

Comment 1 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: John

Last Name: Yandell

Email Address: john@yandelltruckaway.com

Affiliation: trucking owner

Subject: Truck/Bus regulation

Comment:

My family has been in business solely in the State of California for 64 years. We attended the workshops in 2008 and were in Sacramento on December 2008 for the vote on this decision. The economy and our industry throughout the last 12 months has only gotten worse. Our business is down over 30%, the value of our trucks is so low we can't even get dealers to take them in trade - basically they have no value and our customer's are asking for 5-8% decreases for 2010. With a loss of over \$3 million in revenue, we are having a difficult time finding financing for both the trucks and the trailers if we can even find it. At the same time, we have to retrofit the 53' vans that we have - it is financially impossible.

The few Prop. 1B grants we got the offices can't get out the contracts, even if they had the money, so we might be forced to get 2010 emissions engines trucks rather than the 2007 engines that we don't need now and the 2010 engines cost an additional \$10,000. We need our government to help our State get this economy back on it's feet rather than to continue to hamper any recovery.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-11-30 15:43:31

No Duplicates.

Comment 2 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Erman

Last Name: Christofferson

Email Address: chrstransinc@aol.com

Affiliation:

Subject: Truck reg implementation

Comment:

As a contractor in the construction industry I would urge the board to delay implementation of regulations as set forth.

At this time and in the foreseeable future due to the lack of work, there is no way a person such as myself could conform to CARB regs in this economic downswing. My business is down seventyfive percent. My fleet consist of sixteen tractors for which I employ twentytwo people, I would have no choice but to close my doors and lay them all off. Your Regs would destroy what took THIRTY YEARS of hard work to build! I bought trucks with EPA standards for the year they were built. When is the air good enough? It's much better now than thirty years ago. I also think your small fleet rule is ridiculous, by industry standards a small fleet is less than one hundred trucks. In the construction field you only put 25-50 thousand miles per year, how do you think trucks can be replaced so fast? I guess if your not the one signing the front of the checks you really don't care who you hurt in the name of Global Warming. I urge the board to be very careful, the midterm elections are just around the corner. Let Senator Boxer and the rest of the board member know we are watching. Things will change and California will be prosperous again.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-01 14:26:05

No Duplicates.

Comment 3 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Daniel

Last Name: Kirk

Email Address: jinx789@msn.com

Affiliation: California citizen

Subject: Procedural Mockery

Comment:

The hearing on this issue demands that it be tabeled.

The creditabilty of the Board is further damaged by not revisiting this issue when one of the authors of the statistical report supporting the Truck and Bus regulation falsely stated he had a PHD in statistics when in fact he did not.

The fact that some members of the Board knew of this false claim and did not inform all other members and yet voted on approval of the regulation indicates either disdain of there own procedural rules or a "who cares" approach to them.

Is the Board going to inform the public and media members present at this upcoming meeting of this PHD falsification?

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-01 21:49:12

No Duplicates.

**Comment 4 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

This comment was posted then deleted because it was unrelated to the Board item or it was a duplicate.

Comment 5 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Liz

Last Name: Gregor

Email Address: lizgregor@gmail.com

Affiliation:

Subject: Diesel regulations

Comment:

I'm writing to express my support for CARB's diesel truck and bus regulation to reduce toxic emissions and save lives. Diesel trucks and buses are the single-largest source of toxic diesel pollution in the state, and are responsible for thousands of premature deaths, hospitalizations and asthma attacks each year.

California needs these regulations to save lives today, protect health and improve air quality in our communities.

Too many people are dying every year from air pollution related illnesses in California, and diesel trucks are a major source of this pollution. The public health cost of delaying these measures is too much to bear. Diesel truck pollution alone is responsible each year for about 4,500 early deaths and thousands of asthma attacks and hospitalizations for lung illnesses. These public health emergencies impact hospitals and emergency rooms throughout the state that are already overburdened. Diesel soot poses an especially critical health danger for truck drivers, children, the elderly and residents living near major freeways, ports, rail yards, truck stops and other diesel hot spots who bear the greatest burden of disease.

California can't wait any longer. Please move forward in implementing this vitally needed regulation that will save lives and improve the health of all California residents.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 14:08:44

113 Duplicates.

**Comment 6 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Trisha

Last Name: Roth

Email Address: TrishaRoth@aol.com

Affiliation: American Academy of Pediatrics

Subject: Implementation of diesel fuel limits

Comment:

Please do not delay implementation.

Www.350.org

I am a concerned pediatrician

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 14:48:49

No Duplicates.

**Comment 7 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: William

Last Name: Mc Guire

Email Address: liamcguire@comcast.net

Affiliation: City College of San Francisco

Subject: Support Deisel Truck and Bus Regulation

Comment:

The little children of California are the canaries in the coal mine. Asthma is skyrocketing among the little ones. The regulations must be maintained and increased. Put lives before money!

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 14:58:45

No Duplicates.

**Comment 8 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Randall

Last Name: Nerwick

Email Address: rnerwick@gmail.com

Affiliation:

Subject: Diesel Truck and Bus Regulation

Comment:

I strongly support the regulation of diesel truck and bus emissions! It is an important step in cleaning up our air and preventing health problems from diesel exhaust.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 15:05:01

No Duplicates.

**Comment 9 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Paul

Last Name: Pollock

Email Address: pablopollock@yahoo.com

Affiliation:

Subject: Support Diesel Truck and Bus Regulation

Comment:

Please support CARB's diesel truck and bus regulation to reduce carbon particulate emissions to save lives in California. Diesel trucks and buses are the largest source of diesel pollution in the state. These micron-size particles lodge and remain in the lungs. This causes asthma, emphysema and heart disease and results in hospitalizations and premature death. The people of California need these regulations now to reduce illness and premature deaths. Delaying these regulations will cause an unacceptable burden on public health.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 14:59:51

No Duplicates.

**Comment 10 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Anthony

Last Name: Montapert

Email Address: amontapert@roadrunner.com

Affiliation:

Subject: diesel pollution

Comment:

I support CARB's diesel truck and bus regulation to reduce toxic emissions and save lives. Diesel trucks and buses are the single-largest source of toxic diesel pollution in the state. California needs these regulations to protect health and improve air quality in our communities.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 19:00:51

No Duplicates.

Comment 11 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Michael

Last Name: Raysses

Email Address: michaelraysses@hotmail.com

Affiliation:

Subject: A pressing matter

Comment:

Too many people are dying every year from air pollution related illnesses in California, and diesel trucks are a major source of this pollution. The public health cost of delaying these measures is too much to bear. Diesel truck pollution alone is responsible each year for about 4,500 early deaths and thousands of asthma attacks and hospitalizations for lung illnesses. These public health emergencies impact hospitals and emergency rooms throughout the state that are already overburdened. Diesel soot poses an especially critical health danger for truck drivers, children, the elderly and residents living near major freeways, ports, rail yards, truck stops and other diesel hot spots who bear the greatest burden of disease.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-03 23:41:32

No Duplicates.

Comment 12 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Ann

Last Name: Storey

Email Address: denialhurtschildren@yahoo.com

Affiliation:

Subject: please use your power to help us breathe!

Comment:

Please use your power to help children breathe. I am 64 and have chronic lung problems. My concern is not for me it is for the children(maybe your children). We must take every measure to prevent children from, having to gasp for each breath. we must do what we can to make sure children wake up rested instead of tired from having wheezed and coughed all night, dark circles around their little eyes. What excuse will we give these children for failing to provide them with clean air to breathe? There is none, not the economic picture, not anything. Clean air and clean water are the most basic needs and if we can't give them that we fail as good people.

Thank you

Ann Storey

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-04 00:52:16

No Duplicates.

**Comment 13 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Curtis

Last Name: Schuppe

Email Address: curtisshoop@hotmail.com

Affiliation:

Subject: Support Diese emission regulation

Comment:

I am aware that emissions from Diesel buses and trucks cause many premature deaths, hospitalizations and asthma attacks each year. Please support legislation to regulate those emissions.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-04 12:26:55

No Duplicates.

**Comment 14 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Sylvia

Last Name: Schleimer

Email Address: yaharah@hotmail.com

Affiliation:

Subject: Truck and Bus and In-use Off-road Diesel-Fueled Fleet Regulation

Comment:

I believe it's essential that the CARB regulation of Truck, Bus and In-Use Off-Road Diesel-Fueled Fleet Regulation go forward without delay!

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-04 16:07:06

No Duplicates.

**Comment 15 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Wendy

Last Name: Tuinei

Email Address: wendy_blue1210@hotmail.com

Affiliation:

Subject: Truck & bus regulation

Comment:

I will like to request to do enforcement about the pollution the
the trucks and buses live in the air please keep in mind the future
of our children with all this contamination.

thank You ; Wendy Tuinei

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-04 16:14:17

No Duplicates.

**Comment 16 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Carla

Last Name: Neal

Email Address: carla@biogreenfootprint.com

Affiliation: Green Footprint Company, LLC

Subject: waiver or extension with biodiesel fuel/blends

Comment:

Dear California Air Resources Board,

My understanding is that after the first of the new year 2010 CARB has planned the off road mandate for regulation of construction, farm equipment, trucks and buses that has a staggered time frame for implementation for certain engines.

My question is can any consideration within the mandate of certain engines that are hard to upgrade (usually older engines) use biodiesel fuel and blends of biodiesel (B20) under an extension due date or waiver for a retro-fit? Thank you for your time and consideration on this matter.

Best Regards,
Carla Neal

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-04 16:49:21

No Duplicates.

**Comment 17 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Eric

Last Name: West

Email Address: eric_west73@yahoo.com

Affiliation:

Subject: Clean Truck Program

Comment:

Due to the recent discovery of the fraudulent credentials of the chief researcher to the advisory board it is prudent to suspend the current deadline to allow for a new study of the effects to the enviroment and the economy.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-06 09:46:26

No Duplicates.

Comment 18 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Linda

Last Name: Weiner

Email Address: lwsf72@gmail.com

Affiliation: volunteer with American Lung Association

Subject: Support Diesel Truck and Bus Regulation

Comment:

I'm writing to express my support for CARB's diesel truck and bus regulation to reduce toxic emissions, save lives and save money.

Do not be intimidated by industrial opposition. The plan to reduce emissions from diesel trucks has been public for over 6 years; the trucking industry has had a long time to plan ahead. Delaying implementation of this regulation will only result in more health impacts to an already fragile health care system.

It is also important to note that according to government estimates, this rule will secure between \$48 and \$68 billion dollars in economic benefits from decreased health costs and increased worker productivity. Additionally, by helping California meets its federally-mandated public health requirements for clean air, this rule ensures that California will continue to receive federal transportation dollars

As you are well aware, diesel trucks and buses are the single-largest source of toxic diesel pollution in the state, and are responsible for thousands of premature deaths, hospitalizations and asthma attacks each year. Diesel truck pollution alone is responsible each year for about 4,500 early deaths and thousands of asthma attacks and hospitalizations for lung illnesses. Government statistics indicate that this rule will prevent 9,400 premature deaths, 950,000 lost workdays, 150,000 cases of asthma-related and other lower respiratory symptoms and 3,000 hospital admission over the next 15 years.

These public health emergencies impact hospitals and emergency rooms throughout the state that are already overburdened. Diesel soot poses an especially critical health danger for truck drivers, children, the elderly and residents living near major freeways, ports, rail yards, truck stops and other diesel hot spots who bear the greatest burden of disease.

California can't wait any longer. We urgently ask that you move forward in implementing this vitally needed regulation to save lives and improve the health of all California residents.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-06 15:19:05

No Duplicates.

**Comment 19 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Norman

Last Name: Brown

Email Address: skipbrown@deltaconstr.com

Affiliation: Delta Construction Co., Inc.

Subject: Suspend all Diesel Regulations

Comment:

See Attached Letter

Attachment: 'www.arb.ca.gov/lists/dec09update/129-suspend_diesel_regs_120609.pdf'

Original File Name: Suspend Diesel Regs 120609.pdf

Date and Time Comment Was Submitted: 2009-12-06 16:04:53

No Duplicates.

Comment 20 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Richard

Last Name: Lee

Email Address: rlee52@yahoo.com

Affiliation: Consultant

Subject: Truck and Bus Rule

Comment:

An Open Letter to the California Air Resources Board
Regarding Implementation of the "Truck and Bus Regulation"
December 9, 2009

Ladies and Gentlemen of the Board, Greetings!

My name is Richard Lee. As a 4th generation Californian I've seen what a great job your agency has done to clear the air in California over the years and how profoundly our lives have been touched by your decisions. I do hope that what I have to say today will be helpful to you in making a decision on whether or not to proceed with the implementation of the Truck and Bus Rule at this time.

