated brake horsepower expressed in megawatts (megawatts); and
4. Diesel PM emission rate of the engine (g/bhp-hr);
(B) The San Diego Gas and Electric Company shall update the information as necessary to reflect the current inventory of RBRP engines and provide the updated information to the SDAPCD upon request.

(2) The San Diego Gas and Electric Company shall provide the San Diego County Air Pollution Control District with an environmental dispatch protocol for the RBRP that meets all of the following requirements:
(A) The protocol shall require the San Diego Gas and Electric Company to dispatch engines in an order that protects public

health, with consideration given to factors including, but not limited to, diesel PM emission rate, location, and other factors to be determined by the District; and

(B) The protocol shall require the San Diego Gas and Electric Company to identify and report to the District the specific engines called for dispatch within 1 day of the dispatch; and

(C) The protocol shall require the San Diego Gas and Electric Company to report the following information to the District, within 30 days of the dispatch:

1. Identification of engine dispatched;
2. Load capacity of engine dispatched;
3. Cumulative total of load capacity of engines dispatched (megawatts); and
4. Cumulative total of diesel PM emission rate of engines dispatched (g/hr).

(D) Within 30 calendar days of receiving the environmental dispatch protocol, or a time period mutually agreed by the parties, the District APCO shall approve or disapprove the protocol.

(*i*) *Additional Reporting Requirements for the Stationary Emergency Standby Diesel-Fueled CI Engines Used To Fulfill the Requirements of an Interruptible Service Contract (ISC).*

(1) The owner or operator of an ISC engine shall provide to the District the following information, as necessary to the extent the District does not already have the information:

(A) For each diesel-fueled engine enrolled in the ISC:

1. Owner's Company Name (if applicable);
2. Contact name, phone number, e-mail address; and
3. Diesel PM emission rate of the engine (g/bhp-hr).

(B) For engines enrolled in an ISC prior to January 1, 2005, the information identified in 93115.10(i)(1)(A) shall be provided to the District by January 31, 2005; and

(C) For engines enrolled in an ISC after January 1, 2005, the information identified in 93115.10(i)(1)(A) shall be provided to the District no later than 30 days after the engine is enrolled in an ISC.

The owner or operator shall update the information as necessary to reflect the current inventory of ISC engines and shall provide the updated information to the District upon request.

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

§ 93115.11 ATCM for Stationary CI Engines – Compliance Schedule for Owners or Operators of Three or Fewer Engines (>50 bhp) Located within a District.

(a) All owners and operators of three or fewer engines located within a District, who will meet the requirements of section 93115.6(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 beginning January 1, 2006.

(b) All owners and operators of three or fewer engines located within a District, which are not in compliance with section 93115.11(a) but are required to meet the requirements of sections 93115.6(b) or 93115.7(b), shall comply with section 93115.6(b) or 93115.7(b), whichever applies, according to the following schedule:

(1) All pre-1989 through 1989 model year engines, inclusive, shall be in compliance by no later than January 1, 2006;
(2) All 1990 through 1995 model year engines, inclusive, shall be in compliance by no later than January 1, 2007; and
(3) All 1996 and later model year engines shall be in compliance by no later than January 1, 2008.

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

§ 93115.12 ATCM for Stationary CI Engines – Compliance Schedule for Owners or Operators of Four or More Engines (>50 bhp) Located within a District.

(a) All owners and operators of four or more engines located within a District, who will meet the requirements of section 93115.6(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 beginning January 1, 2006.

(b) All owners and operators of four or more engines located within a District, who are not in compliance with section 93115.12(a) but are required to meet the requirements of sections 93115.6(b) or 93115.7(b), shall comply with sections 93115.6(b) or 93115.7(b), whichever applies, according to the following schedule:

Pre-1989 Through 1989 Model Year Engines, Inclusive

Percent of Engines	*Compliance date*
50%	January 1, 2007
75%	January 1, 2008
100%	January 1, 2009

1990 through 1995 Model Year Engines, Inclusive

Percent of Engines	*Compliance date*
30%	January 1, 2007
60%	January 1, 2008
100%	January 1, 2009

1996 and Later Model Year Engines

Percent of Engines	*Compliance date*
50%	January 1, 2008
100%	January 1, 2009

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

§ 93115.13 ATCM for Stationary CI Engines – Compliance Demonstration.

(a) Upon approval by the District APCO, the following sources of data may be used in whole or part to demonstrate compliance with the emissions standards or requirements of sections 93115.6 through 93115.9:

(1) off-road engine certification test data for the stationary diesel-fueled CI engine,
(2) engine manufacturer test data,
(3) emissions test data from a similar engine,
(4) emissions test data used in meeting the requirements of the Verification Procedure for the emission control strategy implemented, or
(5) An alternative compliance demonstration as described in section 93115.13(f).

(b) Emissions testing of a stationary diesel-fueled CI engine, for purposes of showing compliance with the requirements of sections 93115.6 through 93115.9, shall be done in accordance with the methods specified in section 93115.14.

(c) For purposes of emissions testing, the particulate matter (PM) emissions from a dual-fueled stationary CI engine, which uses as its fuel a mixture of diesel fuel and other fuel(s), shall be deemed to be 100% diesel PM.

(d) Emissions testing for the purposes of determining the percent change from baseline shall include baseline and emission control strategy testing subject to the following conditions:

(1) Baseline testing may be conducted with the emission control strategy in place, provided the test sample is taken upstream of the emission control strategy and the presence of the emission control strategy is shown to the

District APCO's satisfaction as having no influence on the emission test results;

(2) Control strategy testing shall be performed on the stationary diesel-fueled CI engine with full implementation of the emission control strategy;

(3) The percent change from baseline shall be calculated as the baseline emissions minus control strategy emissions, with the difference being divided by the baseline emissions and the result expressed as a percentage; and

(4) The same test method shall be used for determining both baseline emissions and control strategy emissions.

