

## **Comment 1 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Michael  
Last Name: Key  
Email Address: keyturf@sbcglobal.net  
Affiliation: Contractor

Subject: Regulation for In-Use Off-Road Diesel-Fueled Fleets  
Comment:

I am a contractor with approximately 30 Diesel Engines in my spread of equipment. My equipment ranges in HP from less than 10 HP to 100 HP. It also ranges in age from 1972 to 2006. The majority is within 15 years old. A majority of the equipment is on stand-by for when I may have a need for it. Many pieces only work 300 to 400 hours a year. This represents approximately 2 months out of a year.

I have been working the past 35 years to get to the point that most of my equipment is paid for and now I am being told that I must Retro-fit my equipment to meet or exceed the ARB (and Federal) Regulations. It would cost me MANY years PROFITS to retro-fit all my equipment.

I have attended the recent program presented by the ARB in Diamond Bar on Retro-Fitting Diesel Engines & Reduction of Particulate Emissions. I attended for several reasons. The first was because of my equipment and I was interested in the technology. I wanted to find out what I could do, what it is going to cost and how to prepare for the upcoming requirements. Secondly, I am interested in the technology to reduce the air I breath and wanted to know more about the existing and upcoming technology. Most importantly, I hoped to find out what the financial impact on my "Small Business" would be.

With that said, my comment would be to consider the usage of the equipment before mandating what an individual "MUST" do to comply to the regulations. I do not disagree that "WE" must continue to resolve these issues, but if a piece of equipment is minimally used, it should be considered for minimal consideration to be retro-fitted. The requirements should fit the out-put of the equipment on a yearly basis or some other consideration. It should not require the "Small Business Owners" to go out of business to comply with the regulations.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2008-12-05 17:40:47

No Duplicates.

**Comment 2 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Steve

Last Name: McDonald

Email Address: smcdonald@papemachinery.com

Affiliation: Equipment Dealer

Subject: Proposed Amendments to the Off-Road rule

Comment:

Attached comment file.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/2-arb\_changes.doc'

Original File Name: ARB changes.doc

Date and Time Comment Was Submitted: 2008-12-10 09:41:05

No Duplicates.

### **Comment 3 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Ernest  
Last Name: Wipf  
Email Address: wipf@pacbell.net  
Affiliation:

Subject: Proposed Regulations by the ARB  
Comment:

WIPF CONSTRUCTION  
1300 HASTINGS RD./P.O. BOX 234  
UKIAH, CA 95482  
PHONE (707)462-8741  
FAX (707)462-5409

DECEMBER 11, 2008

AIR RESOURCES BOARD MEMBERS

WE ARE WRITING YOU IN REGARDS TO THE OFF ROAD AND ON ROAD HEAVY DUTY DIESEL ENGINE REGULATIONS THAT ARE PRESENTLY BEING PROPOSED FOR ADOPTION. AS A SMALL EXCAVATION AND TRUCKING CONTRACTOR, WE WILL BE HEAVILY IMPACTED BY THESE REGULATIONS. THE CAPITAL INVESTMENT REQUIRED TO MEET THOSE REGULATIONS, WITHIN THE TIME FRAMES OUTLINED, CANNOT BE SUPPORTED BY MOST COMPANIES. ONLY THE LARGE MULTI-STATE OR MULTI-NATIONAL COMPANIES WILL BE ABLE TO SURVIVE. THEY WILL BE ABLE TO ACCOMPLISH COMPLIANCE, ONLY BY SHIPPING THEIR OLDER TRUCKS AND EQUIPMENT TO OTHER STATES TO WORK, REPLACING THIS EQUIPMENT WITH NEW IN CALIFORNIA. SMALLER CONTRACTORS WILL NOT HAVE THE ABILITY OF HAVING THEIR OLDER EQUIPMENT SUPPORT THEIR NEW EQUIPMENT AS WE HAVE IN THE PAST. THIS WILL CREATE A LARGE COMPETITIVE ADVANTAGE FOR THE VERY LARGE CONTRACTORS, PUTTING MOST SMALLER CONTRACTORS OUT OF BUSINESS.