I am a business consultant working with a family owned business with 50 employees operating 33 on-road dump trucks and various off-road equipment. They've weathered many past recessions and managed to grow their business while being challenged by all kinds of economic adversity. Despite the fact that they've never seen worse economic conditions in the past 42 years, the owner believes he can survive this economic downturn. Personally, I don't think he's got a "snow-ball's" chance of staying in business if he has to comply with the Truck and Bus Rule.

What sense does it make to put a \$15,000 Diesel Particulate Filter on a truck that should be worth \$25,000, but in today's market can only bring \$5,000? The \$120,000 that retrofits could cost him next year will only allow him to run his trucks a couple of more years, at which time they'll have to be replaced with newer 2010 technology trucks. So what if he just bites the bullet and replaces those eight trucks in his fleet with newer 2010 technology trucks now, at the cost of well over a million dollars? Those are the choices dictated to him by the Truck and Bus Rule just for this next year, with more exciting opportunities to go broke yet to come.

Over the next 4 years compliance with the Truck and Bus Rule will cost this small business over \$4 million. These are dollars they do not have and never planned on spending. These are dollars far and above any profits they can make. These are dollars well over what they need just to stay in business in the foreseeable future. These are dollars that would much better be employed growing the business. The only way they can comply with the Truck and Bus Rule is to either liquidate their savings, which are nearly depleted, or

take on more debt.

Today they can only charge rates comparable to what they got in the early 80s when diesel fuel cost 82 cents a gallon. I'd say this is probably why most trucking companies are barely getting by.

Do you know that it will cost California truck owners many millions of dollars to retrofit or replace their equipment just to comply with the Truck & Bus Rule? Do you understand that Truck fleet owners of all sizes all across the state will be required to come up with capital that they do not have and cannot obtain? Do you have any idea what these people are going through right now? Do you care?

For those who can borrow, what do you think will happen if they take on more debt merely to comply with the Truck and Bus Rule and the economy does not pick up? Your own staff has acknowledged that no one knows when or if the economy will recover. If you think the housing market is bad, you should take a look at the used equipment market. There's a glut of used trucks on the market right now. This means that truck owners find themselves in a ditch, stuck between that proverbial rock and hard-place with two bad choices facing them. They can either go out of business, sell their trucks and get paid next to nothing for them. Or, they take on more debt that they cannot realistically afford and stay in business just long enough to end up being crushed by an avalanche of debt they won't be able to support. Either way, they're screwed!

And either way, the state is screwed. Do you want to see all these tax paying, revenue generating, job creating citizens become wards of the state or would you prefer they move their tax base out of the state? Either way it's a loss to the state treasury. Who knows, you too may soon enjoy a 5-day a week work furlough!

In my opinion, the minor effects of diesel emissions pale in comparison to the serious economic difficulties so many families are now facing and the disastrous financial conditions sure to come unless the implementation of the Truck and Bus Rule is stopped in its tracks immediately. Sure, everybody wants to breathe cleaner air, but truck owners alone should not have to pay for it. It makes no sense to saddle the trucking industry with a regulation that absolutely assures the collapse of thousands of tax paying businesses and the loss of so many jobs.

A fully implemented Truck & Bus Rule will have far worse consequences than the effects the current economy has had on the trucking industry. It will be the last straw...more like stabbing a knife into the heart of the California economy itself. Truck owners and all the rest of us who depend on them here in California cannot afford the Truck and Bus Rule at this time. It's simply not workable.

In seeking to learn what could possibly be the reason why the Air Resources Board has been ramrodding the Truck and Bus Rule into law, I found the following statement on your website: "...without the diesel regulation, California will not be able to meet U.S. EPA-mandated air quality standards and deadlines, and could subsequently lose billions of dollars in federal highway funding." So, I get it, you're selling us out for Federal Funds, is that it?

Or could it be that someone wants California's trucking industry to pay for California's privilege of being the proving ground for

new emissions-control technologies that benefits the companies looking forward to marketing that technology to the rest of the nation?

If these aren't the real reasons, or for what other reasons there might be, implementing the Truck and Bus Rule at the current stage in the development of the technology -- plus the present depressed state of the economy -- is simply nuts!

I actually decided to come to this Board meeting today intending to make a constructive suggestion for a positive resolution of this issue, so here it is: The Air Resources Board must back off on the implementation of the Truck and Bus Rule, right now! You'll hear a huge sign of relief if you will simply vote to put a 5-year hold on the implementation of the Truck & Bus Rule, or as an alternative, hold back on its implementation until triggered by the recovery of the economy, whenever that occurs.

I am no scientist but I can tell you from a practical standpoint, the diesel particulate filter technology is not ready, the newer engine technology is not ready, the trucking industry is not ready and the economy is not ready. Bad timing!

Putting a hold on the implementation of the Truck and Bus Rule would allow the 2010 technology to actually be approved by CARB, to be tested by the market and to be proven finally. I don't know if you are aware of this but you can't even order a 2010 technology truck engine today, if you wanted to or could afford it. And what do you think will happen when the trucking industry is forced to wait in line next year to buy these newer trucks? Do you think they'll come down in price? Don't count on it!

Putting a hold on the Truck & Bus Rule would allow the state to put the financing in place to compensate these truckers for being someone else's guinea pigs. It would allow the owners to drive their existing trucks a little longer to get some more usable life out of them, which, by the way, happens to be a more natural, organic and earth friendly way to go. Next, it would allow us all to see where the economy is heading, to see whether or not the economy resumes its growth mode and to see whether or not it makes good business sense to take on more debt.

Given a few more years to comply, truckers should be able to save and plan for the replacement of their older trucks. In the future, as the newer 2010 technology trucks become available in the used market all across the country - not just here in California - switching over to the newer technology should be more affordable.

As an alternative to an arbitrary 5-year hold on the implementation of the Truck and Bus Rule, an economic event -- based in reality -- might be employed to trigger the implementation. If there are indications that the economy is really recovering, implementation might be triggered in less than 5 years time. Implementation of the Truck and Bus Rule, now more than ever, gives new meaning to that expression: "It's the economy, stupid!"

Here is a short list of economic recovery indicators that might be useful either individually or in combination to create such a trigger:

- Unemployment gets back to normal, ~5%,
- Individuals and households resume spending,

- We see the end of home foreclosures,
- The enormous housing inventory held by the banks is eliminated,
- Housing prices start to rise,
- Commercial mortgages are written off,
- The GDP starts to grow again, and
- The P/E ratio of the S&P drops back to normal.

Thanks to draconian regulations like the Truck and Bus Rule, the American Dream is fast becoming an American nightmare. The Air Resources Board must resolve to back off on the implementation of the Truck and Bus Rule immediately. If not, you may see a lot more bad press and you'll likely receive many class-action lawsuits filed on behalf of all truck owners for the "Regulatory Taking" of their property, their businesses and their livelihoods!

Stop it, Right Now! We're mad as hell and we're not going to take this any more!

Attachment: 'www.arb.ca.gov/lists/dec09update/131-an_open_letter_to_the_arb.doc'

Original File Name: An Open Letter to the ARB.doc

Date and Time Comment Was Submitted: 2009-12-06 19:54:03

No Duplicates.

Comment 21 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Naomi

Last Name: Stein

Email Address: womanactor@yahoo.com

Affiliation:

Subject: Diesel fueled fleet regulation

Comment:

It is unfortunate that Mr. Tran falsified his qualifications. I strongly feel his demotion is an insufficient reaction to his deception and what it is costing the agency in terms of perceived legitimacy in general and promoting these regulations in specific. He should be fired immediately.

I believe this would help separate the issues of his misconduct and the regulations themselves. We need to focus on the fact that no one is disputing the science of the report and that in fact diesel particulate is a significant health hazard.

I unreservedly support the currently proposed regulations of diesel vehicles.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-06 22:39:26

No Duplicates.

**Comment 22 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Carole

Last Name: Thompson

Email Address: cthompson3@san.rr.com

Affiliation:

Subject: Emmisions and the Economy

Comment:

We should not make hasty decisions in this economy. Many lives and income are at risk. With so many unemployed in this state and numbers still rising, this will put even more people out of work. To base the future of this states' economy on the opiiion of someone who falsied their credentials. Shame of you Sacramento and all of you that voted knowing this man was not the expert he claimed to be. Based on this fact alone, we should vote to overturn the ban on diesel in this state, until a legimate study can be performed.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 08:21:15

No Duplicates.

**Comment 23 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Joseph
Last Name: Kubsh
Email Address: jkubsh@meca.org
Affiliation: MECA

Subject: MECA comments on economic impacts review
Comment:

MECA's comments on the economic impacts of ARB's on-road and off-road fleet regulations are found in the attached pdf file.

Attachment: 'www.arb.ca.gov/lists/dec09update/134-meca_comments_on_economic_impacts_truck_and_off-road_fleets_120909.pdf'

Original File Name: MECA Comments on Economic Impacts Truck and Off-road Fleets 120909.pdf

Date and Time Comment Was Submitted: 2009-12-07 09:09:33

No Duplicates.

**Comment 24 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Raquel

Last Name: Ortega

Email Address: raquelortega1978@gmail.com

Affiliation:

Subject: Please Support a Strong Diesel Truck Rule

Comment:

I am in total support of a strong diesel truck rule for the San Joaquin Valley and the future of cleaning up our air and helping those folks most affected by respiratory diseases and healthy individuals breathe a little easier. Now is the time to implement this rule if we don't do this now we will never achieve a goal and more people will be dieing each year due to your delay. I know there have been mistakes regarding the rule but with a family with truck drivers we support the rule and believe that our family will benefit from this rule by making our drivers healthier from breathing less soot while driving. This can reduce short term life and less cardiovascular disease among truck drivers, so please move forward on this rule and I hope you make the right choice.

Thank You!

Raquel Ortega

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 09:34:22

No Duplicates.

Comment 25 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Rod

Last Name: Webster

Email Address: rwebster@elite.net

Affiliation:

Subject: Keep Diesel Emission Standards!

Comment:

I have attended several of the CARB hearings on how to deal with the severe air pollution problems which the Central Valley faces. The reasoning presented for postponing our cleanup goals until 2024 was that new technologies and as yet unspecified measures could arise during that extended time frame. The new standards for controlling diesel emissions seem just such an opportunity. I understand that there is some movement of late to drop these newly designated standards before they can even begin to have any positive impact.

I will not catalog all the health impacts that go with our dismal air quality along the length of the Central Valley- those seem well documented and pretty universally recognized. Nor do I need to cite statistics comparing the Valley communities to metropolitan areas historically thought to be the centers of compromised air. And of course using any national figures or standards for either air pollution measurement or subsequent health impacts would be redundant at this stage in the discussion. All of this background was known when the diesel emission standards were adopted.

What has changed other than the resolve to work toward breathable, healthy air for our Valley. Even the economics underscore the wisdom of this investment- NOW. It seems that given the political climate in Washington D.C. the opportunities for assistance from the federal government in tackling environmental and health problems are ripe.

I hope that you will stand firm in maintaining an aggressive effort to clean our Central Valley air. Clearly this will dramatically improve the quality of life for those of us already living here. Also important for our future economic prognosis, it will show new businesses and professionals that this is indeed a desirable place to locate- one in which their families and workers will want to establish long term roots.

Thank you for your efforts on our behalf. Please continue to advocate for us.

Rod Webster, Merced, CA.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 09:56:48

No Duplicates.

**Comment 26 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: charles

Last Name: giannini

Email Address: cjgiannini@suddenlink.net

Affiliation:

Subject: diesel regs

Comment:

Regarding the infomation concerning Mr Tran's falsified credentials (and the obvious conclusion that all or part of CARB's rules are based on a false premise), and the fact that Mary Nichols knew of these false credentials before the Dec 08 meeting ,is to suspend all enforcement of the CARB rules until (as Mr Telles has called for)a complete review by independent researchers(with real credentials)is complete. To not do this(in face of what I'm sure is a growing mountain of litigation)would be irrisponsible.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 10:42:38

No Duplicates.

**Comment 27 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Audrey

Last Name: Alorro

Email Address: aalorro@sbcglobal.net

Affiliation:

Subject: Diesel Regulations

Comment:

I am concerned that you are considering rescinding, in all or part, certain laws regulating diesel-fuel powered vehicles. I live in the San Joaquin Valley which, as you know, has some of the worst air quality in the nation, partly due to the large number of diesel trucks that travel the 99 corridor. Air quality in the Valley affects not only those of us who live here, but citizens statewide, as air pollution does not recognize man-made boundaries. We have sufficient scientific and medical proof that pollution originating from vehicle exhausts are harmful to humans and the environment. We need stricter - not weaker - legislation on diesel-fuel powered vehicles.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 11:11:45

No Duplicates.

