

RULE 1201. REGISTRATION OF AGRICULTURAL DIESEL ENGINES. (Adopted [*date of adoption*])

A. Applicability

Effective [*date of adoption*], this rule applies to diesel engines used in agricultural operations, specifically to stationary and portable diesel engines rated at 50 brake horsepower or greater.

B. Exemptions

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

1. Agricultural wind machines.
2. Motor vehicles, as defined in the California Vehicle Code, Division 1, section 415.
3. Engines registered in the State Portable Equipment Registration Program that are not used as a stationary agricultural diesel engine.
4. Agricultural diesel engines subject to District permit. In order to qualify for this exemption, the owner/operator of an engine installed prior to [*date of adoption*] shall submit a permit application to modify the engine's operating permit to incorporate the requirements of the State Airborne Toxic Control Measure for Stationary Compression Ignition Engines by no later than March 1, 2008.

C. Definitions

See Rule 102 for definitions not limited to this rule. For the purposes of this rule, the following definitions shall 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 diesel 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. **"Date of initial installation"** means the date on which an applicable engine is placed into service at a location in order to be operated for the first time since delivery from the manufacturer, distributor, or other source.
4. **"Diesel engine"** means a compression ignition engine fueled by five (5) percent or more of either diesel fuel, California Air Resources Board diesel fuel, or jet fuel.

5. **“Owner or operator”** means an individual, trust, firm, joint stock company, business concern, partnership, limited liability company, association, or corporation including, but not limited to, a government corporation.
6. **“Rated brake horsepower”** means the published rated brake horsepower from any one of the following sources:
 - a. the manufacturer's sales and service literature;
 - b. the nameplate of the engine; or
 - c. if applicable, as shown in the application for certification of the engine.

For an engine installed on or after [*date of adoption*], the owner or operator must reflect the engine's configuration on the date of initial installation. For other engines, the owner or operator must reflect the engine's configuration as of [*date of adoption*].

7. **"Remotely-Located Agricultural Engine"** means a stationary diesel-fueled engine used in agriculture that is:
 - a. located in a federal ambient air quality area that is designated as unclassifiable or attainment all particulate matter and ozone national ambient air quality standards (title 40, Code of Federal Regulations, section 81.305 et seq.); and
 - b. located more than one-half mile from any residential area, school or hospital.
8. **"Residential Area"** means three or more permanent residences (i.e., homes) located anywhere outside the facility's property.
9. **“Seasonal Agricultural Operation”** means an agricultural operation that remains in a single location for two years or more and that operates at that single location at least three months each year.
10. **“Stationary agricultural diesel engine”** means a diesel engine used in agricultural operations that can perform its operation at one location, or remains in one location. An engine is stationary if any of the following are true:
 - a. The engine is attached to a foundation, or if not so attached, resides at the same agricultural operation for more than 12 consecutive months. A backup, standby or replacement engine, that replaces an engine at an agricultural operation and is intended to perform the same or similar function as the engine being replaced, shall be included in calculating the consecutive time period. The cumulative time of all engines, including the time between the removal of the original engine and installation of the replacement engine, shall counted toward the consecutive time determination; or
 - b. The engine is not attached to a foundation but is located at a seasonal agricultural operation for less than 12 consecutive months. The engine or its replacement must operate during the full annual operating period of the seasonal operation; or

- c. The engine is moved from one location to another in an attempt to circumvent the 12 month residence time requirement in Section C.10.a above. The period during which the engine is maintained at a storage facility shall be excluded from the time determination.
- d. The engine is, or is designed to be carried or moved and serves the same primary function at a single agricultural operation as defined by the definition of “Installation” or “Building, Structure or Facility” found in Rule 102.

D. Requirements

1. The owner or operator of an applicable engine shall register the engine by March 1, 2008. For those engines installed after [*date of adoption*] the owner or operator of an applicable engine shall register the engine within 90 days of initial installation. Engines initially installed between January 1, 2005 and [*date adoption*] shall register within 90 days of [*date of adoption*] or within 90 days of the effective date of the State Airborne Toxic Control Measure for Stationary Compression Ignition Engines set forth in section 93115, Title 17, CCR and as amended on April 10, 2007, whichever is earlier.
2. To register an engine, an owner or operator shall submit a completed registration form, any additional information requested by the Control Officer, and the applicable fee specified in Rule 213.
3. The owner or operator of an applicable engine shall pay the applicable fee specified in Rule 213 upon application and annually thereafter. Until March 1, 2008, the initial yearly registration fee shall cover the time period from application to March 1, 2009. Annual registration fees thereafter shall cover the period from March 1st to the last day of February in the following year.

E. Registration Renewal

Any registration for any engine subject to this Rule shall be renewable annually upon payment of applicable fees and by updating the registration information that has changed since the last renewal. The registration shall be invalid if all applicable fees are not paid prior to March 1st of each applicable year and if the registration holder has been given a 30-day notice of delinquent fees.

F. South Central Coast Air Basin Reciprocity

An engine registered with the Santa Luis Obispo or Ventura County Air Pollution Control Districts will be considered registered with the Santa Barbara County Air Pollution Control District (SBCAPCD) if the following conditions are met:

1. The District where the engine is registered has equivalent registration requirements as SBCAPCD.
2. The registration fee at the District where the engine is registered is within 15% of the SBCAPCD fee.

3. The District where the engine is registered also allows engines registered in SBCAPCD to be considered registered in their District.

Registrations for engines operating under the exception for “Remotely-located Agricultural Engines” as defined in Section 93115 of the California Health and Safety Code are not valid for use at multiple locations unless written approval is obtained from the Control Officer in the county where the engine is proposed to be relocated; this includes relocation within the county where the engine is registered.