WE HAVE BEEN IN BUSINESS FOR 20 YEARS, AND BY BEST CALCULATIONS, WE WOULD HAVE TO PUT 100% OF OUR NET PROFITS INTO RETROFITTING OR REPLACING OUR EQUIPMENT FOR THE NEXT 20 YEARS TO BECOME COMPLIANT. THE REGULATIONS, AS PROPOSED, WILL REQUIRE US TO BE COMPLIANT IN LESS THAN 7 YEARS. HOW CAN WE BE EXPECTED TO REMAIN IN BUSINESS WHEN OUR RATES WOULD NEED TO TRIPLE IN ORDER TO PAY OFF THE CAPITAL INVESTMENT THAT WOULD BE REQUIRED, WHILE THE VERY LARGE CONTRACTORS WILL BE MOSTLY REPLACING THEIR EQUIPMENT AS USUAL, MOVING OLD PIECES OUT OF STATE. COMPANIES SUCH AS OURS REQUIRE OUR OLDER EQUIPMENT TO SUPPORT THE NEW PIECES WE PURCHASE, IT IS THE ONLY WAY WE CAN COMPETE AND SURVIVE.

PAGE 1 OF 2

IN THE HANDOUT THE CARB HAS BEEN DISTRIBUTING AT THEIR PUBLIC MEETINGS, THERE IS A PIE-CHART THAT SHOWS WHERE THEY BELIEVE OUR EMISSIONS FROM VEHICLES COME FROM. THIS CHART

SHOWS THAT 20% COMES FROM HEAVY DUTY, WHICH INCLUDES GAS ENGINES AND MOTOR HOMES WHICH ARE NOT IN THESE REGULATIONS. IN THEIR STATISTICS THE BEST IMPROVEMENT IN EMISSIONS FROM VEHICLES THAT MAY BE ATTAINED THROUGH THESE REGULATIONS MAY BE 10 - 15% REDUCTION. ANOTHER PIE CHART SHOWS THAT OF ALL OPERATIONS IN CALIFORNIA, TRANSPORTATION CREATES ONLY 38% OF ALL GREENHOUSE GAS EMISSIONS. SO, BY ENACTING THESE REGULATIONS YOU WILL BE REMOVING 10 TO 15% OF 38% OF ALL GREENHOUSE GAS EMISSIONS. THIS MAY BE A MONUMENTAL REDUCTION OF MAYBE 3.8 TO 5.7 PERCENT. WE DON'T BELIEVE THIS IS A PERCENTAGE REDUCTION THAT WOULD WARRANT PUTTING MOST SMALL CONTRACTORS OUT OF BUSINESS, PUTTING THEIR EMPLOYEES OUT OF A JOB AND CREATING ECONOMIC CHAOS IN CALIFORNIA.

WE WOULD PROPOSE A PLAN TO BUILD MORE MASS TRANSIT, GIVE PEOPLE TAX CREDITS FOR UTILIZING MASS TRANSIT, REMOVING MAYBE 10 TO 25% OF THE CARS OFF THE ROAD. THIS WOULD YIELD A 7.4 TO 18.5 PERCENT NET BENEFIT IN GREENHOUSE GAS EMISSIONS. THIS PLAN WOULD ALSO GENERATE CONSTRUCTION JOBS IN OUR SAGGING STATE ECONOMY, INJECTING CAPITAL HELPING US TO UPDATE OUR FLEETS.

IN CLOSING, WE HAVE BEEN RESEARCHING RETRO-FIT DEVICES. THE DEVICES THAT ARE PRESENTLY AVAILABLE ARE NOT ABLE IN MOST CASES TO NOT COMPLICATE THE OPERATION OF MOST EQUIPMENT THAT THEY WILL BE PLACED ON. WHY DON'T WE ATTACK OUR GREENHOUSE GASES FROM ANOTHER ANGLE, AND ALLOW OUR TRUCKS AND EQUIPMENT TO CYCLE OUT AS AGE AND WEAR REQUIRE THEIR REPLACEMENT AS IT WAS DONE WITH PASSENGER VEHICLES. IT SEEMS TO US THAT BETTER PLANS CAN BE FORMULATED, ALLOWING SMALL CONTRACTORS AND THEIR EMPLOYEES TO CONTINUE WORKING, WHICH IS WHAT WE BELIEVE PAY YOUR SALARY. THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER, HOPEFULLY IT IS NOT TOO LATE TO SAVE US FROM THE ECONOMIC DEVASTATION THESE CARB REGULATIONS WILL LEAD TO.

SINCERELY,  
ERNIE WIPF  
WIPF CONSTRUCTION

PAGE 2 OF 2

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2008-12-11 09:43:17

No Duplicates.