**Comment 28 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Vicki

Last Name: Carne

Email Address: vicki_ennistrucking@yahoo.com

Affiliation:

Subject: TRU's Compliance deadline

Comment:

Please postpone the deadline for the TRU's. It will put us out of business if we have to comply at this time. Our reefer unit is in excellent working condition although it is an older unit, we have maintained it well. We operate more than 50% out of state so we did not qualify for any of the "supposedly available grant money". We have one truck and trailer and cannot afford to purchase new equipment when we have a clean operating reefer right now. This ruling is not fair. Thank you.

Vicki Carne

John Carne Trucking

Atwater, CA 95301

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 12:35:18

No Duplicates.

**Comment 29 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Stan
Last Name: Young
Email Address: young@niss.org
Affiliation:

Subject: Diesel Truck Rule
Comment:

Dear Sir/Madam: health effects of air quality are also tied to income of individuals. A re-analysis of data from Pope et al. indicates that income is a much more important factor for mortality than PM2.5. Please see my analysis attached.

Attachment: 'www.arb.ca.gov/lists/dec09update/143-pope_reanalysis_one_page.pdf'

Original File Name: Pope Reanalysis One Page.pdf

Date and Time Comment Was Submitted: 2009-12-07 13:27:09

No Duplicates.

Comment 30 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Michael

Last Name: Baldwin

Email Address: baldmi2@aol.com

Affiliation: Merced-Mariposa Asthma Coalition

Subject: Keep Diesel Ruling intact

Comment:

I am aware that there is now discussion about rescinding or delaying the diesel truck ruling because one person in the line of analysts did not graduate from UC Davis as stated. I do not think that this was the only person in the line of analysis nor does graduating from another accredited university other than UC Davis negate his knowledge of the subject matter at hand. This ruling is too significant in the run to clean our air to pull it simply because of a question of one person's credentials. Too much is at stake, our air is too dirty, our citizens are too at risk to abandon this long, hard fought battle.

If those who question the statisticians credentials want to have someone of proven status recheck the findings of the first set of analysts, bring their well founded deficiencies to the table for debate that would be something of merit. But to simply change your mind because of what school he graduated from is inherently prejudicial or unadmittedly political. The person who is raising the question the most has big family ties to farming and I'm sure has received much criticism on his original vote by the ag industry and old family friends.

Prove there was a real problem with the data first. Then vote to revisit the ruling. Not the other way around.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 14:02:30

No Duplicates.

Comment 31 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Tom

Last Name: Thorton

Email Address: Non-web submitted comment

Affiliation:

Subject: Accountability

Comment:

Chairman Mary Nichols and Members of the Board of the Air Resources Board,

My purpose for emailing you today is accountability. With any and all regulations you place on both business and our citizenry, you demand accountability. There is never allowance made for lack of knowledge or what effect your regulation may have on an individual business or family.

A very common business hiring practice requires any applicant to not fraudulently complete their application for employment. Doing so typically results in dismissal. Extremely rarely are government employees or officials held to standards that apply in the private sector. When the truth is not told by many in government, the best we seem to hear is that the individual "misspoke".

I viewed a recent clip from a Air Resources Board meeting where Dr. Telles made public that an ARB employee, Hien Tan (although he didn't mention his name) had fraudulently stated that he earned a PhD from UC Davis on his application. I believe that it was Mrs. Riordan stated that disciplinary action had been taken regarding Mr. Tan's falsified application. Mr. Tan should be terminated with no uncertainty. There need to be a message sent to all citizens that lies will never be tolerated, and that the ultimately, everyone is accountable for their actions. In our economic climate I'm certain that finding a truly qualified individual to perform his compilations and analysis is not difficult.

As for the members of the Board that knew of this situation before the vote and , one, didn't disclose this fact, and two, didn't recheck

his data before voting, owe the citizens of California, at the very least, an apology.

The often used quote of Harry S. Truman's; "The buck stops here" is needed more today than ever. By glossing over Mr. Tan's lie, the Board takes on the appearance that it is more important to them that their agenda be passed, regardless of the facts.

Sincerely,
Tom Thornton
1133 Merlin Court
Alamo, CA 94507

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 14:30:37

No Duplicates.

**Comment 32 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Bruce

Last Name: Flaws

Email Address: theeasp@aol.com

Affiliation:

Subject: CARB truck rules and bogus PHD who helped make them

Comment:

You've lost more credibility as a Board than you even guess you already possess. Suspend these suspect truck rules until there is incontrovertible evidence from a third party that the data Tran purports to be valid actually is.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:04:14

No Duplicates.

Comment 33 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Robert

Last Name: Harley

Email Address: harley@ce.berkeley.edu

Affiliation: UC Berkeley

Subject: on-road diesel engine emissions

Comment:

On-road diesel engines are a major source of air pollution in California, one of the largest sources of both nitrogen oxides and black carbon (aka soot) which comprises a majority of diesel exhaust particulate matter mass emissions.

The effects of ARB's truck and bus rule on diesel exhaust particulate matter are dramatic by 2014, the rule will greatly accelerate reductions in diesel truck particulate matter emissions that would otherwise take decades to achieve.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:25:08

No Duplicates.

Comment 34 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: R.J.

Last Name: Reilly

Email Address: Non-web submitted comment

Affiliation:

Subject: Diesel Regulations

Comment:

As an Engineer, I recommend that the CARB suspend the new diesel regulations pending restudy of the actual effects of PM2.5.

The high cost of lost jobs and industries leaving the State demands an unbiased review and new report by qualified personnel.

Science's reputation took a disastrous hit recently when the man-made global warming Climatic Research Unit apparently established a conclusion before reviewing the evidence.

Let's not do that in California. Please redo the Report and then draw the conclusion.

R.J.Reilly PE

12410 Winger Street

Bakersfield, CA 93312

661-589-6697

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:44:46

No Duplicates.

Comment 35 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Richard

Last Name: Stevenson

Email Address: Non-web submitted comment

Affiliation:

Subject: CARB ...TranGate

Comment:

I am Richard Stevenson and I own a small trucking company in Granite Bay California. I am very troubled by the direction the state environmental and regulatory agencies are taking us.

All regulatory agencies in this state owe the public, transparency and honesty in order for there to be trust. These agencies have forsaken the public trust.

The State of California and the California Environmental Protection Agency has chosen to regulate thousands of businesses out of business and doesn't seem to care about the facts or truth. California has the worst business environment in the United States of America. Unemployment is at an all time high. These appointed board's politically motivated actions must stop now.

Our politicians allow these regulatory boards to continue their politically driven misinformation campaign to damage the hard working citizens is beyond belief.

Scientific Review Panel appointees have overstayed their tenure (Brown v. Adams). A lead scientist was suspended, after being found out that his PhD was purchased online from a diploma mill (Hien Tran, CARB lead scientist). Economic impacts of burdensome regulations are not properly taken into consideration. (Legislature commissioned Study by Varshney/Tootlian CSU Sacramento).

We should trust these government agencies? These boards need to be disbanded. The state can use their almost 1 billion dollar budgets to improve the business environment in California instead of driving more jobs out of state. I am sure that many voters in California would support that action.

The economy in this state is going to take several more years to improve. I earn only enough to service my debt and by the end of 2010 it will be illegal for me to continue to operate my equipment and earn a living.

How can a state agency force me to spend tens of thousands of dollars because of their mandates? What is the obsession with crushing business? Competition is not my problem. The government is what I fear. They are going bankrupt me. Things just don't make sense anymore.

You are killing us and I don't need you looking out for me.

Richard Stevenson

STEVENSON TRANSFER Inc.

8074 Pheasant Call Place

Granite Bay, CA 95746

916 768 1170 916 783 4865 fax

richard_s_stevenson@yahoo.com

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:44:46

No Duplicates.

Comment 36 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: James

Last Name: Shapazian

Email Address: Non-web submitted comment

Affiliation:

Subject: PM 2.5 Report/Rule

Comment:

From: James Shapazian [mailto:jshapazian@bak.rr.com]

Thank you for carefully considering the potential for misguided rule action concerning the controversy over the data report on PM 2.5 health effects. When it comes to health, none of us want to breath unhealthful air. Neither do we want an economy to suffer needlessly for enacting a rule that is overstating those health effects. Thank you for taking this controversy seriously and making every effort to do the right thing. jms
jshapazian@bak.rr.com

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:44:46

No Duplicates.

Comment 37 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: John

Last Name: Reed

Email Address: Non-web submitted comment

Affiliation:

Subject: Lack of Economic Impact Review of Proposed Diesel Rules

Comment:

The proposed diesel retrofit rules have never been analyzed for the direct negative economic impact they will have on working class families here in California. Studies to date have only been cursory estimates of dollars needed to pay for the equipment based upon DMV registration numbers. The fact that the credit market is none existant, Prop 1B money is none existent, and that the industries regulated have been heavily impacted by the current depression, have been completely ignored.

The only option available to many medium and small fleet owners (mostly family businesses), is to sell off equipment into a heavily depressed market and layoff the workers associated with this equipment. This loss of jobs heavily impacts the economic status of working class families. These are the same folks that can least afford to lose their primary income source. The negative health impacts of job loss, especially among the working class, are well documented, and are far greater than the impact of PM2.5.

At the last ARB meeting on this subject in Diamond Bar, the Board asked that such an analysis be done, but at the workshop last week, there was little effort to collect data from the industries affected by the proposed rules.

It is imperative that any intervention in Public Health be analyzed for possible negative consequences prior to its implementation, these rules are no exception.

John Reed MD

Encinitas, CA

760.815.9768

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:44:46

No Duplicates.

**Comment 38 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Mary-Michal

Last Name: Rawling

Email Address: mrawling@gvhc.org

Affiliation: Merced/Mariposa County Asthma Coalition

Subject: Uphold strong diesel truck rule

Comment:

Dear Chair Nichols and members of the Board,

I urge to maintain the integrity of a strong diesel truck rule as you reevaluate the status of this important regulation this week.

The people of the San Joaquin Valley, like many other areas of our State, suffer severe health consequences of our dirty air.

As you know, our SIP inventories point out that a significant portion of our emissions originate from heavy duty on road diesel engines. Your strong leadership is necessary to meet and exceed our regional SIP commitments for both ozone and PM 2.5. Delaying, relaxing, or rescinding this rule will cost us valuable time in achieving our goals of a healthy California.

Thank you for your consideration.

Sincerely,
Mary-Michal Rawling

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 15:46:00

No Duplicates.

**Comment 39 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Robert
Last Name: Egger
Email Address: etrucking@hotmail.com
Affiliation: CDTOA

Subject: On-road diesel truck regulation
Comment:

Members, California Air Resources Board,

I,m asking for your help.

The last few years my business profits have been drastically reduced due to the recession.My cash reserves have been depleted. It has been tough paying my taxes, permits, fees, insurance, DMV registration, personal bills and keeping food on the table for my family.My 1996 Dump Truck is good looking and well maintained with a clean running electronic engine.

CARB'S proposed time line of implementing the on-road diesel truck regulations will put me Out of business. Please suspend or delay this regulation so that we can survive and continue paying taxes to Help our City, County and State.

Thank You, Robert Egger

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 16:44:26

No Duplicates.

**Comment 40 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Michael

Last Name: Steel

Email Address: msteel@mofo.com

Affiliation: Morrison & Foerster LLP

Subject: Offroad Diesel Rule - Economic Impact on Emissions

Comment:

Please see attached of General Contractors of America.

Attachment: 'www.arb.ca.gov/lists/dec09update/155-ltr._to_michael_terris.pdf'

Original File Name: Ltr. to Michael Terris.pdf

Date and Time Comment Was Submitted: 2009-12-07 17:30:41

No Duplicates.

Comment 41 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: John
Last Name: Wilder
Email Address: southernwriter57@yahoo.com
Affiliation:

Subject: Scientists Trash The Scientific Method
Comment:

John Wilder
720 S. 15th St.
Apt G-2
New Castle, IN 47362
904-860-1172

Scientists Trash The Scientific Method

At least the unethical and/or the leftist scientists do. The Scientific Method was invented by Galileo to insure ethical research protocols independent of popular thinking. Galileo was persecuted by the scientific community when his research indicated that the Earth revolved around the sun instead of the sun revolving around the Earth. This contradicted popular consensus of the time. He died penniless, persecuted and correct in the face of overwhelming scientific consensus.

Today ethical scientists abide by the Scientific Method in their research. The unethical scientists and leftists have abandoned that protocol in favor of "consensus". The IPCC, Al Gore and the media keep talking about consensus about Global Warming theories. They don't talk about any proofs derived through the Scientific Method because there are none.

