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Arnold Schwarzenegger
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November 2, 2009

Mail-Out #MSC 09-41

TO: All Interested Parties

SUBJECT: CARL MOYER PROGRAM MAILOUT: AGRICULTURAL PULL-BEHIND
ENGINES

The 2008 Carl Moyer Program Guidelines (Guidelines) include criteria and requirements for funding non-mobile agricultural engine projects. With some exceptions, Health and Safety Code § 44275 and § 39011.5 allow Carl Moyer Program funding of agricultural sources of air pollution, defined as those, “used in the production of crops, or the raising of fowl or animals located on contiguous property under common ownership or control.” This mail-out serves to clarify the conditions required for portable agricultural diesel equipment to receive Carl Moyer Program funds. Portable agricultural diesel equipment is pull-behind or towed, non self propelled equipment that contains a diesel engine. Examples of such equipment include, but are not limited to, spray rig, hay baler, harvester, dairy lagoon pump, or brush shredder. In addition to the Guidelines criteria, the following five conditions must be met for pull-behind equipment to be eligible for Carl Moyer Program funding:

1. Equipment must be used exclusively at an agricultural source.
2. Equipment must be owned by the agricultural source owner; rental equipment is not allowed.
3. Equipment is subject to and surplus to the Stationary Agricultural Air Toxic Control Measure (ATCM).
4. Equipment must be surplus to any local district rules.
5. Equipment is not registered as portable equipment.

Engines subject to the Stationary Agricultural ATCM may have a minimum project life of one year. Implementation charts for determining project life may be found on ARB's website at <http://www.arb.ca.gov/msprog/moyer/guidelines/supplemental-docs.htm>. Click on the Agricultural Irrigation Pump Engines link. This advisory applies for projects funded using either the 2005 or 2008 Guidelines, and is effective as of the date of this advisory until December 31, 2014. In 2015 the Health and Safety Code requirements for the Carl Moyer Program change and portable agricultural diesel engines will no longer be eligible for Carl Moyer Program funds.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

All Interested Parties
November 2, 2009
Page 2

If you have any questions or need further clarification, please contact Katherine Garrison, Air Resources Engineer at (916) 322-1522 or via email at kgarriso@arb.ca.gov.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: Katherine Garrison
Air Resources Engineer
Carl Moyer Off-Road Section