## **Comment 4 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Steve

Last Name: McDonald

Email Address: smcdonald@papemachinery.com

Affiliation: Equipment Dealer

Subject: PROPOSED MODIFICATIONS TO THE REGULATION FOR IN-USE OFF-ROAD FLEETS

Comment:

After reviewing the ARB's latest proposed amendments to the In-Use Off-Road Diesel-Fueled Fleets and Implementation Update, I would agree that for the most part, the proposed changes are in the best interests of employers that rely on their Off-Road Diesel-Fueled equipment to provide services and construction related jobs to tens of thousands of tax paying employees.

Having said this, I would like to remind staff members and lawmakers that those employers and employees can only pay taxes when they are working or employed. These taxes are the states income and in turn pay state employee wages. Just as employers within the state must have an income to be able to pay employee wages, so must the state.

In the early stages of the regulations development, staff argued that employers would cover the costs of compliance to the regulation through increases in revenues from competitive bidding, ongoing housing development, business growth and increased infrastructure needs.

As we enter 2009 these projections by staff have not come to pass. In fact with construction and housing starts in a tremendous downturn and banks unwilling or unable to extend credit, it becomes increasingly more difficult for employers to meet payroll let alone come up with the tens of thousands of dollars required to meet the requirements set forth by the regulation. Most companies are in survival mode as they down size and lay off employees just to keep their balance sheets from going into the red. Staff must also consider that this is not the only ARB regulation that employers are required to comply with. Most of these employers also must comply with the PERP, ATCM, and the upcoming On-Road Rule. This overwhelming burden to repower, retrofit or replace equipment will only further diminish those much needed tax revenues by the state to meet budgetary requirements.

This state is in a financial crisis and needs to protect potential revenues. While it is an undeniable fact that the air quality of California is a great concern for everyone, we must also balance this concern with what is financially feasible at this time of economic crisis. Cleaning the air and saving lives is the goal, bankrupting the state and employers is not. If we are to survive this economic downturn we must all make concessions and that includes those at the regulatory level.

Allowing the extension of the double credit for early PM retrofits by 10 months will provide the additional time need for device manufacturers to sort out the additional requirements put on them by the ARB during the ever changing verification process. However, it will not make cash available for of those employers required to purchase and install those retrofit devices. Unlike our

State and Federal Governments, employers usually don't spend cash that they don't have or foresee as income and therefore the purchase of these devices will be delayed until such a time as the work load will justify and pay for their purchase. Also, on pages 14 and 19 of the staff report, I believe that staff has once again over stated their VDECS estimates. The burden of installing VDECS to meet the staff projection of 30 percent by 2011 will fall largely upon the shoulder of the large fleets to the tune of approximately 59,500 units, as medium fleets first compliance is 2013 and small in 2015 and I would disagree that medium and small fleets will find the double credit to be a large enough benefit to retrofit early. Particularly when cash flow is low.

On page 12 of the staff report it is stated that "some manufacturers have limited the resources they have invested in off-road verifications". While it is true that manufactures have had difficulty in meeting the needs for verified devices it is not for a lack of persistence. The ARB must also shoulder some of the responsibility for the low number of verified devices. The ARB must establish a criteria threshold and maintain it. Changing the target for meeting verification criteria is not a fair and reasonable practice for manufactures to be held accountable for. Just as many devices were de-verified in the early stages of the program, so to have many devices by numerous manufacturers been put through additional requirements after the fact because the ARB has changed the verification criteria. This becomes an expensive and time consuming endeavor for the manufacture and one that significantly impacts the end user cost of the device. Let's stop reinventing the wheel and use those technologies that have already been developed and proven in other countries. These manufactures have much to offer in the way of saving lives and money now. I would ask that the ARB consider expediting these products to market in an effort to save lives and control end user costs.

I would also ask that the ARB reconsider the time frames and the impact of these regulations with respect to our current financial situation as a whole on the employer. Employers that have the burden of meeting three or more regulation simultaneously will find it difficult at best to become fully compliant. I believe we should look at the bigger picture when considering the compliance strategy for these employers. The goal is to reduce emissions and therefore the overall reduction of the combined diesel fleet (PERP, ATCM, Off-Road and On-Road) should be an additional path to compliance. There must be a point to which everyone affected by the multitude of regulations and the quality of our air can find acceptance and practical applicability with all of our endeavors.