Part of what makes the Scientific Method credible is the solid foundation that requires any scientific hypothesis to be verifiable, testable, repeatable and open to critique by any scientist in the world. In fact scientific journals are published to disseminate research findings and make them open to scientific peers. In response to that, we have scientists complaining around the world that they are "blackballed" from getting their refutation articles printed in scientific journals. We have had had a Congressional hearing about the widespread censorship preventing scientists from coming forward to expose the fraud. We have had mainstream professors and research scientists complaining that the IPCC suppresses any dissenting articles and does not even report that there are any. We have Nancy Pelosi openly threatening any scientists who don't toe the PC line on global warming to cancel their research grants. That is not only a violation of scientific protocols and the Scientific Method, it is felony extortion. Similarly, we have had the head of The Weather Channel, Heidi Cullen suggesting that any meteorologist who contradicts the global warming tenants have his credentials revoked. This is also felony extortion. These women have not been called on it much as less prosecuted.

ENVIRONMENTALISM IS A SECULAR RELIGION

We are also troubled by environmentalists who view it as a secular religion. For them it is about faith and feelings. They can't be bothered by facts and logic. Facts and logic do not resonate with them. They have adopted an alternative religion and for them it enables themselves to have a positive self-image. Whatever is stated in the name of saving the planet is never ever questioned or fact checked. To question it or fact check it to the environmentalist is a Christian's equivalent to heresy. It is if we are denying God's existence. Critics are dismissed, criticized, maligned and rendered irrelevant. For the environmentalist, there is no room for discussion. It is "us against them". The resemblance between radical environmentalists and cults are eerily similar.

What is observed are the global warming cabal's own writings. They characterize themselves as culturally and intellectually superior. They condescendingly refer to anyone who disagrees with them as: "The Cro Magnin Fringe", Deniers, "under-educated" ignorant and so on.

Here are some scientific refutation facts that you should be aware of: Man caused global warming due to increased CO2 is a theory based upon a flawed computer model on the part of the IPCC. That theory posits that CO2 will rise into the atmosphere and stay there for 100 years. The IPCC claims that this will be cumulative and causing a "green house effect" thus causing the earth to warm.

Here is the scientific refutation. CO2 has a specific gravity of 1.52 which means that it is 152% heavier than air and thus sinks to the ground when released. This is why we use it in fire extinguishers. The CO2 sinks to the ground and starves a fire from oxygen. You can't do away with the Law of Gravity. Now it is true that we have wind blown particles of CO2 in the air, just like we have wind blown dust particles in the air. The truth is that when the wind dies down, gravity pulls the dust and the CO2 out of the air and it settles back down to the ground. We went from 300 PPM (parts per million) before the Industrial Revolution to 380 PPM over the last 100 years. That is an increase of 80 PPM. The fractional equivalent of 80 PPM is 8/100,000ths of 1%. That is a trace amount by any objective standard. Trace amounts are allowed in our food. The FDA even has standards for trace amounts of rat droppings in our food. People urinate in the pool while they are swimming. We all know that and yet we all swim in the pool. The amount of urine compared to the whole volume of the swimming pool is so small that it is not a factor.

BLACK BALLOONS

Black Balloons is the title of a commercial that epitomizes the kind of outright rank fraud being perpetrated by the global warming cabal. You can see it for yourself by simply punching it into your search engine. Gore touted this commercial in a segment with Larry King. It is a slickly and professionally produced commercial with a voice over narration by Tommie Lee Jones. It depicts black balloons ostensibly being filled with CO2 from different appliances. The balloons fill and then break free from the appliance and float up to the ceiling and out a window joining thousands of other balloons to illustrate how we pollute the atmosphere. What is fraudulent is that they filled those balloons with a lighter than air gas of Helium. If they had in fact filled them with CO2, they would have sunk to the ground. The media never made an outcry over this rank fraud. It is illustrative of the fraud going on the movement.

We are told that we are at a "tipping point" and that we are all in imminent danger thus requiring drastic alterations in our

lifestyle, or at least mitigate it with carbon taxes.

Around the world, we put billions of cubic feet of CO₂ into the atmosphere from distilling beer, wine and hard liquor. We also put billions of cubic feet of CO₂ into the atmosphere from bread making. We even manufacture billions of cubic feet of CO₂ to put fizz and taste into our soft drinks. In this country alone, the per capita consumption of soft drinks is an amazing 47.2 gallons. Ask yourselves, if we are at a dangerous tipping point that requires immediate cutbacks of CO₂ into the atmosphere, why are the scientists not asking or demanding that we cease production of these carbon offending products? This is of course a rhetorical question. The answer is obvious. The public would revolt and we would not get any agreement at all to give the radical environmentalists what they are asking for.

In the mainstream media, we have been subjected to numerous scare tactic claims. We have been told that: we are going to have massive flooding due to glacier melt and ice burgs melting, that we are going to have "massive saltwater fish kills" due to that same glacier melting, that polar bears are either going to drown or starve due to the ice pack melting. We were previously told that we were going to have global warming because Freon was eating a hole in the ozone.

FLOODING

One of the big scare tactics by global warming alarmists is massive flooding due to ice melt. They conveniently forget to tell you that Newton's Third Law of Physics has not been disproved. His law states that: FOR EVERY ACTION, THERE IS AN EQUAL AND OPPOSITE REACTION. This means that if we have ice melting due to warming temperatures, there will be an exponential increase in the rate of evaporation from the oceans. This evaporation is part what is called THE HYDROLOGIC CYCLE. The Hydrologic Cycle simply means that the rivers run into the oceans, the sun evaporates water from the ocean surface, distilling it and removing the salt in the process, the water vapor rises into the atmosphere where it is dispensed in the form of rain or snow which falls on the ground and runs off into the rivers where the rivers run back into the ocean. So in actuality, the oceans would actually decrease in height due to global warming not increase.

Al Gore stated that the floating ice burgs melting would also cause flooding in his movie; AN INCONVENIENT TRUTH. You can disprove this yourselves because of Archimede's Law of Displacement. You simply fill a Styrofoam cup above the rim with ice cubes to simulate ice burgs. You then fill the glass to the rim with water causing the cubes to float like ice burgs. Allow the ice cubes to melt. You will not have any water leaking over the side thus easily disproving Mr. Gore's claim.

SALTWATER FISH KILLS DUE TO FRESH WATER INFUSION

We have been warned that there would be massive saltwater fish kills due to the fresh water infusion into the saltwater environment from melting ice pack. This sounds reasonable on its face. If you go back to the Hydrologic Cycle, we have rivers running into the sea all over the world. Examine The Mississippi River. It is the third largest drainage basin in the entire world.

Its flow rate is 4 million gallons per second. Now ice melting could never equal that flow and in spite of it, there are no saltwater fish kills at the mouth of the Mississippi River. This is due to the Diffusion Principle. You can be reminded of that

Diffusion Principle back to the urination in the pool.

POLAR BEARS DROWNING DUE TO MELTING ICE PACK

If you look up in any scientific text, you will find that polar bears are classified as marine mammals like seals or walrus. You will also note that in that text, it will tell you that polar bears can swim 60 miles non-stop at a speed of 6 mph, more than twice as fast as a human. Drowning is not a factor in a healthy polar bear.

POLAR BEARS STARVING DUE TO MELTING ICE PACK

Polar bears primary diet is seal pups. Seals try and protect their pups by hiding them in snow caves below the ice surface. Bears smell the pups in the caves and try and catch them by breaking the ice surface to reach the cave and the pup. Bears are only successful in about 1 out of 6 attempts. If the ice pack melted, then the seals would be forced to having their pups on land. This would result in a veritable buffet of seal pups for the bears, thus causing the bear population to actually increase due to the extra food available. It is a little known fact that animals increase or decrease their rate of reproduction according to the available food in their habitat.

GLOBAL WARMING DUE TO FREON EATING A HOLE IN THE OZONE

Remember that scare tactic back in the 1970's? Scientists have quietly backed away from that claim. This is because we outlawed Freon in 1989 and it has made no difference in the ozone. The difference it has made is to increase the cost of an alternative coolant over 500%. Despite the fact that their theory was disproved, scientists have not made such an admission and pushed for re-legalization of Freon which is much cheaper for cooling.

Confronted with this contradiction to their theory, scientists are now claiming that it is CO2 which is causing a "Green House Effect". There was never an actual hole in the ozone. There was only a seasonal shift in the thickness of the ozone layer at the poles. The thinning is a natural occurrence due to the fact that it at the poles where the earth spins on its axis. This would naturally cause what is defined as a vortex. You see a thinning of the air in the center of a tornado which is another naturally occurring vortex. The thinning changes during the seasons because of Boyles Law and Charles Law of Gasses. Scientists never bothered to explain their theory in view of the evidence that: Gasses have no magical magnetic properties that would cause them to race thousands of miles to the poles and then magically re-concentrate themselves into this toxic soup to eat a hole in the ozone. They also did not bother to explain how Freon could then rise up into the Troposphere where the thinning occurs since Freon is a heavier than air gas weighing 134% more than air. Scientists also did not bother to explain why there was no atmospheric thinning over the land masses in the warmer climates like Florida and California and Mexico where the Freon was actually released.

Global Cooling

NASA quietly and without fanfare corrected their temperature records because a blogger reminded them that the warmest year on record was actually back in 1934 during the Great Dust Bowls. This is long before the expansion of the Industrial Revolution and its corresponding increases of CO2.

We have had atmospheric cooling for the last 8 years with record lows being set around the world. For example, San Francisco never got above 71 degrees in June this year for the first time

ever since we have been keeping temperature records. This flies in the face of global warming theory and is an utter contradiction. Scientists and Mr. Gore have quietly changed their rhetoric to talk about "climate change" instead of global warming in the face of overwhelming evidence.

Now that Congress is poised to inflict carbon taxes and Cap and Trade legislation, it would behoove us to look at both sides of the issue which are conspicuously absent in the mainstream media. Carbon taxes are sure to be a business killer. We are in a deep recession with thousands of businesses going belly up. There are tens of thousands more businesses, just barely hanging on. President Obama said during his campaign he "he would tax businesses out of business if they did not meet his carbon requirements". Businesses need to start lobbying Congress for their own survival.

What then as a society should be our role? Should we blindly accept increased costs and taxes based upon a flawed and disproved theory? My answer is no, what is yours? What will you do about it to give voice to your concerns? End of Submission

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 20:13:43

No Duplicates.

Comment 42 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: James

Last Name: Moran

Email Address: morserv@aol.com

Affiliation:

Subject: Trucki and Bus Regulation

Comment:

The California Air Resources Board has a history of creating regulations and mandating changes before the technology is available for those changes.

Now it becomes evident that some of those regulations have been created, because of information that has been compiled by someone that does not have the proper credentials. Even if the information is good, it is tainted by the fact that the person that compiled it had lied about their credentials.

If that person lied about their credentials, it is possible that they lied about some of the information.

That will only be known if all of the information is reviewed or recompiled by someone with the proper credentials. Meanwhile the regulation in question should be suspended until the information is fully review and verified.

If the study overseen by Hien Tran did not include the research that shows that Natural Gas emits fine particulates, that are known to go deeper into the lungs, then the study is faulted. Even if the particulate matter from Natural Gas has not been linked to lung cancer, it may cause other ailments. I find it strange that CARB has allowed a district (SCAQMD) to push and mandate Natural Gas, if there is any question about the safety of that fuel over any other fuel.

SCAQMD, in conjunction with the Airpot Commission at LAX have forced all of the car rental agencies to changes their shuttle busses to Natural Gas. I know that shops that work on Natural Gas fueled vehicles must work on them outside. Has anyone taken into account that the shuttle busses at LAX are operating in a covered area that can cause a concentration of the fine particulated from Natural Gas, and what long term effect that might have on the people that work the curbs at the terminals?

CARB must make certain that ALL pertinent data is included in any of their studies, and that the people associated with those studies have the proper credential.

CARB also needs to make sure that the technology necessary to implement the changes required by a regulation are in place before the regulation is published.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 05:57:06

No Duplicates.

**Comment 43 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Mike

Last Name: Cook

Email Address: mcrmc@sbcglobal.net

Affiliation: A&A Ready Mixed Concrete Inc.

Subject: Economic Impact on the Trucking Industry

Comment:

See attachment.

Attachment: 'www.arb.ca.gov/lists/dec09update/162-carb_12-2-09.doc'

Original File Name: CARB 12-2-09.doc

Date and Time Comment Was Submitted: 2009-12-08 07:57:37

No Duplicates.

Comment 44 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Dan

Last Name: Ruoff

Email Address: dan@alegretrucking.com

Affiliation: Frank C. Alegre Trucking, Inc.

Subject: In-Use On-Road/Off-Road diesel regulation

Comment:

12-7-09

To all CARB board members and staff,

I want to take this opportunity to comment on the on-road workshop that took place 12-3-09. First of all I want to approach this from a neutral perspective. We have a mid-sized fleet (150 trucks) that is also experiencing severe economic hardships but we aren't one of the companies that will be forced to go out of business because of this rule. And we aren't a large high mile fleet either that won't see any negative effect of this rule. We are somewhat in the middle and therefore we can proceed with our overall opinion without simply focusing on our own situation.

