VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 250 - REGISTRATION OF AGRICULTURAL ENGINES
(Adopted 9/11/07)

A. Applicability

This rule applies to any stationary or portable diesel engine used in agricultural operations and rated at 50 brake horsepower or greater.

B. Requirements

1. The owner or operator of an applicable engine shall register the engine before March 1, 2008, or within 90 days of initial installation, whichever is later.

2. To register an engine, an owner or operator shall submit a completed registration form, any additional information requested by the Air Pollution Control Officer, and the registration fee specified in Rule 48.

3. The owner or operator of an applicable engine shall notify the District in writing no later than 14 days after any change of owner or operator, any change in location, or the installation or commencement of an emissions control strategy.

C. Registration Renewal

Registration shall be renewed annually by paying the fee specified in Rule 48 and by updating the registration information. Registration shall be vacated if the renewal fee is not received by March 1st of each applicable year and the registration holder has failed to respond to a 30-day notice of delinquent fees.

D. 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, and self-propelled vehicular farm equipment. Not included in this exemption is any equipment mounted on a vehicle that would otherwise require a permit under the provisions of these Rules and Regulations.

3. Engines registered in the State Portable Equipment Registration Program that are not used as stationary agricultural engines.

E. Violations

Failure to register or renew registration is a violation of this rule.

F. Definitions

1. "Agricultural Operations": Operations conducted in the raising of fowl or animals or the production of products of the soil, including crops, orchard fruits, trees, vines, rose bushes, ornamental plants, floricultural crops, and other horticultural crops. These operations are conducted 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": 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"; 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": A compression ignition engine that is fueled by at least five (5) percent of either diesel fuel, CARB diesel fuel, or jet fuel.

5. "Owner or Operator": 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. "Portable Agricultural Engine": An engine that is not a stationary agricultural engine.

7. "Rated Brake Horsepower (bhp)": 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 September 11, 2007, the source must reflect the engine's configuration on the date of initial installation. For other engines, the source must reflect the engine's configuration as of September 11, 2007.

8. "Seasonal agricultural operation": An agricultural operation that remains in a single location on a permanent basis (at least two years) and operates at that single location at least three months each year.

9. "Stationary Agricultural Engine": An engine that meets any one of the following criteria:

   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 count toward the consecutive time determination; or

b. The engine is not attached to a foundation and is located at a seasonal agricultural operation for less than 12 consecutive months. The engine must operate during the full annual operating period of the seasonal operation; or

c. The engine is moved from one agricultural operation to another in an attempt to circumvent the 12 month residence time requirement in Subsection F.9.a above. The period during which the engine is maintained at a storage facility shall be excluded from the consecutive time determination.

d. The engine is moved around an agricultural operation under the same or common ownership, operation, or control, or owned or operated by entities which are under common control, but not necessarily located on contiguous or adjacent properties, and performs the same primary function at each location.

G. South Central Coast Air Basin Reciprocity

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

1. The District where the engine is registered has equivalent registration requirements as VCAPCD.

2. The registration fee at the District where the engine is registered is within 15 percent of the VCAPCD fee.

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

Registrations for engines operating under the exception for "Remotely-located Agricultural Engines" as defined in Title 17, Section 93115 of the California Code of Regulations, as it may be amended from time to time, are not valid for use at multiple locations unless written approval is obtained from the Air Pollution Control Officer in the county where the engine is proposed to be relocated. This includes relocation within the county where the engine is registered.