

Rule 311 Options for Board Consideration

Any one of the following options may be considered for adoption at the July 24, 2008 Board hearing.

Original Proposal: The original proposal brought before the Board on April 24, 2008 with 33% of registered engines being inspected each year. The renewal fees with this type of enforcement would be \$169 per year for the first engine at a facility and \$105 per year for all other engines at that facility.

Option 1: Random audits would be performed for 15% of registered engines per year. The renewal fees with this type of enforcement would be \$86 per year for the first engine at a facility and \$53 per year for all other engines at that facility.

Option 2: Owners/operators that submit an annual self-certification form within 45 days of the date on the invoice shall be assessed a renewal fee of \$47 per year for the first engine at a facility and \$26 per year for all other engines at that facility. Random audits will be performed for 5% of all self-certified engines. If a self-certification form is not submitted in that window, the original proposed fee (\$169/\$105) will apply.

Rule Language Changes for Option 1:

Amend Section

302.2 **ALL OTHER ENGINES:** Engines other than those described in Section 302.1 shall be assessed the following fees.

- a. An agricultural stationary source shall be assessed a fee of ~~\$169~~ \$86 each year for the first engine.
- b. Each additional engine shall be assessed a fee of ~~\$105~~ \$53 each year.

Rule Language Changes for Option 2:

Amend Section

105 **EXEMPTION, ENGINES MEETING THE ATCM EMISSION STANDARDS:** The owner/operator of any engine meeting or exceeding the final emission standards established in Title 17 of the California Code of Regulations, Section 93115.8 for the corresponding horsepower, certification level, and use of that engine, shall not be subject to the renewal fees or self-certification fees established in Sections 302.2 and 306 of this rule.

Add Section

306 **SELF-CERTIFICATION:** Notwithstanding the provisions of Section 302.2, an owner/operator of a registered engine that submits an annual self-certification form within 45 days, under penalty of perjury, that their agricultural stationary source is, has been, and is anticipated to be in compliance with Title 17 of the California Code of Regulations, Section 93115, will be assessed a renewal fee of \$47 for the first engine at an agricultural stationary source and \$26 for each additional engine at that source. This section does not apply to any engine using a control device to comply with the emission standards in Title 17 of the California Code of Regulations, Section 93115.8.

Add Section

403 NOTIFICATION OF SELF-CERTIFICATION DUE: The owner/operator of registered engines will be notified by mail when annual renewal fees are due. The notice will include a self-certification form. If the form is completed and sent to the District within 45 days of the date on the notice, then a lower renewal fee will apply. If the self-certification form is not postmarked within 45 days of date of such notice the owner/operator must pay the renewal fee specified in Section 302.2. Electronic submittals of the self-certification form(s) may satisfy this requirement if specified in the instructions with the notice.