I saw the report that your staff is going to present to you on 12-9-09, and I wanted to add my perspective on what I saw in regards to their report, as well as address the public comments that I heard.

It is quite apparent that this truck rule is going to have a huge negative impact on the small business owners that operate relatively low miles. These fleets are going to bear the brunt of the burden because they can't qualify for assistance nor can they secure the balance of the loans needed to retrofit or replace trucks. I believe your plan is greatly flawed if you think it is fair for this sector of the industry to suffer such great loss due to your truck rule. As the numerous truck owners spoke on 12-3-09 about being forced out of business because of this rule the staff simply did not have a response for them. How can the CARB consciously sit there and listen to these folks being put out of business and not have a response to their concerns? This just isn't right and should not be ignored.

One of the staff members admitted that they simply do NOT have statistics on how this rule is going to effect different sectors of this industry. How can CARB not have the stats on different sectors of the industry and come up with one state-wide rule that would be fair to each sector equally? The fact is high mile fleets won't be affected, yet low mile fleets will be put out of business. And your staff just sits there and does not have a response. They just seem to look at each other and wait for someone to say something.

I think the staff has left out a crucial factor in their calculations. These facts simply have not been collected and therefore your staff has failed to provide you with a workable plan. And because your staff has failed you, as board members, you don't have all the data needed in order to take into consideration the entire negative impact this rule is going to have on the

economy. And as board members you are held accountable to live up to your own mission statement which requires you to "...recognize and consider the negative effects this rule is going to have on the economy".

There was another flaw that was brought to light that your staff simply does not have an answer for. Many truck owners stated the problems they were having with these diesel particulate filters (DPF's). On the local/low-mile trucks, these filters are plugging up and causing damage to engines or simply disabling the trucks from running. These engines simply don't get hot enough to burn the soot that is being trapped in the mufflers. The technology just isn't there. When these very real problems were brought to staffs attention they just didn't have an answer for it. Again I just don't understand how your staff can simply ignore this and say, "Oh well, sure hate it for you". Again, your staff has failed to come up with a plan that will work!

Another flaw. Your staff seems to want to justify this rule based on "projected" economic recovery. I don't feel it is right at all to follow this plan. Look around, it's no joke that we are in a recession. Don't go through with a rule based on how you "think" the economy is going to recover. When it is "proven" that the economy can support such a huge expense to proceed with another plan then let's talk about how we can do it and then find a plan that will work. The current plan is non-workable even in a good economy. But this non-working plan implemented in a recession is simply a disaster. Again, your staff has failed to provide you with a viable plan.

In regards to the Federal Air Quality Attainment Standard and this so-called SIP target. Listen, we understand that the board has been given the task to meet these standards. But I believe these goals were set prior to the economic recession. There is nobody in their right mind that can disregard this economy and justify moving forward with this truck rule. Everyone is trying to tell you that but it seems to be falling on deaf ears. And when your staff was backed into a corner and asked to respond to this issue their reply was simply to say "If CARB does not meet this goal then the Feds may require a new plan". Hey, guess what? CARB needs a new plan because this one is not a workable plan.

Another point that needs to be highlighted is the fact that trucking appears to have declined substantially in the last two years. Some claim an average of 50% statewide. In fact your staff showed a huge reduction in statewide diesel usage over the last two years. What is perplexing is that your staffs report doesn't show such a huge reduction in PM2. Now doesn't that tell you something? Doesn't that suggest that perhaps the truck rule isn't going to clean the air as much as someone anticipated? These are real numbers. This isn't just speculation here. Staff has over-exaggerated the benefits of this truck rule. Their own report proves it!

And last but not least. Your staff has admittedly failed to calculate the high health cost of unemployment. I think this is also a critical factor that has been left out of the calculation. The reason this is so important is because you are going to hear another barrage of speakers on 12-9-09 pushing for this truck rule to pass because of all the people dying due to diesel exhaust. First of all it is becoming clearer that these numbers are now in question. It is also becoming clearer that the truck rule isn't

going to make as much of a difference as it was expected to make. But there is going to be a big argument given to you about the high cost of people with lung disease, etc... Ok, yes that's important to consider. But don't you think your staff should have numbers to provide you with that show you the high health cost of so many people losing their jobs? You are going to find out that your staff simply doesn't have the numbers. Again, they have failed to provide you with a huge piece of the puzzle. If they had done their job then you could have a knowledgeable argument stating the high health cost of unemployment. You simply are not prepared for the argument because your staff did not gather the numbers. Being unprepared does not give the board the right to ignore this issue.

And just so the proponents of this truck rule don't think that the trucking industry has escaped regulation all these years, please remind them that because of efforts by CARB the trucking industry has already answered back with many areas of improvements to help clean the air. Examples of these improvements are found in:

1. Exhaust Gas Recirculation (EGR)
2. Common-Rail Fuel Injection.
3. Combustion Chamber Design.
4. Turbocharging modifications.
5. Retarded fuel injection timing.
6. Electronic Engine Controls.
7. Ultra-Low Sulfur Diesel. (Sulfur content dropped from 300 parts per million (ppm) to 15 ppm. (99% reduction)
8. Annual Smoke Opacity testing. (Even for older trucks)
9. Vehicle Idling Reduction Strategies. (Even for older trucks)
10. Diesel Particulate Filters on all 2007 engines and newer. (Results in particulate matter reductions of 80-90%)

And continued research in:

11. Diesel Oxidation Catalysts.
12. Selective Catalytic Reduction. (SCR) (Reduces NOx by 70%)
13. NOx Reduction Catalyst. (Reduces NOx by 25% and PM by 85%)
14. NOx Absorber Catalyst Technology. (Reduces NOx, HC, and CO by 90%)
15. Crankcase Emission Control. (Reduces PM emissions by 25-32% and CO by 14-18%)
16. Water-in-Diesel Fuel Emulsion. (PuriNOx) (Reduces NOx up to 30% and PM up to 65%)
17. Catalysts included in diesel fuel. (Will reduce NOx up to 10%, PM up to 33%, and HC and CO up to 50% during the combustion process)
- Etc...

Sources: Manufacturers of Emission Controls Association
U.S. Environmental Protection Agency

What I'm trying to do here is save hours and hours of the same old arguments. We are all tired of hearing it.

I bring to your attention your very own mission statement:

CARB's mission is to promote and protect public health, welfare, and ecological resources through effective reduction of air pollutants while recognizing and considering effects on the economy.

We believe you have done a great job so far as I outlined in detail above which reflects the first part of your mission statement. We feel it would be irresponsible at this time to move forward with any truck (on-road and off-road) rule during this recession. We believe moving forward would be in direct contradiction to the second half of your mission statement.

When the economy can support such a rule, please make sure you have obtained studies from qualified researchers with appropriate credentials so that there won't be any question of the integrity of the CARB. And inform your entire board and staff of every detail along the way. In addition please make sure your staff will get you all the data you need well in advance of any decision of the board. And post these findings publicly with ample time for input from everyone involved.

Thank you,

Dan Ruoff
Frank C. Alegre Trucking, Inc.
Lodi, Ca.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 08:00:44

No Duplicates.

**Comment 45 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Lydia

Last Name: Bourne

Email Address: lydiabourne@sbcglobal.net

Affiliation:

Subject: Response to Final Statement of Reason

Comment:

Please see attached comments

Attachment: 'www.arb.ca.gov/lists/dec09update/164-final_statement_of_reasons_response.doc'

Original File Name: Final statement of reasons response.doc

Date and Time Comment Was Submitted: 2009-12-08 08:18:02

No Duplicates.

**Comment 46 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: kenny

Last Name: shaffer

Email Address: kenny@golden-ce.com

Affiliation:

Subject: truck,bus and off road regulation

Comment:

suspend this asap.revist the information without a liar in
charge.wait for the economy to come back

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 08:45:14

No Duplicates.

**Comment 47 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Bryan

Last Name: Bloom

Email Address: bryan@prioritymoving.com

Affiliation:

Subject: Public Comments for CARB

Comment:

Please see attached letter

Attachment: 'www.arb.ca.gov/lists/dec09update/166-public_comments_to_carb_12-8-09.pdf'

Original File Name: public comments to carb 12-8-09.pdf

Date and Time Comment Was Submitted: 2009-12-08 09:51:51

No Duplicates.

Comment 48 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Michael

Last Name: Shaw

Email Address: michael.shaw@nfib.org

Affiliation: NFIB-California

Subject: Truck and Bus Regulation and the In-Use Off-Road Diesel-Fueled Fleet Regulation
Comment:

On behalf of the National Federation of Independent Business' (NFIB) more than 20,000 California members, we respectfully request that the California Air Resources Board (CARB) Members move to suspend the Truck and Bus Regulation ("Truck Rule"). This is the minimum appropriate course of action given recent news regarding the failure of Board staff to disclose relevant information, as well as the continuing California economic recession.

California maintains a position as a leader in the area of environmental regulations pertaining to the air we breathe. To say that clean air is critical to our economy much less our lives, is an understatement. Despite California's already strict air quality regulations, the new Truck Rules are an attempt to push even farther to be on the cutting edge. Unfortunately, California and its businesses simply cannot afford that luxury right now. CARB must not ignore the economic consequences or the need to maintain the integrity of the implementation process.

Dr. John Telles' recent uncovering of Hien Tran's falsified academic credentials and the failure of CARB officials to properly and necessarily disclose that issue in an appropriate and timely manner calls into question the integrity of the Truck Rule development process. The lack of disclosure to the other Board members and the public represents a major break of the trust assumed by CARB officials when promulgating these stringent and costly regulations.

CARB should be particularly concerned with maintaining the public's trust and its own credibility since it is developing these landmark regulations during tough economic times. As California's economy continues to struggle through the worst economic recession in recent history with an unemployment rate over 12 percent and nearly one million Californians losing their jobs in just the past year, we cannot afford for CARB to rush forward with a rule that carries an estimated cost of more than \$4.5 billion. While some assistance is proposed for small businesses as a part of the rule, California's economic situation has undermined the ability of businesses to finance hundreds of thousands or millions in mandated costs.

If, as CARB maintains, the science is sound and without question, then it does no harm to set aside the current regulations and start a new public process free from questions of integrity and with an improved understanding of the economic impact to California small businesses. Both the need to maintain credibility and take into

account the nearly unprecedented economic challenges demand that the Truck Rule undergo the most critical of reviews.

NFIB respectfully requests that you take immediate action to set aside the existing Truck Rule and start over.

Sincerely,

Michael D. Shaw
Legislative Director
NFIB-California

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 09:41:03

No Duplicates.

**Comment 49 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: MARK

Last Name: KRUGER

Email Address: mark@addisonequipment.com

Affiliation:

Subject: CARB FRAUD

Comment:

Is Mary Nichols willing to let contractors lie about their
compliance with CARB rules, or is lying only okay for fake Phd's?

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 10:15:37

No Duplicates.

Comment 50 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Tom

Last Name: McFarlane

Email Address: tom@burnsandsons.com

Affiliation:

Subject: On-Road Diesel Truck Rule

Comment:

I urge you to delay the enactment of the CARB On-Road Rule. Someone has to have the common sense to see that this is exactly the wrong time to enact an expensive regulation such as this. Our business is down more than 50% which means the pollution caused by our trucks is down at least as much. Everyone wants clean air, but at what price. This regulation could cause us and many companies like us to go out of business. We have been in business for over 35 years and supported 300 families two years ago. Now we are employing 100 and considering further cuts. We have modeled our fleet using the CARB supplied calculator and are not sure we would be able to comply with this law at any time much less in the greatest economic recession of our time.

Our taxes pay for the government and regulators but who will be left to govern or regulate as California forces people out of business and out of state. California has continued to add expensive regulations and taxes on business like Stormwater, Air Quality, Prevailing Wage, increased sales tax, wage and hour rules, health care and FMLA among others. All this and they are not able to balance their own budget but expect business to continue to thrive and pay ever increasing taxes. I think government needs the input of people who have had to make payroll every week and have no choice but to live within a budget.

Finally, I would like to point out that a major regulation such as this should not be implemented based on the research of someone with questionable credentials. It is amazing that members of CARB have the arrogance to look the other way even after the discovery of this lie.

I hope you will make the right decision in this case.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 10:22:37

No Duplicates.

