

Rule 4.16 REGISTRATION REQUIREMENTS FOR COMPRESSION IGNITION ENGINES USED IN AGRICULTURAL OPERATIONS (Proposed adoption date: Oct. 1, 2007)

A. PURPOSE

The purpose of this rule is to establish procedures for the issuance of a Certificate of Registration by the Air Pollution Control Officer (APCO) for the registration of each compression ignition (CI) engine utilized in agricultural operations.

B. APPLICABILITY

This rule applies to all CI engines that are used in an agricultural operation and are subject to the requirements of the Airborne Toxic Control Measure for Stationary CI Engines (Stationary ATCM) or the Airborne Toxic Control Measure for Diesel Particulate Matter from Portable Engines rated at 50 Horsepower and Greater (Portable ATCM).

C. EFFECTIVE DATE

For stationary engines, this rule shall become effective on the date that the Stationary ATCM with amendments to include in-use engines used in agricultural operations, adopted on November 16, 2006 by the California Air Resources Board (CARB), is approved by the State Office of Administrative Law, or on the date the District Board adopts these amendments into District Regulation XI: State Airborne Toxic Control Measures, whichever occurs later.

For portable engines, this rule shall become effective on the date that the Portable ATCM adopted on March 22, 2007 by the CARB, is approved by the State Office of Administrative Law, or on the date the District Board adopts this measure into District Regulation XI: State Airborne Toxic Control Measures, whichever occurs later.

D. DEFINITIONS

For the purpose of interpretation, the terms of this Rule can be assumed to be the same those as defined in the Stationary ATCM or Portable ATCM, depending on the operational status (stationary or portable) of the engine. In addition, the following definition shall apply:

D.1 Certificate of Registration: A certificate issued by the APCO acknowledging expected compliance with the application requirements of this Rule at the time the certificate is issued.

E. EXEMPTIONS

The provisions of this rule shall not apply to the following equipment:

- E.1 Portable engines registered in the Statewide Portable Equipment Registration Program (PERP). The owner of any engine that loses eligibility for registration under the statewide program shall apply for a permit/registration with the District within 90 days of being notified of loss of eligibility. Registration shall remain valid and operation may continue pursuant to the PERP regulation until the District grants or denies a permit or a registration for the engine or equipment unit.
- E.2 Engines that are subject to District permitting requirements.
- E.3 Motor vehicles, as defined in the California Vehicle Code, Division 1, Section 415, and self-propelled vehicular farm equipment. Not included in this exemption is any equipment mounted on a vehicle that would otherwise require a Certificate of Registration under this Rule.

F. APPLICATION DEADLINES

- F.1 In-use Stationary Agriculture CI Engines: The owner or operator of an in-use stationary CI engine used in agriculture operations shall submit an application for a Certificate of Registration to the District no later than March 1, 2008 for each engine subject to the registration requirements.
- F.2 New Stationary Agriculture CI Engines: The owner or operator of a new stationary CI engine used in agricultural operations installed after the effective date of this rule and before January 1, 2008, shall submit an application for a Certificate of Registration to the District no later than March 1, 2008. The owner or operator of any new stationary CI engine used in agricultural operations installed on or after January 1, 2008, shall submit an application for a Certificate of Registration no later than ninety (90) days after the date of initial installation for each engine subject to the registration requirements.
- F.3 Portable Agriculture CI Engine: The owner or operator of a portable CI engine used in agricultural operations shall submit an application for a Certificate of Registration to the District no later than March 1, 2008. The owner or operator of any portable CI engine used in agricultural operations purchased after January 1, 2008, shall submit an application for a Certificate of Registration to the District no later than ninety (90) days after the engine purchase date.

G. REGISTRATION

- G.1 Certification of Registration: CI Engines used in agricultural operations subject to the Stationary or Portable ATCM, except equipment exempted in Section E of this rule, shall be registered with the District. A

Certification of Registration shall include compliance conditions to comply with the Stationary or Portable ATCM. The District may also include additional operational limitations to ensure that the engine will comply with District, State, and Federal rules and regulations.

- G.2 Certificate Schedule: The APCO or his appointed representative shall issue a Certificate of Registration or deny the application for Certificate of Registration within one hundred eighty (180) days from the received date of an application.
- G.3 On-site Inspections: The District may conduct an on-site inspection of the engine to verify compliance with District, State and Federal Law. The "Right of Entry", as delineated by the California Health and Safety Code 41510 of Division 26, shall apply at all times.
- G.4 Certificate Renewal: Certificate of Registration shall be renewed every year on March 1st and shall be valid until the last day of February in the following calendar year. The Certificate of Registration shall be cancelled if the registration holder does not paid the renewal fee within sixty (60) days of the due date and has failed to respond to a 30-day notice assessed with a 50% late fee. The Certificate of Registration shall also be cancelled if the registration holder has failed to meet the engine compliance date as required by the Airborne Toxic Control Measures, adopted by reference in Rule 11.1, or the requirements of the registration.
- G.5 Notification Requirements: The owner or operator of a registered CI engine 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 non-CI engine.
- G.6 Compliance Requirement: Failure to register an engine subject to Rule 11.1, renew a registration, or comply with the requirements of the Certificate of Registration is a violation of this rule.
- G.7 Registration Fee: The registrant shall pay all fees for the Certificate of Registration, inspection(s), and Certificate Renewal pursuant to Rule 7.14.