The proposed requirements for fleet size changes is a step in the right direction. However, this change to the regulation should also be afforded to the large fleets also. The large fleets will feel the negative affects of these regulations years before the medium and small fleets. These large fleets are also the large contributors to the states income through taxes and allowing them the ability to move from medium to large as their dormant fleets become active again will further assist in them in this economic downturn and will help to support that tax base.

Thank You,  
Steve McDonald

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2008-12-17 06:49:32

No Duplicates.

## **Comment 5 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Tim

Last Name: Lester

Email Address: tlesjr12@aol.com

Affiliation: AirTech Resources Ltd.

Subject: Aftermarket Retrofit devices for in-use off-road vehicles

Comment:

It seems to me that the ARB is missing an opportunity to meet its emission reduction goals because of a cavalier, almost hostile attitude towards products manufactured outside the USA. The Fuelstar Fuel Catalyst, manufactured in New Zealand, has been installed and is in use in off-road vehicles and trucking fleets throughout Europe, Canada and in Iceland's fishing fleet, resulting in reductions in both harmful emissions and fuel consumption. There are great engineers in countries the world over, not just in the USA. As a Fuelstar distributor, I hope to get an opportunity to present our product to the decision makers at the ARB. Fuelstar was granted Executive Order #572 by the ARB and we are pursuing a level 2 verification. Fuelstar catalyst when combined with a verified DOC exceeds your emission reduction goals.

Please contact Tim Lester at (323) 697-0130 if you have any questions or comments.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2008-12-17 14:23:19

No Duplicates.



**Comment 6 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: John

Last Name: Reed MD

Email Address: Non-web submitted comment

Affiliation:

Subject: For John Telles MD and John Balmes MD

Comment:

please see attached

Attachment: 'www.arb.ca.gov/lists/ordiesl09/10-md.pdf'

Original File Name: MD.pdf

Date and Time Comment Was Submitted: 2008-12-29 15:52:31

No Duplicates.

**Comment 7 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Dave

Last Name: Porcher

Email Address: daveporcher@gmail.com

Affiliation: Camarillo Engineering Inc.

Subject: proposed amendments to the off-road diesel regulation

Comment:

please read the attachment on the proposed amendments to the  
off-road diesel regulation.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/11-double\_credit\_extention\_provision.doc'

Original File Name: double credit extention provision.doc

Date and Time Comment Was Submitted: 2009-01-05 15:44:51

No Duplicates.

**Comment 8 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Bradley  
Last Name: Edgar  
Email Address: brad.edgar@cleaire.com  
Affiliation: Cleaire Advanced Emission Controls

Subject: Cleaire Comments on Off-Road Rule  
Comment:

Please find attached a letter containing our comments on Off-road Rule Board Item.

Regards,

Brad Edgar  
President  
Cleaire Advanced Emission Controls  
brad.edgar@cleaire.com  
(510) 579-3138

Attachment: 'www.arb.ca.gov/lists/ordiesl09/12-cleaire\_comment\_letter\_-\_off-road\_rule\_8jan09.pdf'

Original File Name: Cleaire Comment Letter - Off-road Rule 8Jan09.pdf

Date and Time Comment Was Submitted: 2009-01-08 09:54:52

No Duplicates.

**Comment 9 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Don

Last Name: Anair

Email Address: danair@ucsusa.org

Affiliation: Union of Concerned Scientists

Subject: Off-Road Regulatory Comments

Comment:

Please find attached comments submitted on behalf of Environmental Defense Fund, Union of Concerned Scientists, Natural Resources Defense Council, American Lung Association of California, West Oakland Environmental Indicators Project, Bayview Hunters Point Community Advocates, and Coalition for Clean Air.

Regards,  
Don Anair  
Senior Analyst  
Union of Concerned Scientists

Attachment: 'www.arb.ca.gov/lists/ordiesl09/13-offrdregchanges\_01-08-09.pdf'

Original File Name: OffRdRegChanges 01-08-09.pdf

Date and Time Comment Was Submitted: 2009-01-08 15:55:28

No Duplicates.

**Comment 10 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Bob

Last Name: Shepherd

Email Address: bshepherd@quinnpower.com

Affiliation: Quinn Group, Inc, Caterpillar dealer

Subject: Request for Off-Road Regulation Administrative Amendment - EINs

Comment:

See attached comment letter regarding a request for an administrative amendment regarding Equipment Identification Number (EIN) Installation for Rental and Leasing fleets.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/14-off-road\_ein\_comment\_letter.doc'

Original File Name: Off-Road EIN Comment letter.doc

Date and Time Comment Was Submitted: 2009-01-09 10:21:16

No Duplicates.