Comment 51 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Troy

Last Name: Patterson

Email Address: troy@billsignstrucking.com

Affiliation:

Subject: incredible un-elected goverment

Comment:

It is incredible what this state has come to, we actually have people running this state that are not elected by the public. They have taken one of the most profitable states and made it into one of the worst!!! The only reason this state is in a deficte and going deapper is because of the decsions that are made by you. Now you are telling us that trucks are a big reason for pollution, that is not the case now as you have made it so most of them are parked. The next thing you are going to do is tell me that i can not live in my house because it was built 28 years ago, or are you going to just take my propirety from me because i can no longer find a job and pay the taxes on it. I know you are not looking out for the general public, you have no idea what the general public needs. The sad thing is the rest of the country is following you

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 10:39:05

No Duplicates.

Comment 52 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Steve

Last Name: Azevedo

Email Address: steve.azevedo@kniferiver.com

Affiliation: Knife Corporation

Subject: Diesel Regulations

Comment:

Dear Board Members,

We would like to thank the Board and staff for reviewing the on and off-road diesel regulations as it pertains to the economy and for the opportunity to comment. Knife River is a construction materials supplier and a construction company with over 200 on-road trucks and an equal number of off-road equipment. In addition to these vehicles, we also have equipment subject to the harbor craft, drayage truck, and portable equipment regulations.

As you know, we are in dire economic times, especially in the industries in which we do business. Our business unit's revenues are down between 40% and 50%. In fact, our business unit with the highest concentration of on-road trucks is not currently making a profit and margins are down well over 100%. Not only are revenue's down on our other business units margins are extremely thin. We have already spent millions of dollars to comply with the harbor craft, portable equipment, and off-road regulations. Under this economic climate, this is putting a large strain on our company. There simply is no excess capital to spend. We now estimate that for every two VDECS being installed, we will have to lay off one employee just to remain at the break-even point for earnings. Since Knife River is a publically traded company that operates in multiple states, I fear that the Board of Directors will one day pull out of California all together due to these difficult times in the state coupled with the expense of complying with the diesel regulations to maintain an acceptable return to the shareholders.

We attended the workshop held by staff last week and appreciate their efforts to estimate the effect of the economy on emissions, however, we feel their analysis falls short of what is actually occurring. Staff estimated that overall truck activity is down between 10% and 18% since the 2007 peak. This appears to be underestimated. At this point, most in our industry would be pleased if this actually were the case. The 10-18% number was based mostly on California fuel sales data. While we have no back-up information available to review other than sources. However, one reason this fuel data can be skewed is the fact that newer trucks get poorer fuel economy. Our late 2006 and newer trucks get up to 25% worse fuel economy that the older vehicles. We add that that this fact also contributes to an increase in carbon emissions since more fuel is being burned to do the same job. We have not seen any studies commissioned by the ARB to quantify the excess greenhouse gas emissions due to poorer fuel economy. Since the carbon emissions are of such great concern to

the Board and since diesel fueled vehicles are such large emitters of carbon, it would be recommended that such a study be performed.

Staff also indicates that fleets are getting older and fewer new trucks are being purchased, so even with the slower economy, emissions remain the same as projected. Staff never contacted industry to determine this and did not consult with industry to determine overall activity either. The fact is that for the most part, the older vehicles in our fleet are the ones that are not being utilized. Our newer equipment has higher ownership costs and we have to use this equipment first in order to pay for depreciation, etc. New trucks are not being purchased because there is no work for the trucks to perform.

Staff presented two scenarios for the recovery growth. There is a quick growth scenario and a slow growth scenario. These scenarios are optimistic by any measure. The quick growth scenario is totally unrealistic. Even under the quick growth scenario, the economy is expected to return to a long term trend in about eight years. However, charts shown during the staff presentation show that under the quick growth scenario indicate that NOx and PM 2.5 emissions in 2014 will be the same as was predicted well over a year ago. This information appears to conflict; but again, we have no supporting evidence to review.

In light of the information presented above, we recommend that staff works with industry to compile a more realistic economic outlook and to better estimate actual truck activity in a more transparent manner. In addition, it is recommended that some relief be included in the on-road, off-road, and drayage truck regulations. The relief on the off-road regulations that the legislature provided earlier this year was nice, however, more is needed. We all want clean air to breathe and are not asking to total dismantle the regulations. The regulations are extremely aggressive in the early years, so we do ask for a reprieve in the early years and to more evenly distribute the compliance requirements over the life of the regulations.

We look forward to an economic recovery that will help to off-set the cost of the regulations. It is well documented that we recovered from all previous recessions with the help of a strong construction industry. Hopefully the Board understands this and does not further cripple an industry that has already been severely cripple.

Sincerely,
Steve Azevedo
California Environmental Manager
Knife River Corporation

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 11:02:19

No Duplicates.

Comment 53 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Stephen

Last Name: Concannon

Email Address: steve@pavementrecycling.com

Affiliation:

Subject: On - Off Road Regulations

Comment:

Dear Board Members,

I am an employee of Pavement Recycling Systems, Inc., a 100% employee owned specialty contractor with 160 owner / employees in the asphalt construction industry. As owners, each of us is working hard to keep the company from losing money and preserving the company's value during these tough economic times. We have a fleet of approximately 120 trucks which will be affected under the proposed ON Road Regulation as written, 80 of which are semi tractors. Our average annual mileage on each semi is only 15,000 miles, which along with our stringent maintenance program, allows us to keep our trucks for 20 years before replacing it, with half of it's useful life still available and in good shape. This new regulation would cost us an additional \$1MM per year due to a mandated accelerated rollover schedule, for trucks which are well underutilized, but not enough to qualify for low use as currently written. One Million dollars per year on top of the One Half Million dollars it is costing our employee / share holders in accelerated repowers, replacements and retrofits to comply with the Off Road measure.

I respectfully ask you to consider the following before allowing this measure to go forward:

1. Reconsider implementing a compliance schedule which considers mileage and utilization and not just age. As written, we will be required to repower or replace some vehicles with only 25% of their useful life used.
2. Consider the impacts to the Employee Owners of California impacted by these regulations.
3. When implemented, work with the companies striving to comply. These regulations are tough to completely understand and comply with. As the Off Road regulation is written, it penalizes those with a history of compliance with tougher penalties on violations than those who have clearly ignored the regulation. We ask you strictly enforce these rules and take strong action against those taking the chance they won't get caught - like out of state contractors risking non-compliance and counting the penalties being geared more toward assistance with compliance than penalties for ignoring the regulation. Companies showing honest efforts to comply should not be penalized.
- 4 Recommend to Cal-Trans they specify compliance to this regulation be enforced by the project inspectors on their projects, minimizing non compliance from out of state contractors.
5. Grant in state corporations a 5% advantage at bid time for all state sponsored projects. This will not cost the state but will help level the playing field for the California Companies. The cost to comply with all regulatory programs is higher in California than

neighboring states and this 5% consideration will help keep work, profits, employment and taxes in California.

Thanks you for you consideration.

Steve Concannon
Pavement Recycling Systems, Inc.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 11:15:19

No Duplicates.

Comment 54 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Charles

Last Name: Rea

Email Address: crea@calcima.org

Affiliation: CalCIMA

Subject: On-road diesel rule - economic impacts

Comment:

December 8, 2009

Mary Nichols
Chair, Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: On-road Diesel Rules - Adjustments needed for economic
Impacts

Dear Chair Nichols:

The California Construction & Industrial Materials Association respectfully requests that, given the unprecedented economic times and reduced emissions resulting from a slowed economy, that the Board consider measures to provide additional time and/or compliance options for the On-road diesel rule.

CalCIMA

The California Construction & Industrial Materials Association (CalCIMA) is the trade association for aggregate, ready mixed concrete, and industrial material producers in California. We have 100 members representing over 500 production facilities in the state. Our members supply the materials to build California's roads, bridges, hospitals, schools, and water ways as well as materials for water purification systems, energy efficient light bulbs, and hybrid vehicle batteries.

Our members' fleets are primarily local use fleets. For instance, fleets that deliver concrete within a 15 mile radius (on average), or lube, water, and related plant trucks that typically operate at a production site, but have an on-road vehicle license.

Diesel Truck Rule

Our members have been supportive of the general effort of the Air Resources Board's diesel air toxic control measures (ATCM). They have striven to provide constructive comments throughout development and implementation of the stationary, portable, drayage, forklift, Off-road, and On-road rules. We have worked closely with and included ARB as speakers and participants in many meetings. Indeed, CalCIMA and its members are active in advisory groups to help implement, monitor, and communicate information on the On-road and Off-road diesel rules.

In many ways, too, industry benefits from high standards and public knowledge that trucks are cleaner and reduce emissions. Many of our member companies have implemented far reaching plans to incorporate the latest technology and up-grade their fleets. This has been done despite up-front costs in advance of the rule-making and increased fuel costs, since many new engines get 25-35% lower mileage.

Economy

However, these are unprecedented economic times. These are just a few of the ways to measure the drop off in economic activity, according to California Department of Finance economic indicator reports comparing May 2005 to May 2009:

- Housing construction is down 85%.
- Commercial construction is down 74%.
- Industrial construction is down 53%.
- All other construction is down 57%.

The costs to comply with this rule are staggering. Three companies within CalCIMA's membership that supply ready mixed concrete—an essential material for infrastructure and transportation projects—estimate costs of over \$100 million each to comply with this rule over the next 5 to 10 years. Other ready mixed concrete companies have estimated costs of \$40 million. These are simply unachievable amounts in this economy.

Predictions of economic recovery, as presented at last week's workshop, indicate it may be 8 - 10 years before we achieve a normal trend again. As a result, businesses have little capital to invest in purchases or obtain credit. There is simply not the money available now to make retrofits and equipment purchases.

The impact of the rule has been much greater than expected also because there has not been the financial assistance programs available—whether Carl Moyer or Proposition 1B—as was envisioned when this rule passed in Dec. 2008.

Emission Impacts

We have reviewed last week's presentation on the emission impacts from a slow economy. These show there are emission reduction benefits over the next two years. But, they may well understate the emission reductions, since they do not take into account that idle vehicles are generally the older vehicles, while the ones that continue to operate are newer models.

Options to Consider

While the Board did adopt a few provisions last year to assist with compliance, such as early credits for retirement and an extra year for fleets with 3 vehicles or less, additional adjustments are needed given the extent of the economic downturn. We respectfully request that the ARB give additional consideration to adjustments that will facilitate compliance with this expensive rule. Here are a few ideas:

- Without scaling back on the ultimate 2023 compliance goal, provide a less aggressive set of compliance dates within the

time-period from 2010 to 2023. This could provide more compliance options in the early years of the rule, when the economy is at its slowest, yet still achieve the same overall emission reductions.

- Adjust the baseline from year 2008 to a more average year--such as 2007 or 2006--, or use a 3-year average. Any of these would provide a more reasonable basis for an average year.

- Create a separate compliance path for local-use vehicles with shorter trips. These are not the typical long-haul vehicles that are the main target of the rule. These local vehicles supply materials locally to projects and manufacturers. These local fleets have longer use lives, the retrofit technology is less available, the retrofit technologies are less efficient at slower speeds and shorter distances, the vehicles are more complex, and retrofits tend to pose more of a safety risk.

- Prior to requiring a retrofit on a local-use vehicle, require particulate filter manufacturers to demonstrate the effectiveness of their products under actual, short haul conditions using actual operator demonstration installations. This could help reduce unnecessary expenditures for products that don't work.

- Allow the early retirement credit to apply to all three compliance paths.

- Adjust mileage and hour use requirements to more accurately reflect low use vehicles in a slow economy.

- Allow drayage fleets to be included in the fleet averaging compliance paths.

- Institute Courtesy Inspections. Last year, the Board adopted courtesy inspections as part of the On-road diesel rule. This was thought to be a way to especially assist companies complying with multiple Diesel ATCMs. Yet, despite this being one of the primary actions taken by the Board last year, it has not been instituted.

These are just a few ideas to be considered, and we would certainly be interested in others that may be posed by the Board.

Sincerely,

Charles L. Rea
Director of Communications & Policy

Attachment: 'www.arb.ca.gov/lists/dec09update/173-calcimaonroaddec09.pdf'

Original File Name: calcimaonroaddec09.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:18:31

No Duplicates.

**Comment 55 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: David

Last Name: Marshall

Email Address: dmarshall@catf.us

Affiliation: Clean Air Task Force

Subject: Clean Air Task Force Comments

Comment:

Please find attached the comments of the Clean Air Task Force on the update of the Truck and Bus regulations and the In-use Off-road Diesel-Fueled Fleet regulation.

Thank you,

David Marshall

Attachment: 'www.arb.ca.gov/lists/dec09update/174-catf_comments_re_arb_diesel_rules_review-12-09.pdf'

Original File Name: CATF comments re ARB diesel rules review-12-09.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:18:14

No Duplicates.