(e) Emission testing for the purposes of demonstrating compliance with an emission level shall be performed on the stationary diesel-fueled CI engine with the emission control strategy fully implemented.

(f) *Alternative Compliance Demonstration:* The owner or operator of a new or in-use stationary diesel-fueled CI engine greater than 50 bhp may demonstrate compliance with the 0.01 g/bhp-hr PM emission standard of sections 93115.6 through 93115.9 by using one of the following:

(1) A Level 3 Verified Diesel Emission Control Strategy in combination with a certified CI engine that meets the 0.15 g/bhp-hr PM emission standard, or

(2) An 85 percent PM emission reduction control strategy in combination with a certified CI engine that meets 0.15 g/bhp-hr PM emission standard, or

(3) A certified CI engine that meets the 0.15 g/bhp-hr PM emission standard in combination with one of the emission control strategies identified in section 93115.13(f)(1) or (f)(2) and meets the requirements of section 93115.3(s) or section 93115.3(v), or

(4) Off-road CI equipment manufactured in compliance with the Transitional Implementation Flexibility Provisions for Equipment Manufacturers specified in title 13, CCR, section 2423(d); title 40 CFR, section 89.102(d); or title 40, CFR, section 1039.625 in combination with one of the emission control strategies identified in sections 93115.13(f)(1) or (f)(2) provided the CI engine meets the 0.15 g/bhp-hr PM emission standard, or

(5) A certified CI engine in an engine family identified by the manufacturer to participate in the averaging, banking, or trading program for that model year in compliance with the applicable subparts of title 40, CFR, section 89; title 40, CFR, section 1039; or title 13, CCR, section 2423(b)(2), provided the CI engine meets the 0.15 g/bhp-hr PM emission standard and is used in combination with one of the emission control strategies identified in sections 93115.13(f)(1) or (f)(2), or

(6) A Tier 4 certified CI engine or a new piece of equipment identified in section (f)(4) that emits no more than 0.015 g/bhp-hr PM.

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

§ 93115.14 ATCM for Stationary CI Engines – Test Methods.

(a) The following test methods shall be used to determine diesel PM, HC, NOx, CO and NMHC emission rates:

(1) Diesel PM emission testing shall be done in accordance with one of the following methods:

(A) California Air Resources Board Method 5 (ARB Method 5), "Determination of Particulate Matter Emissions from Stationary Sources," as amended July 28, 1997, which is incorporated herein by reference.

1. For purposes of this subsection, diesel PM shall be measured only by the probe catch and filter catch and shall not include PM captured in the impinger catch or solvent extract.
2. The tests are to be carried out under steady state operation. Test cycles and loads shall be in accordance with ISO-8178 Part 4 or alternative test cycle approved by the District APCO.
3. The District APCO may require additional engine or operational duty cycle data if an alternative test cycle is requested; or

(B) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) ("ISO 8178 Part 1") ISO 8178-2: 1996(E) ("ISO 8178 Part 2"); and ISO 8178-4:1996(E) ("ISO 8178 Part 4"), which are incorporated herein by reference; or

(C) Title 13, California Code of Regulations, section 2423, "Exhaust Emission Standards and Test Procedures - Off-Road Compression Ignition Engines," which is incorporated herein by reference.

(2) NOx, CO and HC emission testing shall be done in accordance with one of the following methods:

(A) California Air Resources Board Method 100 (ARB Method 100), "Procedures for Continuous Gaseous Emission Stack Sampling," as amended July 28, 1997, which is incorporated herein by reference.

1. Tests using ARB Method 100 shall be carried out under steady state operation. Test cycles and loads shall be in accordance with ISO-8178 Part 4 or alternative test cycle approved by the District APCO.
2. The District APCO may require additional engine or operational duty cycle data if an alternative test cycle is requested; or

(B) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) ("ISO 8178 Part 1") ISO 8178-2: 1996(E) ("ISO 8178 Part 2"); and ISO 8178-4:1996(E) ("ISO 8178 Part 4"), which are incorporated herein by reference; or

(C) Title 13, California Code of Regulations, section 2423, "Exhaust Emission Standards and Test Procedures - Off-Road Compression Ignition Engines," which is incorporated herein by reference.

(3) NMHC emission testing shall be done in accordance with one of the following methods:

(A) International Organization for Standardization (ISO) 8178 Test procedures: ISO 8178-1:1996(E) ("ISO 8178 Part 1")

ISO 8178-2:1996(E) ("ISO 8178 Part 2"); and ISO 8178-4:1996(E) ("ISO 8178 Part 4"), which are incorporated herein by reference; or

(B) Title 13, California Code of Regulations, section 2423, "Exhaust Emission Standards and Test Procedures - Off-Road Compression Ignition Engines," which is incorporated herein by reference.

(b) The District APCO may approve the use of alternatives to the test methods listed in section 93115.14(a), provided the alternatives are demonstrated to the APCO's satisfaction as accurate in determining the emission rate of diesel PM, HC, NOx, NMHC, or CO.

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

§ 93115.15 ATCM for Stationary CI Engines – Severability.

Each part of this ATCM shall be deemed severable, and in the event that any part of this ATCM is held to be invalid, the remainder of this ATCM shall continue in full force and effect.

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