**Comment 11 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: John

Last Name: McClelland

Email Address: john.mcclelland@ararental.org

Affiliation:

Subject: Extending Date for Affixing EINs to Equipment

Comment:

Attached are our cmmments supporting an extension of the date when fleet owners must affix EINs t their equipment.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/15-carb\_lt\_jan\_19\_2009\_eins.pdf'

Original File Name: CARB Lt Jan 19 2009 EINs.pdf

Date and Time Comment Was Submitted: 2009-01-19 11:48:53

No Duplicates.

**Comment 12 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Nick

Last Name: Pfeifer

Email Address: Nicholas.Pfeifer@gcinc.com

Affiliation: Granite Construction Inc.

Subject: Proposed Amendments to the In-Use Off-Road Diesel Rule

Comment:

Please see attached:

Attachment: 'www.arb.ca.gov/lists/ordiesl09/16-granite\_comment\_letter\_jan\_09.pdf'

Original File Name: Granite comment letter\_Jan 09.pdf

Date and Time Comment Was Submitted: 2009-01-20 13:50:37

No Duplicates.

**Comment 13 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Lesli  
Last Name: Collins  
Email Address: Lcollins@ambobcat.com  
Affiliation: MEMBER OF E.G.C.A.

Subject: Off-Road Diesel Regulations  
Comment:

I have owned my own construction business in San Diego County for 30 years and am now facing some of the most difficult economic times that I can remember. ALL of my off-road equipment is Tier One and I am faced with phasing out my Backhoes long before their useful life is over. Though I am a Small Fleet and my compliance dates are more lenient than others, it will be difficult if not impossible to meet the guidelines and still be able to afford to be in business. We appreciate the proposal to extend double-credit for early PM retrofit, but those devices are not yet proven to be safe or economically feasible at this point. I urge CARB to please DO MORE! There are still too many flaws and unclarified questions that must be answered! Please don't so force many of us California Contractors out of business during this down turn in the economy! I appreciate your consideration and time.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-01-20 15:10:49

No Duplicates.



## **Comment 14 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: steven

Last Name: shmitt

Email Address: sc1426@hotmail.com

Affiliation:

Subject: Down with Carb

Comment:

Carb regulations is to harsh and unfounded we have trucks moving up and down the freeways daily this country needs trucks to haul move and carry every thing the smoke or exhaust that comes from these trucks has not made nor is there an real proof to the aligations founded and discussed that smoke fron truck causes cancer or health problems. Diesel fuel is a bie proproduct of oil and gas that is more naturel than the shirt you are wearing that has had been died in multitudes of chemicals and how due the clear them by washing them and chemicals run down the drain just as dirt and oil fron tires and asphalt which has gone on for over a centry. All this is a political and governetal ploy to make truckers and companys get ridd of older trucks and buy new truckes so the state can make money of taxes and more taxes that are added to the truck the more money you want to make. B ut the liottle man cant get a head nor can he afford a new truck in this time in this depression and yes this is a depression I havent worked nor have I been able to find work for six months I have a wife and she works but my boys were laid off and so we do what we can. But card is hearting everyone with theses stuppud rules regulations and costs you dont drive a truck nor have you even ridden in one so get of your ass and talk to the real people in the indestry TRUCKERS we know what is going on and how we can fix it so talk to us. Get off that soft chair and step out side and go find a trucker and talk to him her any trucker you findThis polisy sucks and you guys dont know jack about shit actually you now about shit it comes out your ass just like you.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-01-20 16:31:24

No Duplicates.

**Comment 15 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: MA

Last Name: Mannan

Email Address: mamannan@nett.ca

Affiliation:

Subject: Nett Technologies Comments on Off-Road Rule

Comment:

Nett Technologies is pleased to provide comments on ARB's proposed amendments to the regulation for in-use off-road diesel-fueled vehicles as per attached document.

Thank you,  
MA Mannan  
Nett Technologies Inc.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/20-arb\_net\_ordiesl09\_\_2009-01-22\_.pdf'

Original File Name: ARB\_Nett\_Ordiesl09 (2009-01-22).pdf

Date and Time Comment Was Submitted: 2009-01-21 07:00:59

No Duplicates.