Comment 56 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Jay
Last Name: McKeeman
Email Address: jaymck@cioma.com
Affiliation: CIOMA

Subject: Comments on Update the Board on the Truck and Bus Regulation
Comment:

CARB Board Members:

On behalf of CIOMA members we wish to make the following comments on the Truck and Bus Regulation. CIOMA members rely extensively on diesel powered equipment in the delivery of fuel to the state fuel consumers. It provides the needed horsepower to haul and deliver heavy fuel loads and provides a reliable technology, conveniently powered by the fuel our members distribute. We commented extensively a year ago and our comments remain very critical of this regulation and our members' ability to comply.

We have the following comments:

f{ Our members are largely family owned small businesses who operate fleets between 5 and 50 trucks. Some members are common carriers and have larger fleets. However, to a small family-owned business this regulation is unaffordable.

f{ The so-called "\$2 billion" in assistance has failed to fully materialize. And most, if not all, of the money available cannot be accessed by our members due to fleet size, mileage requirements or other barriers.

f{ Our members own and operate trucks, such as bobtail units, that require replacement of the entire truck, not just the engine. In these cases the cost, per truck, can exceed \$250,000.

f{ The recession has created significantly reduced income for our members. This directly affects their ability to afford particle trap retrofits and new truck purchases.

CARB has failed to review or revise its economic analysis for this regulation, even though the economic conditions have changed dramatically over the last year. CARB needs to perform an affordability analysis of this regulation, beyond just calculating the cost to industry. Without this information, Board members have no idea of how this will be implemented or the potential consequences of their action.

CARB has never performed any research that might shed light on the health consequences of companies laying off employees (curtailing their health benefits) or the possibility of companies reducing health care benefits to their employees due to having to make truck expenditures. Again, Board members will be ignorant of possibly damaging health consequences from their actions.

CARB is facing a crisis in confidence and needs to send out its underpinning science study for new peer review, and open debate on its findings.

CARB's own analysis has indicated that diesel emissions have been significantly reduced due to the recession. Taking time to re-examine both the economic and scientific data underlying the regulation will create no harm to the public.

In the end, the SIP commitment may need to be re-evaluated due to the potential negative consequences of this regulation.

Finally, without significant re-tooling this regulation may lead to widespread civil disobedience, as regulated parties are faced with no other options. The regulated community has expressed its desire to achieve a workable regulation that industry can afford and achieve. This was most clearly expressed last year when the Driving Towards a Cleaner California (DTCC) proposal was offered that provided equivalent emission reductions at the end of the compliance period. However, flexibility to assist companies in their affording the costly requirements was provided during the span of the regulation.

We ask for delay and good-faith negotiations to revise this to a program that does not create further adversarial conditions between the regulators and the regulated.

CIOMA represents independent marketers who purchase gasoline and other petroleum products from refiners and sell the products to independent gasoline retailers, businesses, and government agencies, as well as representing branded "jobbers" who supply branded retail outlets, especially in rural areas. Our members are primarily small, family owned businesses who encounter unique difficulties in meeting California's complex and increasingly expensive environmental requirements. We represent approximately 400 members, about half of whom are actively engaged in the marketing and distribution of petroleum products and fuels.

Attachment: 'www.arb.ca.gov/lists/dec09update/176-cioma_comments_carb_12-09_truck_hrg.pdf'

Original File Name: CIOMA comments CARB 12-09 truck hrg.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:27:08

No Duplicates.

**Comment 57 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Robert
Last Name: Callahan
Email Address: robert.callahan@calchamber.com
Affiliation:

Subject: CARB Truck Rule Comments
Comment:

Please see the attached file for the CalChamber's comments on
Agenda Item #09-10-8. Thank you.

Robert Callahan
Policy Advocate
California Chamber of Commerce

Attachment: 'www.arb.ca.gov/lists/dec09update/177-carb_truck_rule_request_-_12_08_09.pdf'

Original File Name: CARB Truck Rule Request - 12 08 09.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:27:10

No Duplicates.

**Comment 58 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Gregory

Last Name: Knapp

Email Address: Greg.Knapp@Hanson.com

Affiliation: Lehigh Hanson

Subject: Comments On The Economic Impacts to the On Road Diesel Rule

Comment:

Please see the comments in the attached file.

Attachment: 'www.arb.ca.gov/lists/dec09update/178-lehighhanson_onroaddiesel_comments_120809.pdf'

Original File Name: LehighHanson_OnRoadDiesel_Comments_120809.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:33:22

No Duplicates.

**Comment 59 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Nick

Last Name: Pfeifer

Email Address: Nicholas.Pfeifer@gcinc.com

Affiliation: Granite Construction

Subject: Off-Road and On-Road Update

Comment:

Please see attached letter.

Attachment: 'www.arb.ca.gov/lists/dec09update/179-dec_2009_granite_comments.pdf'

Original File Name: Dec 2009_Granite Comments.pdf

Date and Time Comment Was Submitted: 2009-12-08 11:35:46

No Duplicates.

Comment 60 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Ed

Last Name: Ward

Email Address: ed@jbdewar.com

Affiliation: Marketer/Jobber

Subject: Legal need to Postpone On-Road Diesel Truck Regulation

Comment:

Two ARB Board members have asked that the Truck Rule be set aside due to ethical and legal implications surrounding the development of that report/regulation and the qualifications of a key individual who authored the report.

This regulation will put many small and medium-sized businesses out of operation due to its expense. Businesses like ours have spent over 1 million in compliance actions in the past year compiling with requirements like Enhanced Vapor Recovery. The additional layering of compliance of On-Road Regulation, Large Spark Ignition, AB32 and our Customer's loss of business and income from compliance of Off Road and stationery engine requirements leave our future bleak.

Additionally significant problems and issues regarding the so-called \$2 billion assistance package have arisen, further heightening the probability that small firms like mine, especially, may have not any option but to cease operations.

All of this has occurred at a time when Director Nichols has penalized/fined businesses in California over 65 million dollars since 2007. The regulatory climate is overwhelming and for even the simplest of businesses requires professionals to determine compliance. ARB's outreach to inform business of regulatory compliance is a failure.

Delay of the regulation will not adversely affect air quality, the economic downturn has already significantly reduced diesel emissions through reduced trucking and construction in the state. This was verified by CARB staff recently at a public workshop where, with no action, the state will meet 2011 SIP commitments for NOX and PM2.5.

The Board must address the real cost of this regulation. There has been no revision or study on the economic consequences of this regulation or the effect of LAYERING from all the other regulations gone wild. This is needed in light of our current economic condition and any hope of recovery for jobs and business.

Thank You for your Consideration

Ed Ward

JB Dewar Technical Services

PO Box 3059

San Luis Obispo, CA 93403

805 540-7106

Attachment: 'www.arb.ca.gov/lists/dec09update/180-12-8-09_letter_to_governor_arb.doc'

Original File Name: 12-8-09 letter to Governor ARB.doc

Date and Time Comment Was Submitted: 2009-12-08 11:47:47

No Duplicates.

**Comment 61 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: James

Last Name: Enstrom

Email Address: jenstrom@ucla.edu

Affiliation: University of California, Los Angeles

Subject: CARB Staff Report Reviewer Conflicts of Interest

Comment:

Dear Board Members,

Please read my attached comments criticizing the scientific basis
for the CARB on-road and off-road diesel regulations.

Thank you very much,

James E. Enstrom, Ph.D., M.P.H.

Attachment: 'www.arb.ca.gov/lists/dec09update/181-
carb_enstrom_comments_reviewer_conflicts_of_interest_120809.doc'

Original File Name: CARB Enstrom Comments Reviewer Conflicts of Interest 120809.doc

Date and Time Comment Was Submitted: 2009-12-08 11:51:04

No Duplicates.

Comment 62 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: Mike

Last Name: Telfer

Email Address: mike.telfer@telferoil.com

Affiliation: Telfer Oil Company

Subject: Implementation of Diesel Regulations for Off-Road Equipment

Comment:

Telfer Oil Company is a medium sized business that has operated in California and surrounding states since 1958. We are a company concerned with the welfare of the people of the state of California and the environmental impacts that we have on this state through our business practices. We strive to have as small a carbon footprint as possible.

However, we are a road construction company that operates 35 pieces of "off-road" diesel equipment, constituting 4518 HP. 43% of this equipment, or 15 units, will need to be replaced or retrofitted under the current CARB program. Some of the units needing replacement are as new as 2002. The approximate cost to install the retrofit equipment is \$30,000 each for a total of \$450,000.00. In addition, we have not been given any idea of additional requirements that may come along as the next Tier is instituted.

The bottom line is the expense to do these retrofits in the current economic climate and downturn is onerous to our business. We will not be able to invest those monies back into our business which would result in job creation.

We ask that CARB reconsider its' initiation of these requirements to a timeframe when the economy is in better shape and these expenses can be absorbed.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 11:57:19

No Duplicates.

Comment 63 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - Non-Reg.

First Name: James

Last Name: Slater

Email Address: JSlater@wcsg.com

Affiliation: West Coast Group Companies

Subject: What's the rush?

Comment:

With the current trucking and Off-road Equipment utilization down nearly 50%...what is the rush in adopting the proposed diesel regulations? With the current state of the California economy and the trucking/transportation industry, companies like ours are FIGHTING to stay alive. To date, we have taken severe measures to survive this downturn. I feel with the adoption of the diesel regulations, this may be the straw that breaks the camel's back.

There are three company types that exist in today's economy. Those that are growing in an economic downturn, those companies like ourselves that are in survival mode and there are those that are hanging on by a thread, hoping to make it to tomorrow. With the diesel regulation, you can expect to push those companies, like ours, fighting for our survival force us to close our doors.

I would not consider us a small business in California...we employ over 500 employees, we have more than 350 trucks on the road and over 60 pieces of Off- highway equipment. When I crunch the numbers...this regulation has the power to put our company out of business and those 500+ families out of work.

I believe in compliance and our company prides ourselves in standing at the forefront for a better California. What's the rush?

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-08 11:33:29

No Duplicates.

**Comment 64 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Jimm

Last Name: Vosburgh

Email Address: Jimm@wv-inc.com

Affiliation:

Subject: Truck & Bus and In-Use Off-Road Regulations

Comment:

Please see attached documents

Attachment: 'www.arb.ca.gov/lists/dec09update/184-wvc_on-road_comments.docx'

Original File Name: WVC On-Road Comments.docx

Date and Time Comment Was Submitted: 2009-12-08 11:57:48

No Duplicates.

**Comment 65 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - Non-Reg.**

First Name: Jimm

Last Name: Vosburgh

Email Address: Jimm@wv-inc.com

Affiliation:

Subject: Truck & Bus and In-Use Off-Road Regulations

Comment:

Please see attached documents

Attachment: 'www.arb.ca.gov/lists/dec09update/185-nafa_on-road_comments.docx'

Original File Name: NAFA On-Road Comments.docx

Date and Time Comment Was Submitted: 2009-12-08 11:57:48

No Duplicates.

**Comment 66 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - 45 Day.**

First Name: Robert
Last Name: Ramorino
Email Address: r.ramorino@roadstartruckinginc.com
Affiliation: California Trucking Association

Subject: Diesel Truck and Bus Rules
Comment:

Please see attached letter outlining the affects of the 2007-2009 recession on our business and as it relates to our ability to meet the short time frame of the Diesel regulations, including the Private Fleet Rule.

Roadstar Trucking supports the CARB goals of substantial reductions in diesel emissions. Our hope is that the CARB board will carefully consider the severe economic climate that our state faces and provide the help to local, job producing businesses that are coimmitted to meeting our social obligations in a responsible way. PROTECT OUR JOBS while we do this please!

Sincerely,
Robert Ramorino

President
Roadstar Trucking, Inc.

Attachment: 'www.arb.ca.gov/lists/ghgpv09/14-carb_hearing_comments_december_2009.doc'

Original File Name: Carb hearing comments December 2009.doc

Date and Time Comment Was Submitted: 2009-12-08 15:20:21

No Duplicates.

**Comment 67 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - 45 Day.**

First Name: Christina

Last Name: Ramorino

Email Address: cm.ramorino@roadstartruckinginc.com

Affiliation: Roadstar Trucking, Inc

Subject: Comments on Truck and Bus Rule

Comment:

Please enter attached letter in to the CARB record

Attachment: 'www.arb.ca.gov/lists/ghgpv09/15-carb_testimony.doc'

Original File Name: CARB TESTIMONY.doc

Date and Time Comment Was Submitted: 2009-12-08 16:00:07

No Duplicates.

Comment 68 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - 45 Day.

First Name: Andy
Last Name: Recalde
Email Address: arecalde@donchapin.com
Affiliation: ORIAG member

Subject: Off-Road diesel regulations
Comment:

Hello, My name is Andy Recalde I am a lifetime California resident, taxpayer, and a registered voter. I am employed as the Equipment Manager for The Don Chapin Co. Inc. a family-owned general engineering contractor that has been working in the Monterey Bay Area since 1978 that currently employs 230 fellow Californians.