**Comment 16 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Michael

Last Name: Lewis

Email Address: [ciaqc@uia.net](mailto:ciaqc@uia.net)

Affiliation: Construction Industry Air Quality Coal.

Subject: Recommendations for In-Use Off-Road Diesel Vehicle Regulation

Comment:

CIAQC supports the proposed extension of the deadline to receive double credit for the installation of VDECS. However a comprehensive review and examination of the impact of the Off-Road Regulation is warranted given the many technical challenges associated with VDECS and the state of the California economy. See attached comments.

Attachment: '[www.arb.ca.gov/lists/ordiesl09/21-ciaqc\\_comments\\_on\\_proposed\\_revisions\\_to\\_off-road\\_reg\\_1-22-09.pdf](http://www.arb.ca.gov/lists/ordiesl09/21-ciaqc_comments_on_proposed_revisions_to_off-road_reg_1-22-09.pdf)'

Original File Name: CIAQC Comments on Proposed Revisions to Off-Road Reg 1-22-09.pdf

Date and Time Comment Was Submitted: 2009-01-21 08:55:48

No Duplicates.

**Comment 17 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Rob

Last Name: Cram

Email Address: rcram@holtca.com

Affiliation:

Subject: Extension of Early Double Credit for Retrofits

Comment:

Please see attached:

Attachment: 'www.arb.ca.gov/lists/ordiesl09/23-comment\_letter\_1-21-09.pdf'

Original File Name: Comment letter 1-21-09.pdf

Date and Time Comment Was Submitted: 2009-01-21 09:43:02

No Duplicates.

**Comment 18 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Spencer

Last Name: Defty

Email Address: Non-web submitted comment

Affiliation:

Subject: Diamond D General Engineering

Comment:

please see attached

Attachment: 'www.arb.ca.gov/lists/ordiesl09/24-spencer.pdf'

Original File Name: Spencer.pdf

Date and Time Comment Was Submitted: 2009-01-21 11:05:39

No Duplicates.

## **Comment 19 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Bruno

Last Name: Dietl

Email Address: bruno@vulcan-construction.com

Affiliation: Vulcan Construction & Maintenance, Inc.

Subject: Rule on off-road diesel emissions

Comment:

I respectfully request that the rulemaking for New Limits on Emissions from Existing Fleets of Off-Road Diesel Equipment be reopened and re-evaluated in light of the serious downturn in the economy.

I am President of Vulcan Construction & Maintenance, Inc., headquartered in Fresno, CA. Our company is a general engineering contractor licensed in California and operating since 1981. The majority of our work is in public work construction. We are a very small company and very much impacted by the economic downturn in California which started in 2007.

Downturn in Construction:

Compared to a "normal" year our present construction volume has declined by 42%.

We now see anywhere from 10 to 15 bidders on public projects where ordinarily there are 4 to 5 bidders. With such a competitive market it is impossible to pass on any higher cost. Like most California contractor's we are struggling to survive this serious downturn.

Decline in the Consumption of Diesel Fuel:

Consumption of diesel fuel for our company has declined by 79% as compared to a normal year.

Resale Value of Equipment in an Existing Fleet:

In anticipation of the new California Air Resources Board rules our company sold at an auction all except one Tier 0 equipment. Our observation has been that resale values of older equipment have drastically declined.

Credit Being Extended to Construction Contractors:

We are experiencing severe restrictions on available credits in addition to very tight covenants.

I strongly believe it would be in the best interest of Californians to revisit the costly new CARB rules, especially in light of the troublesome economy automatically resulting in reduced emissions. Strict enforcement will result in many contractor's going out of business.

Respectfully submitted,

Bruno Dietl

Vulcan Construction & Maintenance, Inc.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2009-01-21 11:21:09

No Duplicates.

**Comment 20 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Timothy

Last Name: Pohle

Email Address: tpohle@airlines.org

Affiliation: Air Transport Association

Subject: Comments of the Air Transport Association of America, Inc. (ATA)

Comment:

Please find attached ATA's comments on the proposed amendments to the regulation for in-use off-road diesel-fueled fleets, and the update on status of implementation of the regulation.

Thank you.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/26-2009-01-21\_ata\_comments\_on\_proposed\_amendments\_to\_ord\_rule.zip'

Original File Name: 2009-01-21 ATA Comments on Proposed Amendments to ORD Rule.zip

Date and Time Comment Was Submitted: 2009-01-21 11:21:26

No Duplicates.