I am a member of the CARB Off-Road Implementation Advisory Group known as ORIAG. I believe that I was selected because of my 25 years of experience with diesel powered on and off-road equipment management.

Here is a list of concerns that should be addressed before any further decisions are made by the Air Resources Board regarding the on or off-road diesel emissions regulations.

1. Compare the assumed quantity and horsepower of all diesel powered equipment affected by the regulations to the actual numbers now that we have actual data due to all of this equipment having been registered. You have the correct information at your disposal now, please use it appropriately.
2. Compare the actual emissions output for each engine family that you have in your records with the CARB minimum requirement standards. You'll find that the engine manufacturers have been building engines that run cleaner than required. CARB staff used the minimum standards in all their calculations which does not reflect the true diesel emissions output in California. Here again you have a huge database with very accurate information.
3. Terminate Mr. Hein Thanh Tran's employment with CARB and hire a legitimate panel of scientists to review Mr. Tran's estimated premature deaths due to fine particulate matter that the new diesel regulations used for justification.
4. Adjust and change the on and off-road diesel regulations to reflect the new accurate data that has been collected.

Thank you

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-09 08:24:33

No Duplicates.

**Comment 69 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - 45 Day.**

First Name: David

Last Name: Schwartz

Email Address: dlschwartz@earthlink.net

Affiliation: Citizen, Taxpayer, serf

Subject: Diesel Regulations

Comment:

In light of the fraud perpetrated by Mr. Tran, and the subsequent cover-up by Mrs. Nichols, I urge the rest of the board members to at LEAST table the continued implementation of these horrific rules.

I could go on for hours with any one of you about this matter. The CARB would regain a portion of it's lost integrity if the board members would genuinely re-examine this issue. The arrogance this board has shown in the past, however, does not give rise to hope for cogent and lucid investigation.

Thanks,
David Schwartz
Citizen
Ducor, Calif.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-09 14:28:41

No Duplicates.

Comment 70 for Truck and Bus and In-Use Off-Road Regulation Updates (dec09update) - 45 Day.

First Name: Chris

Last Name: Riddington

Email Address: chris@classiccharter.com

Affiliation: Classic Charter Bus Company SJ Valley

Subject: Heavy Duty Truck and Bus Rule

Comment:

I have listened to many people talk today about the health issues that diesel causes and that "we can't afford to put this off". One thing to remember is that in 2003 forward all diesel engines have gotten cleaner and effective 2010 will be the cleanest in history. In some areas we will be cleaning the air, literally. So we are not putting off cleaner engines or better health in California. ALL trucks and buses purchased new DO HAVE CLEANER ENGINES even used trucks or buses 2003 or newer will be helping our health over older equipment. So CARB because of the new diesel engine requirements has and will continue to help the health of California. The only thing we will be putting off is forcing truck and bus owners to purchase equipment prior to the financial ability or stability of that company. So if we delay out the rule, that does not mean my company nor the other thousands effected by this rule will STOP buying new equipment we will just do it in the manner that has kept us alive during the ups and downs of the industry and economy. So since 2003 diesel engine changes have and will continue to better the air and health of California all while no rules where in affect. I understand Federal requirements onto our great state but we need to take this back to Congress and go over our 2003, 2007 and 2010 engine changes and get another 5 year stay. Then make changes to the rule so the majority of those affected can meet the rule, purchase the 2010 technology that has not yet hit our dealerships and showrooms and at the same time meet our Federal requirements.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-09 14:20:19

No Duplicates.

**Comment 71 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update) - 45 Day.**

First Name: Donald
Last Name: Rodoni
Email Address: carolrodoni44@comcast.net
Affiliation:

Subject: Port of Oakland truck retro-fit program
Comment:

Greetings,

I would like to address the board about the current clean air/retro fit program for the trucks that serve the Port of Oakland. With the current status of the unemployment rate and financial hardships to all non retro fitted vehicles, I don't see any sense in increasing the Bay Area unemployment rate by another 2000 people given the current Nummi automobile factory in Fremont. I would like to see this issue revisited after the economic problems have subsided by some degree. Loans are not available based on the current values of homes in the Bay Area and there is no possible way for 2000 people to qualify to continue with their employment at the port of Oakland like many of us have for many years. This matter is of the utmost importance and worthy of a face to face meeting, I don't want to leave it in an email status and I would like to address the board with suggestions that I have on circumventing a potential disastrous situation for the bay area and the port of Oakland along with myself and family. Looking forward to hearing from you ASAP.

Sincerely Yours,
Donald Rodoni
Owner/Operator of Rodoni and Sons Trucking
510-715-3164

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-12-07 09:33:32

No Duplicates.

**Comment 1 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Roy E.

Last Name: Trucking

Email Address: Non-web submitted comment

Affiliation:

Subject: Roy E. Lay Trucking

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/186-roy.pdf

Original File Name: Roy.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 2 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Hank de

Last Name: Carbonel

Email Address: Non-web submitted comment

Affiliation:

Subject: Concrete Pumpers of California

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/187-hank.pdf

Original File Name: Hank.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 3 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Christina

Last Name: Ramorino

Email Address: Non-web submitted comment

Affiliation:

Subject: Roadstar Trucking

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/188-christina_ramonino.pdf

Original File Name: Christina Ramonino.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 4 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Bob

Last Name: Ramorino

Email Address: Non-web submitted comment

Affiliation:

Subject: Roadstar Trucking

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/189-bob_ramorina.pdf

Original File Name: bob Ramorina.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 5 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Barry

Last Name: Wallerstein

Email Address: Non-web submitted comment

Affiliation:

Subject: SCAQMD

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/190-barry_wallerstein.pdf

Original File Name: Barry Wallerstein.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 6 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Albert

Last Name: Batteate

Email Address: Non-web submitted comment

Affiliation:

Subject: California's Cattlemen's Association

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/191-albert_batteate.pdf

Original File Name: Albert Batteate.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 7 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Grant

Last Name: Campbell

Email Address: Non-web submitted comment

Affiliation:

Subject: Lee Jennings Target Express

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/192-grant.pdf

Original File Name: Grant.pdf

Date and Time Comment Was Submitted: 2009-12-10 12:15:43

No Duplicates.

**Comment 8 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

This comment was posted then deleted because it was unrelated to the Board item or it was a duplicate.

**Comment 9 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Richard

Last Name: Mello

Email Address: Non-web submitted comment

Affiliation:

Subject: Northern Refrigerated Transportation

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/194-rich_mello.pdf

Original File Name: Rich Mello.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 10 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Michael

Last Name: Lewis

Email Address: Non-web submitted comment

Affiliation:

Subject: CIAQC

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/195-michael_lewis.pdf

Original File Name: Michael Lewis.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 11 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Fran

Last Name: Pavley

Email Address: Non-web submitted comment

Affiliation:

Subject: Senator 23rd District

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/196-fran.pdf

Original File Name: Fran.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 12 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Robert

Last Name: McClernon

Email Address: Non-web submitted comment

Affiliation:

Subject: CA Dump Truck Owners Association

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/197-robert_mcclernon.pdf

Original File Name: Robert McClernon.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 13 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Ron

Last Name: Dacus

Email Address: Non-web submitted comment

Affiliation:

Subject: Northern California Rail and Port Drivers Association

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/198-ron_dacus.pdf

Original File Name: Ron Dacus.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 14 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: David

Last Name: Chidester

Email Address: Non-web submitted comment

Affiliation:

Subject: Central Cal Transportation

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/199-david_chidester.pdf

Original File Name: david chidester.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 15 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Dan

Last Name: Logue

Email Address: Non-web submitted comment

Affiliation:

Subject: Assemblyman 3rd District

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/200-dan_logue.pdf

Original File Name: Dan Logue.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 16 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Jose

Last Name: Chavez

Email Address: Non-web submitted comment

Affiliation:

Subject: Mandela High School

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/201-jose.pdf

Original File Name: Jose.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 17 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Jennifer

Last Name: Gonzales

Email Address: Non-web submitted comment

Affiliation:

Subject: Mandela High School

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/202-jennifer.pdf

Original File Name: Jennifer.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 18 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Eric

Last Name: Robles

Email Address: Non-web submitted comment

Affiliation:

Subject: Mandela High School

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/203-eric.pdf

Original File Name: eric.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 19 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Carlos

Last Name: Barrios

Email Address: Non-web submitted comment

Affiliation:

Subject: Mandela High School

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/204-carlos.pdf

Original File Name: Carlos.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 20 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Jay

Last Name: McKeeman

Email Address: Non-web submitted comment

Affiliation:

Subject: Multiple Industry Organizations

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/205-jay.pdf

Original File Name: jay.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 21 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Brandon

Last Name: Kitagawa

Email Address: Non-web submitted comment

Affiliation:

Subject: Long Beach Alliance for Children with Asthma

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/206-brandon.pdf

Original File Name: Brandon.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 22 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Steven

Last Name: Maxwell

Email Address: Non-web submitted comment

Affiliation:

Subject: Health Network for Clean Air

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/207-steven_maxwell.pdf

Original File Name: Steven Maxwell.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 23 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Gordon

Last Name: Downs

Email Address: Non-web submitted comment

Affiliation:

Subject: Downs Equipment Rentals

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/208-gordon.pdf

Original File Name: Gordon.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 24 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Michael

Last Name: Steel

Email Address: Non-web submitted comment

Affiliation:

Subject: AGC of America

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/209-michael_steel.pdf

Original File Name: Michael Steel.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 25 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Chris

Last Name: Shrader

Email Address: Non-web submitted comment

Affiliation:

Subject: CEMEX

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/210-chris_shrader.pdf

Original File Name: Chris Shrader.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 26 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Eric

Last Name: Sauer

Email Address: Non-web submitted comment

Affiliation:

Subject: CA Trucking Association

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/211-eric_sauer.pdf

Original File Name: Eric Sauer.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 27 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: James J.

Last Name: Morgester

Email Address: Non-web submitted comment

Affiliation:

Subject: Drayage Truck Regulation

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/212-james_j_morgester.pdf

Original File Name: James J Morgester.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 28 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Anthony

Last Name: Patchett

Email Address: Non-web submitted comment

Affiliation:

Subject: Law Offices of Anthony G. Patchett

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/213-anthony.pdf

Original File Name: anthony.pdf

Date and Time Comment Was Submitted: 2009-12-10 13:16:00

No Duplicates.

**Comment 29 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Kevin

Last Name: Shanahan

Email Address: Non-web submitted comment

Affiliation:

Subject: Cleaire

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/214-kevin_shanahan.pdf

Original File Name: Kevin Shanahan.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 30 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Wilson

Last Name: Ag

Email Address: Non-web submitted comment

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/215-wilson.pdf

Original File Name: wilson.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 31 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Judith

Last Name: Case

Email Address: Non-web submitted comment

Affiliation:

Subject: County of Fresno

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/216-judith_case.pdf

Original File Name: Judith Case.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 32 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Dennis

Last Name: Broderick

Email Address: dbroderick@bodegravel.com

Affiliation:

Subject: Bode Concrete

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/217-broderick.pdf

Original File Name: Broderick.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 33 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Galen

Last Name: Bullock

Email Address: Non-web submitted comment

Affiliation:

Subject: Bullock Logging

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/218-galen.pdf

Original File Name: Galen.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 34 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Jim

Last Name: Kilgore

Email Address: jim@pridetrans.com

Affiliation:

Subject: Pride Transportation

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/219-jim.pdf

Original File Name: Jim.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 35 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: John

Last Name: Manring

Email Address: jmanring@schillingcorp.com

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/220-john_manring.pdf

Original File Name: John Manring.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 36 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: David

Last Name: Zehr

Email Address: Dzehr@bak.rr.com

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/221-zehr.pdf

Original File Name: Zehr.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 37 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: James

Last Name: Shapazian

Email Address: jshapazian@bak.rr.com

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/222-james.pdf

Original File Name: James.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 38 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Mike

Last Name: Lanza

Email Address: Non-web submitted comment

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/223-mike.pdf

Original File Name: Mike.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 39 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Dan

Last Name: Ruoff

Email Address: dan@alegretrucking.com

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/224-dan.pdf

Original File Name: Dan.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.

**Comment 40 for Truck and Bus and In-Use Off-Road Regulation Updates
(dec09update). (At Hearing)**

First Name: Dan

Last Name: Ruoff

Email Address: dan@alegretrucking.com

Affiliation:

Subject: Truck & Bus Rule

Comment:

please see attached

Attachment: www.arb.ca.gov/lists/dec09update/225-ruoff.pdf

Original File Name: Ruoff.pdf

Date and Time Comment Was Submitted: 2009-12-15 14:07:23

No Duplicates.