**Comment 21 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Rasto  
Last Name: Brezny  
Email Address: rbrezny@meca.org  
Affiliation: MECA

Subject: MECA Comments to ARB Proposed Amendments to Off-Road Regulation  
Comment:

RE: ARB's Proposed Amendments to the Regulation for In-Use Off-Road Diesel Fueled Fleets

To Whom It May Concern:

Please find attached a copy of the written testimony submitted by the Manufacturers of Emission Controls Association (MECA) regarding the above-referenced rulemaking.

Thank you for your assistance.

Sincerely,

Joseph Kubsh  
Executive Director

Attachment: 'www.arb.ca.gov/lists/ordiesl09/27-arb\_off-road\_amendments\_final\_012209.doc'

Original File Name: ARB off-road amendments Final 012209.doc

Date and Time Comment Was Submitted: 2009-01-21 11:30:11

No Duplicates.

**Comment 22 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09) - 45 Day.**

First Name: Barry

Last Name: Wallerstein

Email Address: bwallerstein@aqmd.gov

Affiliation: South Coast Air Quality Management Dist.

Subject: SCAQMD Staff Comments on the Off-Road Regulation

Comment:

Please find attached the South Coast AQMD staff comments on the proposed amendments to the In-Use Off-Road Diesel Vehicles Regulation and Update on Status of Implementation of the Regulation.

Attachment: 'www.arb.ca.gov/lists/ordiesl09/28-scaqmd\_comments\_-\_off-road\_reg\_-\_012009.pdf'

Original File Name: SCAQMD Comments - Off-Road Reg - 012009.pdf

Date and Time Comment Was Submitted: 2009-01-21 11:57:57

No Duplicates.

**Comment 1 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09). (At Hearing)**

First Name: Henry

Last Name: Hogo

Email Address: Non-web submitted comment

Affiliation:

Subject: SCAQMD

Comment:

please see attached

Attachment: [www.arb.ca.gov/lists/ordiesl09/29-henry.pdf](http://www.arb.ca.gov/lists/ordiesl09/29-henry.pdf)

Original File Name: henry.pdf

Date and Time Comment Was Submitted: 2009-01-27 11:02:18

No Duplicates.

**Comment 2 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09). (At Hearing)**

First Name: Greg

Last Name: Knapp

Email Address: Non-web submitted comment

Affiliation:

Subject: Lehigh Hanson

Comment:

please see attached

Attachment: [www.arb.ca.gov/lists/ordiesl09/30-greg.pdf](http://www.arb.ca.gov/lists/ordiesl09/30-greg.pdf)

Original File Name: Greg.pdf

Date and Time Comment Was Submitted: 2009-01-27 11:02:56

No Duplicates.

**Comment 3 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09). (At Hearing)**

First Name: Mary

Last Name: Pitto

Email Address: Non-web submitted comment

Affiliation:

Subject: RCRC

Comment:

please see attached

Attachment: [www.arb.ca.gov/lists/ordiesl09/31-mary.pdf](http://www.arb.ca.gov/lists/ordiesl09/31-mary.pdf)

Original File Name: Mary.pdf

Date and Time Comment Was Submitted: 2009-01-27 11:03:16

No Duplicates.

**Comment 4 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09). (At Hearing)**

First Name: Michael

Last Name: Lewis

Email Address: Non-web submitted comment

Affiliation:

Subject: Clayton Miller

Comment:

please see attached

Attachment: [www.arb.ca.gov/lists/ordiesl09/32-michael.pdf](http://www.arb.ca.gov/lists/ordiesl09/32-michael.pdf)

Original File Name: Michael.pdf

Date and Time Comment Was Submitted: 2009-01-27 11:03:41

No Duplicates.

**Comment 5 for In-Use Off-Road Diesel-Fueled Fleets (ordiesl09). (At Hearing)**

First Name: Bill

Last Name: Davis

Email Address: Non-web submitted comment

Affiliation:

Subject: SCCA

Comment:

please see attached

Attachment: [www.arb.ca.gov/lists/ordiesl09/33-bill.pdf](http://www.arb.ca.gov/lists/ordiesl09/33-bill.pdf)

Original File Name: Bill.pdf

Date and Time Comment Was Submitted: 2009-01-27 11:04:06

No Duplicates.